

EAST INDIA (CONSTITUTIONAL REFORMS: BURMA).

PROPOSALS
OF THE
GOVERNMENT OF INDIA
FOR A
NEW CONSTITUTION FOR BURMA.

Presented to Parliament by Command of His Majesty.



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PROPOSALS OF THE GOVERNMENT OF INDIA FOR A NEW CONSTITUTION FOR BURMA.

No. 1.

Letter from the Government of India to the Right Honourable Edwin Montagu, His Majesty's Secretary of State for India, No. 1 of 1920, Dated Delhi, 25th March, 1920.

We have the honour to lay before you our proposals for a new constitution for Burma.

2. In paragraph 198 of the Joint Report¹ the problem of Burma's political evolution was set aside for separate and future consideration. The authors of the report took the view that Burma was not India, that its problems were altogether different, and that it was impossible to say how far their proposals would be applicable to Burma till the Government and the people of that province had had an opportunity of considering them. On the publication of the Report the Lieutenant-Governor of Burma took steps, by means of informal conferences, to ascertain the views held in Burma regarding the proposals of His Excellency and the Secretary of State, and subsequently in a resolution² which forms an enclosure to this despatch, he published for discussion and criticism a tentative scheme of reforms. This resolution was issued in December, 1918, and in June of the following year, after consideration of the opinions which the scheme had elicited, the Lieutenant-Governor submitted to us his formal proposals for a new constitution.

3. These proposals are fully set out in the local Government's letter of the 2nd June, 1919,³ of which we attach a copy. They include a wide extension of local self-government, and the establishment of a Legislative Assembly in which the elected element would have a substantial majority. Elections to the Legislative Assembly were to be direct, except in the case of the rural representatives who were to be elected by the District Councils.⁴ The power of the Governor to ensure the passing of legislation considered to be of essential importance was to be secured by providing that measures certificated by the Governor should become law unless opposed by a majority of two-thirds of the Assembly. The resolutions of the Assembly on the budget were to have the effect only of recommendations to the local Government, but it was contemplated that in practice the local Government would not disregard the clearly expressed wishes of the Legislature except on matters regarded as essential for the maintenance of peace and security. The most distinctive feature of the scheme, however, was the proposal for the creation of a system of Boards which were to exercise some of the powers now vested in the local Government. There were to be four such Boards, one for home affairs, one for local self-government, one for development and one for revenue and finance. Each Board was to be presided over by a non-official President chosen, except perhaps in the case of Europeans, from the non-official members of the Legislative Assembly. The other members of the Boards were to consist of Heads of Departments and Secretaries to the local Government. The official members were to exercise without reference to the Presidents the independent powers which they possess under the existing system, but in all matters, which lay beyond the powers appertaining to the head of the Department, no action was to be taken without the cognizance and participation of the non-official President. The decisions of the Board were to be in accordance with the opinion of the majority, but the non-official President was to be empowered to carry any case to the Lieutenant-Governor and to ask for his permission to over-rule the Board. It was recognised that the Boards contained no element of responsibility to the legislature. It was urged, however, that the Assembly would be able to express their disapproval of the administration of a President by an adverse vote, and that in this way a gradual advance towards

(¹) Cd. 9109.

(²) See p. 9.

(³) See p. 29.

(⁴) Extract from telegram from the Government of India to the Secretary of State, dated 12th May, 1920 :—

“We regret a clerical error in paragraphs 3 and 10 of our despatch, dated 25th March. Intention is that electorates for rural members should consist of members of Circle Boards plus members of municipal and town Committees not included in urban electoral groups.”

responsible government would be secured. As regards its relations with India, separation was declared to be the ultimate goal to which Burma should look forward and, partly as a fitting recognition of this fact and, partly with the object of retaining for the provincial legislature and administration the ablest of her people, it was proposed that Burma should not be represented on the Indian Legislative Assembly. On the Council of State the Lieutenant-Governor asked for three seats, one of which was to be held by an officer of the Burma Commission attached to the Government of India to advise on all matters affecting the interests of Burma. It was claimed for this scheme that it was a preliminary advance towards responsible self-government; that it paved the way for further progress with the growth of experience and capacity amongst the people; and that it set the course of development of Burma and its people towards the realization of a separate national entity within the British Empire.

4. We recognize the great care and thought which had been expended on these proposals and, for reasons which we shall explain later, we took no objection to them on the ground that they differed profoundly from the scheme which has been adopted for the Indian provinces. Nevertheless there were features in them which we felt unable to accept. We thought that the system of Boards would prove to be an unwieldy method of Government and further that it was open to the criticism that it made no real advance in the direction of giving Burmans any power over the administration. The powers to be exercised by the Boards would be those which were delegated to them by the Head of the Government and the Head of the Government was to retain authority to withdraw any such powers from the Boards at his discretion. We doubted whether Burman opinion would be satisfied without a Governor in Council since any substitute would be regarded as of inferior dignity; and we were inclined to favour the establishment of an Executive Council, both on this ground, and on the ground that it would give the Burmans some measure of administrative control at the outset and that it would pave the way towards a further advance by the conversion, when the time came, of the non-official Councillors into Ministers. As regards the Legislature, we accept the process of indirect election proposed in the case of the rural members as inevitable in the circumstances; but we thought that the procedure for ensuring the passing of legislation considered to be essential by the Government should be the same as in the case of the provincial legislative councils in India. We communicated these criticisms to the Lieutenant-Governor and asked for a further expression of his views.

5. The further views of the Lieutenant-Governor were submitted in a letter,² dated 22nd January, 1920, of which a copy is attached to this despatch. In the interval the Report of the Joint-Committee³ had appeared and the Lieutenant-Governor reviewed his scheme in the light both of our criticisms and of the recommendations of the Committee. He considered that the dualistic system adopted for the Indian provinces was quite inapplicable to political conditions in Burma, and he was also opposed to the establishment of an Executive Council. He urged that there were no persons who could be selected to fill the independent position of Ministers, and that even greater difficulty must attach to the selection of Executive Councillors to deal with both reserved and transferred subjects. He recognised, however, that the constitution of the Boards proposed by him gave an appearance of the President being always confronted with a majority of officials, and he proposed accordingly, while retaining four Boards as an essential and convenient means of administration, to reduce the membership of each Board to two, a non-official who would be the first Member of the Board and would also be termed Minister, and an official who would be second Member of the Board. He recommended that the Head of the province should be empowered to appoint at the outset any persons, whether elected members of the Legislature or not, but proposed that at least three of the subsequent appointments should be made from the elected members of the Assembly. He claimed for this modified system that it would employ and train in responsible posts a maximum number of non-officials; that it enabled a gradual transfer of power to be carried out by means of further delegations; and that when conditions were ripe for this advance, it admitted of easy transformation into a constitution of Ministers or a constitution of Executive Councillors or a constitution which should include both Executive Councillors and Ministers. He adhered to his original proposal that since Burma was unable to provide a suitable number of representatives in the Legislative Assembly, it should be excluded from

(¹) See p. 57.

(²) See p. 59.

(³) Parliamentary Paper II.C. 203 of 1919.

this body and suggested an arrangement under which Indian legislation would be extended to Burma after consultation with the Government of Burma and the Burma Legislative Assembly. On the Council of State he again asked that Burma should be given three representatives of whom one should represent Burman Commerce. Finally, he proposed that the title of the Viceroy should be altered to that of "Governor-General of India and Burma".

6. We recognised that these proposals were an improvement on those originally put forward by the Lieutenant-Governor. We could not, however, admit that our objections had been fully met, more particularly in regard to the form of executive government suggested. The system of Boards still appeared to us to be open to the criticism that at bottom all real power was retained in the hands of the Head of the Government. We were not convinced that the establishment of an Executive Council was impracticable and we were unable to accept the proposal that Burma should not be represented on the Indian Legislative Assembly. We felt, however, that it would be an advantage if the whole position could be discussed with the Lieutenant Governor, and we therefore invited Sir Reginald Craddock to Delhi so that we might have an opportunity of personal consultation with him before formulating our final proposals. We have now had a full discussion with the Lieutenant-Governor and we are glad to be able to inform you that we have arrived at substantial agreement with him as regards the lines on which the new constitution of Burma should be framed, and that we are now able to lay before you a scheme which in all its important features commends itself equally to the head of the province and to ourselves.

7. We accept in the first place the proposal of the Lieutenant-Governor that the title of the Viceroy should be altered to that of "Governor-General of India and Burma." Historically and geographically Burma is only by accident a part of the Indian Empire and we think that this alteration of the title of the Viceroy will be an appropriate means of recognising its distinctive position. We are opposed, however, to taking any step which would prejudge the question of separation, and cannot therefore approve of the exclusion of Burma from the Indian Legislative Assembly, which measure would, in our judgment, be tantamount to recognising that separation was inevitable at no distant date. Burma shares with India a common system of taxation for central purposes and its exclusion from the Assembly, which controls the allocation of the proceeds of taxation, could be justified only if it were treated as a temporary measure and as the prelude to early and complete separation. Burma is linked at present with India by many ties, foreign, military and commercial, which cannot be severed in the immediate future or till the conditions which make for union or separation are clearer than they are now. There is nothing in the present circumstances of Burma which necessitates an early decision and much which suggests the desirability of keeping an open mind in regard to a problem whose solution may depend so largely on future and unforeseeable developments. We may add that whilst the Lieutenant-Governor would still prefer that Burma should not be represented on the Legislative Assembly, he does not now press strongly for its exclusion.

8. As regards the provincial constitution, we are in full agreement with the Lieutenant-Governor as to the impossibility of imposing on Burma a constitution on the Indian model. In our judgment the facts set out in the Resolution and the letters of the local Government place this conclusion beyond reasonable doubt. In political development Burma is at least a generation behind India. Broadly speaking, the people of Burma have had no electoral experience whatever. Local Self-Government has hitherto been confined to a few municipalities and little advantage has been taken of even the limited facilities thus afforded; while the Burma Legislative Council has never up to the present time included a single elected Burman. In other spheres of national life the backwardness of the Burmans is no less marked. In commerce and in administration all the prominent positions are filled by Europeans and Indians. The total number of Burman graduates has not yet reached 400, not a single Burman has passed the examination for the Indian Civil Service; whilst even at the Bar Burmans have been easily out-distanced by their Indian competitors. To impose on such a people a system of government in which persons without the requisite training or capacity would be called on to assume unaided the highest responsibilities would be an experiment too rash for statemanship to contemplate. We must take the facts as they are; we must build on such foundation as

actually exists; and there are at present no foundations on which the elaborate structure of the Indian system could be superimposed. The new constitution should be framed on as generous lines as possible and should admit of progressive liberalisation with the growth of experience and capacity amongst the people. But it is equally essential that in framing it, due account should be taken of the political immaturity of the people. We are anxious that the advance towards responsible government should be as rapid as we can make it, but nothing will be gained by attempting to force the pace to an extent which ignores the governing conditions of the problem. India has had to pass through a long course of political training before it was found possible to confer on her the reforms which have now been embodied in the Government of India Act; and though we hope and believe that in Burma this stage can be curtailed considerably, we do not think that it can be dispensed with entirely. We aim at giving the Burmans a control over the administration far larger than they have hitherto enjoyed, but before we can concede to them the same measure of responsible government as we are about to confer on the Indian provinces, there must be an intermediate period of preparation and training. This conclusion appears to us to be entirely consistent with the recommendation of the Joint Committee. The term "analogous" employed by the Committee is doubtless in itself susceptible of more than one interpretation; but the Committee have explicitly recognised the differences between India and Burma and we read it, therefore, not as connoting identity or even close similarity, but, rather, as indicating that in their opinion the Burmans should receive a constitution as liberal, having regard to the relative political development of the province, as that which has been granted to their Indian fellow subjects. We are confident that the proposals which we shall now proceed to describe will satisfy this condition.

9. We contemplate first a wide extension of local self-government on the lines proposed by the Lieutenant-Governor. We attach importance to this part of our programme of reforms, not only as a means of conferring control over local affairs, but also because it is on the local bodies that we must primarily rely for the development of administrative capacity and electoral experience amongst the people. The Municipal Act will now be extended to all urban areas of any size and importance; all municipal committees will be mainly elective and almost entirely non-official; and all municipal officials will be appointed by the Committees themselves. Such control as it will still be necessary to retain will thus be exercised in future from without and not from within. In rural areas much of the powers in local affairs hitherto exercised by the Deputy Commissioner will be entrusted to Circle Boards and District Councils. Circle Boards will be constituted from members elected by groups of village tracts and the electorate will comprise all residents in each group who are assessed to capitation tax or *thathameda* or income-tax, or who have been exempted from such taxation on grounds other than poverty. The District Council will consist of representatives elected by the Circle Boards and members returned by each Municipal area in the district. It will supervise and be responsible for the working of the Circle Boards, whose functions in the main will be those delegated to them by the Council; and it will administer such local matters as vernacular education, sanitation, roads, etc. These measures will give Burma a system of local self-government as extensive and as liberal as that of any province in India.

10. The Burma Legislative Council was created in 1897. As first constituted, it consisted of 9 nominated members, 4 of whom were officials. In 1909 the membership of the Council was increased to 17 and in 1915 to 19. As late, however, as 1916 the only elected members of the Council were two Europeans, and the sole representatives of the indigenous races were two Burmans, one Karen and a Shan Chief. Burma has thus never had a Council of the kind which was established in India by the Morley-Minto Reforms. In substance its Legislative Council has conformed to the pre-1909 type. It might therefore appear that the most natural line of advance would be to convert the existing Council into a Legislature, in which the elected element would be about as large as in the present Legislative Councils of Bombay and Bengal. We have considered, but have rejected, a suggestion to this effect. We think that Burma has deserved and should receive a Legislature in which the elected members will have a substantial majority. Nothing less will satisfy the legitimate sentiment of the Burma people or provide that measure of popular control to which, despite their political immaturity, they can fairly lay claim. The proposals of the local Government fulfil this condition. They have been worked out with great

care and we think they may be accepted as suitable and satisfactory. In their latest form they provide for a Council of 92 composed as follows :

A. Elected Members.

1.	One district representative from every district that has a District Council	...	...	...	...	31
2.	Urban representatives	...	...	...	...	19
3.	Two elected members of the Burma Chamber of Commerce					2
4.	One elected member of the Rangoon Trades Association...					1
5.	One representative of the Burma Educational Syndicate, and later of the University when established	...				1
6.	(a) One elected member of the European community, a European being defined as a person of European parentage on both sides	...	...	...	...	1
	(b) One elected member of the Anglo-Indian community					1
	Total elected members	...	...	...	...	56

B. Nominated Members.

7.	(a) Twelve non-officials nominated by the local Government for races or interests inadequately represented by the elected members	...	...	...	...	12
	(b) One European member to represent one branch of commerce not represented by the elected commercial members	...	...	...	...	1
	(c) Three members (one Burmese, one Indian and one Chinese) to represent branches of commerce in which the Burmese, Indian and Chinese communities are specially interested	...	...	...	...	3
8.	Two experts, official or non-official...	...	...	...	...	3
9.	Twelve officials	...	...	...	...	12
	Total nominated members	30

C. Ex-officio members.

Six members of executive council	6
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GRAND TOTAL	92
Or including the Governor	93

The elected members will thus form 60 per cent. of the Council, a proportion not far short of that prescribed by the Government of India Act for the provincial Legislative Councils. We recognise the objections to the election of the rural representatives by the District Councils¹. As you are aware, we have never favoured the method of indirect election and have opposed its application to the Indian Legislative Assembly and to the Council of State. But in the case of Burma we see no alternative to its adoption. It is not possible, for the reasons explained in paragraph 24 of the local Government's letter of January 22, to base the electoral rolls on the assessments of land revenue and on the other hand the *thathameda* or capitation-tax rolls, which are the only materials available for the purpose, would yield a rural electorate of about 2,000,000. The largest rural electorate proposed for any Indian province does not include more than 1,300,000 voters in a population of 45,000,000. We could not recommend for a province which has as yet had no experience of elections even to a District Council, an electorate based on household suffrage; nor has the province the administrative machinery which would be required for the conduct of elections in which the average number of voters in each constituency would be 64,000.

11. We propose that the control of the Legislature over legislation should be the same as that exercisable by the Indian provincial Legislative Councils. The power of the Government to ensure the passing of legislation regarded by it as essential should be secured by a provision on the lines of section 13 of the Government of India

(¹) See Note (⁴) p. 3.

Act. Provision should also be made for optional and compulsory reservation of Bills as in section 12 of that Act. We consider, however, that the resolutions of the Council regarding the budget should have the effect only of recommendations to the local Government. We should not expect the Government to disregard, save for strong reasons, the clearly expressed wishes of the Council; but the function of giving or withholding the supplies necessary for the carrying on of Government is not one that can at the outset be entrusted to inexperienced hands, and we think that for the present at any rate statutory control over the proceeds of taxation should not be conceded to the new Council.

12. We pass now to the structure of the Executive Government. The system of Boards, even in the modified form proposed in the local Government's letter of January 22, seemed to us open to two criticisms. In the first place, the position of the Presidents would still be merely that of Secretaries to a local Government, entitled to refer matters to the head of the province, but not authorised to over-rule the heads of departments with whom they were to be associated. Secondly, it fails to satisfy the demand for a Governor in Council for which Burman opinion would certainly, and, we think, rightly press. On the other hand, we are anxious to retain what we regard as the valuable feature in the system, *viz.*, the association with each non-official member of an official colleague. If there were men available amongst the Burmans capable of assuming unaided the duties of Executive Councillors, we should have had no hesitation in recommending the appointment of an Executive Council of the ordinary type and indeed in all probability of Ministers too. But there are in fact no such Burmans at present, nor are they likely to be forthcoming for a number of years yet; and it is not possible therefore to set up an Executive Council in which the non-official members would be in sole charge of their departments. The solution is to be found in the division of the Executive Council into departmental committees. Our proposal is that the Government of Burma should in future consist of a Governor and an Executive Council and that the Executive Council should be divided into committees, each of which would contain one official and one non-official member. The Lieutenant-Governor agrees that a Council of six members (which would absorb certain departmental offices, such as those of the Development and Financial Commissioners) would be adequate, and we propose therefore that the strength of the Council should be fixed at this number, and that there should be three committees, one for home affairs and local self-Government, one for revenue and finance and one for development. As in the normal form of Council Government, the Governor himself would administer certain subjects such as Shan States, frontier and hill tracts and the army and marine. The members of each committee would have equal powers; but the non-official member would be the senior member. In the event of any difference of opinion between the members of the committee, either member would be entitled to refer the question in issue to the Governor, but—and here our scheme differs radically from that originally proposed by the Lieutenant-Governor—he would also, if not willing to defer to the views of the Governor, have the right to demand that the matter should be taken in full Council. Decisions in Council would be those of the majority but the Governor would have the emergency power conferred by section 50 (2) of the Government of India Act. For the present at any rate we recommend that one non-official should be a European and that two should be Burmans. All members of the Council should be appointed by the Crown on the advice of the Governor and should receive the same pay, which might suitably be fixed at R4,000 per mensem.

13. In the selection of non-official members we would not restrict the field of choice to the elected members of the Legislature. It should be open to the Governor to recommend for appointment any suitable person, whether an elected member of the Legislature or not. But we would further lay down that an elected member of the Legislative Council should, if appointed to be a member of the Executive Council, resign his elective seat on the Legislative Council. Parliament has already accepted our view that it is impossible to reconcile amenability to the Legislature with the position of a member of an Executive Council. The attempt to combine responsibilities so incompatible could only lead to that particular type of dead-lock which was the cardinal weakness of the scheme of the five Governors. A dualism would at once be established, but of a particularly unsatisfactory type, since the two elements in the Government would have no separate spheres of work and would be liable to come into conflict over the whole range of their duties. When a stage has been reached in the political development of Burma at which the non-official members of

the Council can be relieved of their official colleagues, the way will be open for the appointment of full-blown ministers. Our scheme is designed only to meet the requirements of the period of transition and training which still lies before us, and is consistent with whatever line of advance may be found to be the most promising. But it is none the less important that the Government to be set up in Burma should not prove unequal to the tasks which will confront it, and we can conceive of nothing more likely to imperil its chances of success than a form of dualism which would reduce the Executive to impotence.

14. This concludes our proposals for the new constitution. They differ in many respects, the importance of which we do not seek to minimise, from the scheme of reforms which has been approved for India. But we hold that the differences are no greater than the disparity in political conditions warrants. Relatively to these conditions the advance will be at least as great in the case of Burma as in that of the Indian provinces. Burma will secure at one stroke a wide extension of local self Government, a Legislature in which the elected element will have a substantial majority and the control of legislation, and an Executive Government in which the official element will have only a bare preponderance. We believe that these reforms will be recognised as adequate and indeed generous by all moderate Burman opinion and we trust that they will commend themselves to your judgment.

We have, etc.,

(Signed) CHELMSFORD
C. C. MONRO.
C. H. A. HILL.
G. R. LOWNDES.
G. S. BARNES.
W. H. VINCENT
MUHAMMAD SHAIL.
W. M. HAILEY.

Enclosure 1 in No. 1.

RESOLUTION BY THE GOVERNMENT OF BURMA.

Extract from the Proceedings of the Government of Burma in the General Department—No. 1L-7, dated the 17th December, 1918.

I.—PRELIMINARY.

Formulation of a Scheme of Reform for Burma.

RESOLUTION.—In paragraph 198 of their Report on Indian Constitutional Reforms,¹ the eminent authors of that great document recorded their reasons for excluding Burma from the scope of their proposals. When this decision became known upon the publication of the Report, the alternatives before the Local Government were either to await the outcome of the scheme for India as finally decided upon by Parliament after criticism in India and in England, or to set to work at once on the formulation of a scheme of reforms for this Province, dealing, as a necessary corollary, with its future relations with the central government in India, the lines followed being perhaps different from those recommended for other Provinces but designed to suit the peculiar conditions of Burma. After due consideration, the Lieutenant-Governor decided on the latter course, and in his speech at the Durbar held in Rangoon on the 14th August, 1918, promised to issue, for general public criticism, a scheme of Constitutional Reform for Burma, with a view, ultimately, to the submission of formal proposals to the Government of India embodying, as far as possible, the ideas both of the Local Government and of the people of Burma. In order to obtain the materials necessary for this draft scheme, informal conferences were held at Government House to which leading Burmans, both of the conservative and of the advanced schools of thought, were invited, while representations were

(¹) Parliamentary Paper, Cd. 9109.

welcomed from all sources, whether individuals or associations, officials or non-officials. The delay in the issue of the proposals set out below has been due to the necessity of scrutinising with the utmost care the many admirable criticisms and suggestions which have been put forward. These had been framed with considerable care and labour, and were informed throughout with a prudent and statesmanlike spirit, fully appreciative of the many difficulties inevitable in the formulation of measures of political reform suitable to conditions in Burma. The Lieutenant-Governor welcomes this opportunity of thanking all who have favoured him with their advice and opinions which have proved an invaluable assistance.

Exclusion of Burma from Scheme for India does not preclude the introduction of Reforms suited to conditions in Burma.

2. The deliberate exclusion of Burma from consideration when the scheme of Indian Constitutional Reform was formulated was not in any way intended to deprive the province of the measure of reform to which its circumstances entitle it. The Burmans have accepted the existing administration, and have co-operated loyally in the endeavour to make it both efficient and consonant with the needs and conditions of the country. Their confidence and trust in the guidance of their British Officers, and their very abstinence from acute political agitation with its inevitable outcome of mistrust and discord, so far from debarring them from a claim to share in the advance towards responsible government, rather the more justify the bestowal on them of the highest degree of self-government which they are competent to exercise. In weighing the conditions of the Province, the manifest advantage enjoyed by Burma as compared with other Provinces must be placed in the balance against the deficiencies of which no reasonable Burman will deny the existence. Thus, Burma has not yet undergone the same amount of training in public affairs, whether in respect of rural boards, municipalities, or the higher sphere of the Legislative Council, that has fallen to the lot of most parts of India. Further, the incorporation of Upper Burma in the British Empire is of comparatively recent date, and it is not so many years since portions of Lower Burma were administered as distant appanages of Indian Provinces. Secondary and higher education have not, therefore, in Burma the same long history of growth that most Indian provinces can boast, and in consequence the number of Burmans possessed of an advanced English education is relatively small, and very few have attained to the higher offices of the public services. On the other hand, it can be confidently affirmed that Burma is endowed with many advantages, notably in respect of those conditions which favour development on democratic lines. Thus she is free from those acute religious dissensions which militate against the co-operation of men of different creeds. Toleration of the scruples and prejudices of others is a ruling tenet in her religion. There is an entire absence of caste, and no marked cleavages of social distinction or occupation exist. The man of humble birth has, in Burma, always been able to rise as high as his ability and education might carry him. The emancipated condition of the Burmese woman conspicuously distinguishes Burma from India, and though secondary education may be backward, nowhere in India has primary education reached so advanced a stage of development. The average standard of living and of comfort of the mass of the population is decidedly higher in Burma than in India, and among the indigenous races, as distinct from the immigrants from China or India, the extremes both of wealth and of poverty are far less marked than in any Indian province. Moreover, Burma possesses a ready-made electoral register for rural tracts in the annual rolls which are prepared in every village for the assessment of capitation-tax and *thathameda*. It would, therefore, be as unwise as it would be unjust to exclude Burma from reform merely because, for historical reasons, there are certain directions in which she is backward. Caution must be exercised in framing her scheme of government so that adequate allowance may be made for her deficiencies but at the same time full weight must be given to the many favourable characteristics manifest in her history and social conditions.

Scope of the Proposed Scheme.

3. It is advisable, as a preliminary measure, to define the scope of the draft proposals so that they may be viewed in their correct perspective. The principles enunciated in the statement made by the Secretary of State for India on 20th August, 1917, in the House of Commons, were, firstly, the increasing association of Indians in every branch of the administration, and secondly, 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. Substantial steps

are to be taken as soon as possible to give effect to these principles, but it is clearly recognised that in existing conditions responsible institutions cannot be born in finished perfection from an alien bureaucracy, as the goddess Pallas Athene was fabled to have sprung, in full panoply, from the head of Zeus. Progress must be by successive stages, according as the capacity and sense of responsibility awakes and deepens in the people now admitted to co-operation in the task of governing India.

Admission of Burmans into Superior Services.

4. As to the increasing association of Indians in the administration, the Royal Commission on the Public Services and the authors of the Report on Reforms have both made certain suggestions to regulate the admission of Indians into the higher branches of the various services. Hitherto the progress achieved by Burmans in this direction has been much slower than that of Indians, and it is not possible, at this stage, to put forward definite proportions in regard to Burmans until the question has been thoroughly examined for India as a whole. Emphasis must, however, be laid on two points connected with this matter. Firstly, the essential differences between Burma and India make it necessary to reserve for the people of the province the fresh opportunities offered to them in the public services of their own country. This policy has, indeed, been generally recognised and needs no further explanation. Secondly, the possession of educational and other high qualifications is necessary for the maintenance of efficiency in these services, and it would be a short-sighted step to lower standards merely with a view to facilitate admission. As Burmans are forthcoming to meet the necessary requirements, they will be admitted to the superior services up to the definite proportions adopted. It is true that at first there may not be a sufficiency of suitable candidates and some time may elapse before the maximum is reached. This, however, is not an adequate reason for reducing the present standard of efficiency on the one side, or for lowering the maximum on the other. All that can be predicted with certainty is that the same doors and the same opportunities must be open to qualified Burmans in Burma as to qualified Indians in India. The extent to which the opportunities are made use of must depend upon the Burmans themselves; but there is no reason to fear that Burma will for long remain behind India in the production of qualified candidates. The early establishment of a University of her own should greatly accelerate her progress in this important field.

Local Self-government.

5. As regards the second principle, namely, the development of self-governing institutions, the proposals are designed to give full effect to the formula adopted in paragraph 188 of the Report, that there should be complete popular control in local bodies coupled with the largest possible independence for them of outside control. It cannot be gainsaid that practical administration of local affairs is perhaps the best training-ground for those who would attack the more complex problem of provincial government, and that the realisation of their power in local affairs helps the general body of the electors towards a more intelligent understanding of their position with regard to higher politics. Matters which concern the well-being of the individual are less vital than those which affect the security of the State and the development of an interest in local matters, with which all are more or less intimate, will by degrees lead the electors to the study of the more complicated problems of State government, hitherto beyond their ken.

Briefly summarised the proposals dealing with local self-government are that as regards towns the Municipal Act should be extended to all urban areas of importance, and the elective principle should be applied throughout. Committees will appoint their own office-bearers, and the necessary measure of control, which will be limited as far as is advisable in the interests of the general administration, will in future be exercised from without, and not from within. In rural areas, the constitution of Circle Boards and of District Councils, composed of members elected by the people and equipped with financial powers hitherto wielded by the Deputy Commissioner alone, places full responsibility for the administration of local affairs and local funds on the shoulders of the elected representatives of the people.

These changes are far-reaching and of vital importance. It is essential however if self-government is to be attained, that power should be delegated as soon as the capacity for wielding it develops, and such devolution, recent history in Burma has shown, can safely and suitably be made now in the field of local self-government. In co-operative societies, the management of Unions and other larger

associations has successfully been entrusted to representatives drawn from the people, and there is good reason to hope that men competent to administer local affairs will be forthcoming from the same source.

Indirect election has, it is true, been retained in the case of the District Councils, but for the present this is inevitable. The paucity of influential men with practical experience of the problems of administration—a weakness from which Burma suffers perhaps to a greater degree than India—the absence of facilities for the discussion of questions of more purely local application, the isolation of villages owing to indifferent communications, all these combine to delay for a time the prospect of bringing the rural elector into direct relationship with his representative, even on a unit so near to him as the District Council. The difficulty is immeasurably accentuated when the question of the election of members to the Provincial Legislative Assembly has to be considered.

Advance in Provincial Matters must be Gradual.

6. An equal measure of responsibility obviously cannot at once be delegated in provincial as in local affairs. It is necessary for the present that the power of the Provincial Legislative Assembly should be limited in certain directions, and that in respect of measures which he considers vital and essential, the Head of the province should retain in his own hands a power of certification. Safeguards of this description cannot be dispensed with until the electorates have reached their full stature in respect of experience and sense of responsibility, and until the Assembly can be held, in the truest sense of the term, to represent the people. Although Burma undoubtedly offers a more promising field for self-government than does India at the present time, it would nevertheless be premature to entrust to newly-created electorates those full powers over the provincial administration which they have not yet learnt to exercise in respect of purely local affairs. Progress must be by stages, and advance must be justified by practical interest in elections, broad extension of the franchise, and general education in citizenship. The elective system, it is true, is by no means unknown in Burma. It has been utilised to a limited extent in connection with the appointment of Pagoda Trustees, of members of Municipal Committees, and last but perhaps most important of all, of members of Committees for Co-operative Societies. In the first two instances it can hardly be claimed that the experiment has been justified by success. The Burman has shown himself too apt to vote rather in accordance with the dictates of friendship or partisanship, than because the candidate holds certain views or proposes a certain line of action. In co-operation, the success achieved is due to a great extent to the inherent conditions, in that the elector has a peculiar and a personal interest in the administration, and can see the concrete results in the definite form of hard cash. In the management of public affairs, however, the benefits and disadvantages are not generally so apparent or so personal in their application, or if they are to any appreciable extent personal, they may, not infrequently, conflict with the interests of the public at large. It is consequently unsafe to assume that success similar to that attained by the elective system in co-operative matters, will at once attend the administration of public affairs. This view is borne out by the undoubted lack of interest evinced in Municipal elections, as the annual reports show that the nomination of members has only too frequently been necessitated by the absence of candidates for vacant posts. Time is therefore essential for the education of novice electorates in their responsibilities, and for a thorough realisation by the public at large of the duties as well as the privileges of citizenship.

Proposals are Educative and Preparatory.

7. Finally, it cannot be emphasised too strongly that the draft proposals are of a preparatory nature. The ultimate goal is complete responsible government, but the interval which separates present conditions from that ideal must be bridged. The safe passage demands secure foundations and gradual building. The proposals set out below have been formulated with a view to secure the co-operation of the Burmans in the government of Burma, to instruct them in administration of public affairs and so to ensure the progress of that general political education which alone can fit a people to realise its aspirations for self-government. It has been the aim of the Lieutenant-Governor to devise a scheme, which with due regard to present circumstances, will not only constitute a substantial step forward, but also show to the people of Burma the clear path in front of them, so that, as they develop self-government capacity, their progress towards the goal may be smooth

and continuous without diversions or abrupt changes, until the interval has been bridged by a process as easy and natural as the passage of a child from boyhood to man's estate.

II. LOCAL SELF GOVERNMENT.

Rural and Urban administration to be separate.

8. Dealing first with the question of internal administration, the following paragraphs outline the framework only of the proposed scheme of reform. Not only would the discussion of details overload and obscure greater issues, but these details themselves require working out on the spot and with local variations. It has generally been conceded that the question of rural and urban administration and finance are best dealt with separately as far as possible. Especially is this true in Burma, which is still primarily an agricultural country. Rural areas as compared with towns are, as a rule, inarticulate and possessed of fewer facilities for bringing their wants to notice. It is necessary therefore that they should have separate and adequate representation lest their interests be overshadowed by those of the Urban areas.

Selection of the Primary unit for Local Self-Government.

9. In the introduction of Local Self-Government it is important to select a suitable primary unit. The adoption of the village-tract at once suggests itself, but is clearly open to several objections. In the first place a village tract is ordinarily too small to furnish the membership of a council or scope for council administration. Further, there is no homogeneity in the size and population of the existing tracts. One may contain 2,000 inhabitants and another but 200; one may be practically a town with no stretch of country attached to it, and another a whole countryside with one or two small villages dotted over it.

Again, the adoption of the village-tract as the primary unit would involve the abandonment of the present system of appointing the village-headman, and the introduction of a purely elective system, so as to constitute him the representative of the villagers. Theoretically this may have much in its favour, but existing conditions must be considered and cannot lightly be disregarded. The Government of Burma has always laid great stress on the fact that the village system is the mainstay of the administration, and in that system the status of the headman is of fundamental importance. He cannot be regarded simply as the spokesman of the people of his tract. He has been invested with greater powers and responsibilities than are entrusted to any of his compeers in India, and he is far more an executive officer of Government than under any similar system in other provinces. Further, every effort has been made to improve his position and to impart a hereditary character to his office. It is true that the wishes of the people are usually consulted before a headman is appointed, but the ultimate choice and the responsibility for his nomination rest with the Deputy Commissioner, and the post is held for life subject only to removal by the Deputy Commissioner for misconduct. Into the merits and demerits of this system it is not necessary to enter here, but the conditions and sentiments engendered by its development must be faced and weighed. The introduction of the election of headmen for a term of years would alter their status vitally, and would emphasise one phase of their activities to the manifest detriment of the other. It is undesirable, in initiating reforms, to court disaster by putting too great a strain on the existing institutions, and it seems better, in the peculiar circumstances of the Province, not to attempt to secure uniformity at the cost of stability by making the appointment of village headmen depend on election by their villagers. The present system of appointing village headmen will therefore remain in force.

The Circle Board.

10. It follows that some unit other than the village-tract must be adopted, and the formation of a Circle Board, comprising a group or union of village-tracts, appears the best solution of the difficulty. To this Board each village-tract within the area would return one representative, elected by the residents of the village-tract who are assessed to Capitation-tax or *Thathamedā* or Income tax or who have been specially exempted from these taxes on grounds other than poverty. Residence in the village-tract would be an essential qualification for election. The village headman may offer himself as a candidate, and it is probable that for some years to come he will, in the majority of cases, be selected as the natural representative of his

tract. The Circle Board would elect its Chairman from among its own members, and he would hold office for two years. Ordinarily the Chairman of the Circle Board would be its representative on the District Council, but if he should be unwilling or unable to undertake this duty, the Board would elect another of its members as its representative.

Various suggestions have been put forward as to the size of this Circle Board and the area of which it is to be in charge. Some have recommended division according to the jurisdictions of Revenue Surveyors, others according to Police-station charges, and others again the "market area," *i.e.*, the area served by a common market town or village. It is clear however that uniformity is impossible and that local conditions must be the governing factor in each case. The number of village-tracts in each circle must be considered. The circles must not be too numerous or they will render the District Council unwieldy. On the other hand the area in charge of a Circle Board must not be too extensive or the members will lack the intimate local knowledge which is so essential. Existing units, such as Revenue Surveyors' Circles, may in some cases prove suitable; in other cases groups will have to be created *ad hoc* after due consideration in each case of community of interests, facilities for inter-communication, and other relevant circumstances.

The District Council

11. Next comes the District Council, consisting solely of the Chairmen or other elected representatives of the Circle Boards. The Council will elect one of its members as Chairman, to hold office for two years. No officials should serve on the Council as their presence would imply a certain measure of control over its deliberations and thereby weaken its feeling of responsibility. Their expert advice can be placed at the disposal of the Council without their being constituted members.

Similarly no representatives of Urban areas should be included on the District Council. Such Urban areas will possess their own system of representation on Municipal Committees and will not be directly concerned in the activities of the District Council in the rural portions of the District. Moreover, residents in the central town constituting the headquarters of the District Council would be in a favourable position to secure in course of time a monopoly of the administration. The difficulty that will undoubtedly be experienced by a body of village representatives not resident at headquarters in maintaining the continuous and effective management of the affairs of the Council, can be met by the appointment of a Managing Committee, which would meet regularly, be responsible for the control of the staff, and supervise operations in general. Arrangements could be made with the sanction of the Deputy Commissioner for such members of the Managing Committee as are village headmen, to appoint agents or substitutes to carry on their duties as headmen during their absence from their villages, and their expenses at headquarters could be met by the grant, from funds at the disposal of the Council, of daily allowance in addition to travelling expenses, for which latter all members of the Council would be eligible.

Powers of District Councils and Circle Boards.

12. As regards the functions of these Councils and Boards, it is essential, if they are not to die of inanition, that they be endowed with as much power as can reasonably be assigned to them, including that of raising local revenue as well as of incurring expenditure, and that they be invested with definite and complete responsibility within the jurisdictions allotted to them. The entire absence of officials from their membership means that such control as is necessary must be exercised from without, not from within. This in itself is bound to foster the growth of a feeling of responsibility. The District Council would supervise and be responsible for the working of the Circle Boards. It would administer local affairs such as vernacular education, bazaars, cattle-pounds, ferries, slaughter-houses, sanitation and internal district roads and would be in command of the funds allotted under these heads in District, or District Cess, Fund Budgets. The attention of the Government of India has been and will again be drawn to the fact that Capitation-tax and *Thathameda* are in the main really local funds and should not form part of Imperial or Provincial Revenues, but be devoted entirely to local objects. Should this representation be successful, the Councils would have these resources at their disposal in addition to the funds which are at present available. Regular Budgets would be framed and allotments would be made in accordance with their requirements to the Circle Boards. The District Council would maintain an efficient staff.

including a Secretary, and the services of its staff would be available for the Circle Boards when required. The sphere of the Circle Board would, in the main, lie in the performance of the duties of control and administration assigned to it by the District Council in respect of the various public services such as bazaars, ferries, and other local works and services in its area. Its members would divide among themselves the duties of inspection and supervision, and would be jointly responsible for the due maintenance of works and the expenditure of funds within their charges. For the performance of minor works it might, if funds permitted, be allowed to entertain a separate sub-overseer who would be under the supervision of the engineering establishment of the District Council. Its intimate local knowledge will enable it to ascertain the needs and discriminate between the claims of the village-tracts within its charge, so that its representative on the District Council can put before that body a definite and coherent statement of the requirements of the whole area within the jurisdiction of his Board.

Village Committees.

13. In the larger villages assistance might be rendered to the Circle Board by the formation of Village Committees. Such Committees already exist informally in many villages, and recognition would strengthen their position with regard to the matters brought before them. They would ordinarily be constituted only in tracts containing 100 or more households, and then only on the application to the Deputy Commissioner of a majority of the heads of households. Public notice of the proposal to form the Committee would be given in the tract to enable possible objectors to make their views known. If no reasonable grounds were urged against it, the Deputy Commissioner would sanction the holding of an election. The village headman would be eligible as a candidate, and the electorate would be the same as for the village representative on the Circle Board.

Areas Excluded.

14. While it is not proposed finally and entirely to exclude any particular districts from participation in the scheme of local self-Government, it is obvious that there are certain areas which are still, so to speak, in a patriarchal stage, and where the conditions have not yet so developed as to warrant the introduction of self-governing institutions. In this category would be included such districts as Putao, Myitkyina, Bhamo, the Ruby Mines, the Upper Chindwin and Salween, and naturally all the Hill Tracts. As in course of time these areas progress and develop, the extension to them of local self-Government either complete or in a modified form, can be considered. The Shan States have always been regarded and administered as an entity separate from the rest of Burma, and they too would be excluded from the purview of the scheme. The inhabitants of these States speak a different language, are of a different race, and at a different stage of political development. Their inclusion therefore in a constitution devised primarily to suit conditions in Burma proper would not be acceptable either to them or to their Chiefs.

Urban Areas.

15. As regards Urban areas the path of reform is more simple and easily discerned. Municipalities and Notified areas already exist, and it is but necessary to apply the provisions of the Municipal Act to all Urban areas that are of sufficient size and importance, and to make their administrative Committees mainly elective on the widest possible basis. Towns which are not of sufficient size or importance to be constituted Municipalities or Notified areas will be deemed to be village tracts and will be incorporated as such within the jurisdictions of Circle Boards. The committees in Urban areas will elect their office-bearers from among themselves and membership of the committees will be confined to non-officials. Official intervention, which hitherto has been all-pervading, must now be confined within much smaller compass, and must be exercised from without so that full scope may be given to the growth of non-official responsibility. Assistance can be rendered from time to time by the loan of Government officers as experts or executive officials, but capacity can come only by the exercise of responsibility and it must be recognised that, as in the case of District Councils in rural areas, the mistakes made are the price which the people must inevitably pay for their education in self-Government.

Responsibility in Local Affairs a Necessary Preliminary.

16. The measures outlined above for Local self-Government should go far to secure that experience of responsibility in local affairs which is so essential a preliminary to the successful exercise of wider powers. Self-Government in local matters has not the showy appearance or the manifest importance of a share in the higher offices of State, but it is the quarry which must provide the material for the gradual erection of so stately an edifice as a country governed according to the wishes of its people.

III.—BURMA LEGISLATIVE ASSEMBLY.

Constitution of the Provincial Legislative Assembly:—(i) Rural areas.

17. In dealing next with the higher branches of the administration, the constitution of the Provincial Legislative Assembly is the first matter that requires consideration. The number of its members must depend largely on the personnel available and on the variety of interests affected. In Burma the main occupation is agriculture, and the interests of the rural areas must therefore be given adequate representation. Direct relations between the villagers and the members of the Assembly are in present conditions impossible to realise, and indirect election, through the medium of the District Councils, must be adopted. If therefore, one member is elected to the Assembly by each District Council from among its members, the resultant total of thirty-one seems likely to afford sufficient scope for the representation of rural interests. This system of election is clearly differentiated from that of an Electoral College. The Councils are formed primarily for the purpose of Local self-Government, and not for the selection of representatives on the Provincial Assembly. Direct election to that body is at present impossible, and the Councils form suitable and convenient units for the purpose of indirect election. The agricultural community must be represented by men of its own class, and for the present these can best be obtained from the District Councils. It is probable that few of these rural representatives will have a knowledge of English, and arrangements will be necessary to secure that the proceedings in the Assembly are made intelligible to all the members. To require a knowledge of English at this stage from all members would be to deny representation to important classes.

(ii) Urban Areas.

18. As regards Urban areas the problem is more complex. They are scattered far and wide throughout the Province, and community of interest is not easy to ascertain or establish even when towns are situated comparatively close to each other. At present but a fraction of the population is recorded as dwelling in towns, 1½ millions out of a total of 9½, but the proposed extension of the Municipal Act to all towns of importance will redress this discrepancy to some extent. On the other hand, the Urban population undoubtedly represents wealth, education and progress to a high degree, and is therefore entitled to a larger representation than would accrue to it on a basis of numbers alone. On the whole, sixteen seats is perhaps a reasonable allotment for towns. In view of its undoubted pre-eminence in population, wealth and general importance, five seats out of this total of sixteen may be granted to Rangoon, with which the adjacent towns of Insein and Syriam will be associated. Two alternatives have been suggested for the distribution of the remaining seats, firstly, that each of the eleven more important towns in the Province, excluding Rangoon, Insein and Syriam, should return one member, and, secondly, that all towns should be grouped into eleven divisions, to each of which one seat should be granted. It is out of the question for each town in the Province to have its member, and the object to be achieved is the adequate representation of Urban interests as a whole. The following combination of the two alternatives offers perhaps the best solution of the difficulty. Mandalay town, on account of its population, and its importance, both political and commercial, ranks next to Rangoon, and will be allotted two members, in whose election minor municipal towns in the Mandalay District will share. One member will be returned by a constituency composed of the towns in the Mergui and Tavoy Districts, while the remaining eight seats will be assigned one to each division in the Province, for election by the Municipal electorates of the towns not otherwise represented. The allotment of a seat to the Municipal towns in the Mergui and Tavoy Districts is justified by the growing importance of the mining and rubber-planting interests. As compared with the rural areas surrounding them, the towns of the Mandalay Division outside the

Mandalay District, have attained a stage of development as trading centres which may be considered amply to warrant the measure of representation accorded to them. Election will in each case be direct and based on the Municipal franchises.

Communal Representation.

19. On the adoption of communal representation diverse opinions have been expressed. The authors of the Report on Indian Constitutional Reforms have rejected it on principle, but have been compelled reluctantly to include it in their scheme for the benefit of Muhammadans, and, in the Punjab, of Sikhs as well. The position in Burma is somewhat different. The term Burman comprises the indigenous races of Burma, but cannot be held to include Europeans, Anglo-Indians (including Anglo-Burmans), Indians and Chinese. Yet all these races occupy such an important position in the trade and enterprise of the country that it would be impossible to deny them some right to representation in the Provincial Legislative Assembly. The principal involved has already been recognised with regard to the membership of Municipal Committees in certain towns such as Mandalay and Rangoon. Further, the problem under consideration is the introduction of responsible government, and the elements to be contrasted are the officials and the non-officials. The point at issue therefore is, in the assembly of non-officials elected by the people at large, how best can the interests of Europeans, Anglo-Indians, Indians and Chinese be represented.

(i) For Europeans.

20. As regards Europeans it is to be assumed that responsible government within the British Empire will partake of the nature of a partnership in which the British elements from time to time existing in the country will retain a place commensurate with the peculiar position that the British nation occupies with regard to India. Europeans will then, presumably, for a long time to come, be a relatively small but very important section of the community in India, who cannot possibly be represented even to the extent possible to Muhammadans and Sikhs, by means of general electorates. It follows that as authority is gradually transferred from official to non-official hands, the non-official European must be permitted to enjoy his share of the transferred authority as belonging to a small but very important section of the people at large. The capital that Europeans have invested, the future capital that they will command, the services that they have rendered in the past and will continue to render in the future to the development of the country make it imperative that they should not be ignored in any scheme of responsible government, and there is no part of the Indian Empire in which European enterprise and capital have borne so proportionately large a share in the development of the country as in Burma. To deny responsible representation to the European is to exclude the one class that is best fitted to comprehend its obligations and to exercise its privileges. It would also be a grave injustice to exclude from all share in constitutional representation the one class on which the obligation of compulsory military service has been laid during the War.

The continuance of such constituencies as Chambers of Commerce, Trades Associations, etc., does not suffice. Their representatives are elected as the mouth-pieces of the Chambers and Associations to which they belong and they regard themselves as charged with special commercial interests only and not with the general government of the country. But, although European commercial interests are of great importance, they by no means represent the entire European interests involved. There are the interests of the European members of the Services and of the British Army in India, the interests of the European lawyers, medical men and other non-official Europeans of the professional classes, as well as Europeans, official or non-official, who have settled in the country after retirement from service or business. Hitherto, all European interests in India have been left mainly in the hands of the European official members in the Government or in the Services. But if governing powers are gradually transferred from official to non-official shoulders, it will increasingly devolve upon the non-official European to charge himself with the interests of his fellow-countrymen in every walk of life. It is proposed, therefore, that there should be an electorate of Europeans for the whole of Burma, on which every European who registers himself and is qualified as a taxpayer should have a vote for one representative in the Provincial Assembly.

(ii) For Anglo-Indians.

21. Anglo-Indians are more important as a class in Burma than in any other Province. They are as much citizens of Burma as any other race, yet they have distinct characteristics. They may not have contributed so much as the European to commerce, industry, and the development of the country, and in that respect they have a weaker claim for special representation. On the other hand, they have a stronger claim than the European in that the vast majority of them are born, live their lives, and die, in Burma. As a class, they attach great value to their British origin, and, for as long as it is possible to foresee, they will continue to hold those sentiments and to be separate from the general population of the country. It is most unlikely that they would ever be able to secure adequate representation at the hands of general electorates, and they are undoubtedly entitled to have representatives of their own. On lines therefore similar to those adopted for Europeans, each Anglo-Indian or Anglo-Burman throughout Burma, who registers his name and is qualified as a taxpayer, should have a vote for one representative.

(iii) For Indians and Chinese.

22. The arguments in favour of separate representation for Indians (both Hindus and Muhammadans) and for Chinese, are in Burma racial rather than communal. The former are practically all British subjects, but the British nationality of the latter is, in many individual cases, open to doubt. Between Burmans and Indians there exist certain differences of outlook which make it desirable to secure that the latter are represented on the Assembly, a consideration which is re-inforced by the services which they have rendered in the development of the Province. The position of the Chinese is peculiar in that though they are wealthy and progressive and play a conspicuous part in the life of the country, yet the extent of their diffusion throughout the Province renders it unlikely that they would be able anywhere to obtain a representative of their own nationality on the Assembly. Their position justifies their having a voice in the administration of affairs, which in existing conditions could not be assured to them without special measures. Rangoon and its neighbourhood comprise the scene of the chief activities of both Indians and Chinese, and it seems desirable that they should be ensured representation in that place where their main interests lie. It is proposed therefore that of the five seats in the Assembly allotted to the constituency of Rangoon, Insein and Syriam, two should be reserved for Burmans, two for Indians (one for Hindus and the other for Muhammadans), and one for a representative of the Chinese. Should it appear that the Indian and Chinese communities do not desire special electorates and are content to leave their interests in charge of the representatives elected by the people at large, the measures devised above could be withdrawn, and the five seats for the Rangoon constituency would then be open to all candidates without restriction. Outside Rangoon, Indians and Chinese would in any event form a part of the ordinary electorate, and the special representation recommended in Rangoon is sufficient to safeguard their interests.

(iv) For non-Burman Indigenous Races.

23. Of indigenous races other than the Burmese, the most numerous are the Arakanese and the Karens. The former are provided for in the ordinary representation accorded to the Rural and Urban areas in the Arakan Division. The more enlightened and educated Karens are too scattered in the various districts of Lower Burma to be assured of representation in the ordinary way. Other races and interests may similarly fail to obtain representatives, and five seats will therefore be reserved by the Local Government for the nomination of members of races, communities, or interests inadequately represented by the elections.

Membership of the Provincial Assembly.

24. For the disposal of business and the adequate presentation to the assembly of the views of Government, fifteen official members will suffice. Two seats will be reserved for members, officials or non-officials, with special expert knowledge of such various subjects as may from time to time be brought forward. In addition the Burman Chamber of Commerce and the Rangoon Trades Association will continue to elect one member each, and, until the Burman University has been constituted, one member will be elected by the Burma Educational Syndicate. The Provincial Legislative Assembly, excluding the Lieutenant-Governor, will thus comprise 74 members as set out below. Of these 52 (or over 70 per cent.) will be elected

members. This total will be subject to modification in consequence of possible changes in or the development of, the various constituencies.

A. Elected Members.

(1) One district representative from every District that has a District Council	31
(2) Five representatives (<i>i.e.</i> , 2 Burmans, 1 Hindu, 1 Muhammadan and 1 Chinese) from Rangoon, Syriam and Insein	5
(3) Two representatives from the Municipal towns of the Mandalay District	2
(4) One representative from the Municipal towns of the Mergui and Tavoy Districts	1
(5) One representative from each Division, chosen by the Municipal Electorates of the towns not already represented	8
(6) One elected member of the Burma Chamber of Commerce	1
(7) One elected member of the Rangoon Trades Association	1
(8) One representative of the Burma Educational Syndicate, and later of the University when established	1
(9) One representative elected by the special electorate of Europeans in Burma... ..	1
(10) One representative elected by the special electorate of Anglo Indians in Burma	1
Total elected members	52

B. Nominated Members.

(11) Five non-officials nominated by the Local Government for races or interests inadequately represented by the elected members	5
(12) Two experts, official or non-official	2
(13) Fifteen officials	15
Total nominated members	22

Grand Total ... 74

or, including the Lieutenant Governor ... 75

It is proposed that the Lieutenant-Governor should be President of the Assembly as he is President of the existing Legislative Council, and that he should nominate a senior official member of the Assembly to be Vice-President.

No Necessity for a Grand Committee,

25. The system of a Grand Committee of the Legislative Assembly suggested in the Report on Indian Constitutional Reforms has met with much adverse criticism on the grounds that it is cumbrous, and makes for delay, repetition of work and obstruction. The question then arises as to what can or should be substituted for it. In Burma the entire absence of caste-prejudice, and the toleration inculcated by the Buddhist religion and practised generally throughout the country by its adherents, has favoured the existence of close sympathy and co-operation between Government Officers and the people of all classes. There are no grounds for apprehension that this mutual trust and confidence will be diminished in future. Further, the absence of political agitation and of an extremist party renders it unnecessary to introduce a number of safeguards in the constitution. It will suffice, therefore, if it is laid down that certificated measures shall become law unless opposed by a majority of two-thirds of the Assembly. The Constitution of the United States of America affords an analogy for this provision. It is hoped, however, that the certification of measures will be of rare occurrence and that the Government will be able to depend on a majority of the Assembly to carry measures which are considered essential to the welfare of the country, and to reject any

measures which the Government consider to be prejudicial to the best interests of the Province. The powers of veto, dissolution of the Assembly, and so forth, recommended in the Reforms Report are safeguards sanctioned by usage in all constitutionally governed countries, and the inclusion of them in the constitution in the case of Burma involves no slur upon the sound commonsense of the people. Resolutions passed by the Assembly will take effect only as recommendations except in matters connected with the Provincial Budget, when they will be binding upon the Local Government if carried by a two-thirds majority.

Or for Standing Committees.

26. The Standing Committees suggested in the Report on Indian Constitutional Reforms likewise do not appear to be necessary except in the case of the Budget Committee, and of the usual Select Committees for the consideration of Bills. There is, of course, no objection to the formation of such Committees to assist the Assembly in certain definite subjects, but, with the exceptions noted above, their formal constitution does not seem to be essential, when regard is had to the scheme for the Executive Government about to be described. In Annexure 1 attached to this Resolution there will be found proposals for the constitution and procedure of the Budget Committee.

IV.—THE PROVINCIAL EXECUTIVE.

Advisory and Executive Councils Unsuitable.

27. In paragraph 214 of their Report, His Excellency the Viceroy and the Secretary of State declare that in order to secure the introduction of responsible Government “single-headed administration must cease and be replaced by collective administration.” Different opinions have been recorded as to the form which this collective administration should take in Burma. The constitution of an Advisory Council has been suggested, comprising several Burmans to be associated with the Lieutenant-Governor as recognised advisers. They would form a select consultative body to whom cases would be referred for opinion, and who would be available for joint consultation when issues of more than ordinary importance arise. Such a council, however, although likely to be exceedingly useful to the Lieutenant-Governor, would not carry with it that sense of direct responsibility which is so essential to the training up of ministers. The establishment of an Executive Council, on the plan recommended in the Reforms Report, has also been advocated. But such a council is not in any sense a step towards responsible government. It is a bureaucratic institution devised originally for the assistance of Governors who, either on account of excess of work or lack of first-hand acquaintance with Indian problems, were unable single-handed to cope with their duties. The inclusion in such a council of Burman members would not alter its character or render it in essence less bureaucratic. Finally, it does not lend itself easily to the gradual evolution towards the ultimate objective of a responsible ministry. To establish an Executive Council in Burma on the model of those existing in India, or to be brought into existence under the Reform scheme, would merely be to saddle the province with an expensive institution which is, in itself, no advance towards the goal and must in turn be abolished at some later date, involving, whenever that abolition comes about, an abrupt alteration of the system of Government from bureaucratic to popular lines.

System of Boards proposed : four non-official Presidents.

28. Some other path must be chosen. New machinery is being installed—the machinery of responsible government. Experts are needed to ensure its smooth working in the early stages till such time as its management is understood. The only experts available are those who are acquainted with the working of the old machine. New experts have to be trained and taught by the gradual delegation of responsibility to do the work themselves and not remain merely as pupils.

The suggestion is that the business of government should, with the exception of a few subjects, be entrusted to four Boards, namely :—

- (1) The Board for Home Affairs.
- (2) The Board of Revenue and Finance.
- (3) The Board of Development.
- (4) The Board of Local Self-Government.

The President of each Board would be a non-official selected by the Lieutenant-Governor from the Legislative Assembly—and, with one possible exception, from among the elected members of the Assembly; its other members would be the highest

Government officials concerned with the particular subjects assigned to the Boards. The Lieutenant Governor intends to recommend that each non-official President should receive a salary of Rs.4,000 per mensem. The Secretary to the Board would also be a Secretary to Government. Deputy Secretaries and Under Secretaries would be forthcoming from the existing appointments of Under and Assistant Secretary, and of Personal Assistant to the present Heads of Departments.

The powers now exercised by the official members of the Boards would henceforth be wielded by the Boards, together with such further powers as would be delegated to them from time to time by the Local Government. Cases of a purely professional nature would be disposed of by the official members of the Board as at present, but in all else the approval of the President would be required. Each official member would, for his own particular subject, form a Committee with the President, and full Board meetings would be held when the interests of all departments under its control were concerned. Similarly meetings of two or more Boards would be held when matters which affected their departments were under consideration. The President would be authorised to over-rule his Board with the concurrence of the Lieutenant-Governor. The position of the President would thus, in effect, be that of an embryo or apprentice Minister, entrusted with the power to dispose of work with the advice of the permanent officials. He would be responsible both to the Legislative Assembly and to the electorate. Thus on a vote of "no confidence" in a particular Board passed by the Assembly, the Lieutenant-Governor could require the President's resignation of his post, and his constituents could always decline to re elect him to the Assembly if they were dissatisfied with his administration. On the other hand it is not likely that officials would attempt to force the resignation of a President by persistent opposition, as his successor would have to be found from among the other non-official members of the Assembly.

In disposing of work the Boards would not correspond formally with the Lieutenant-Governor, but would submit their Minutes or Resolutions for his confirmation in matters where full powers had not been vested in them, and in other matters for his information. Correspondence with the Government of India would issue in the names of the Secretaries to Government attached to the Boards, and if in any case the Lieutenant-Governor found it necessary to dissent from the recommendation of a Board, the opinion of the Board would be quoted in full with the reasons for dissent. The Secretaries would be allowed to refer to the Lieutenant-Governor matters on which they disagreed from their Boards in the same way that Secretaries to the Government of India are allowed access to the Viceroy, and the Presidents of the Boards would naturally enjoy full right of access at all times to the Lieutenant Governor. The constitution of the Boards and the lists of subjects under their control are set forth in Annexure 2 to this Resolution.

One non-official President to be European.

29. In regard to the personnel of the appointments of the non-official Presidents, it is not necessary to allocate them to definite races by statutory limitation. For the present, however, and for a long time to come (*vide* paragraph 20 above), it would be an axiom that one of the four Presidents should be a non official European. As a general matter of expediency and looking to the connection of Europeans with the commerce and industry of the country, it seems desirable that a European should be in charge of the Board of Development, while Burmans should preside over the other three. In the case of the European, it might not be possible at the very outset to find him from the small number of European elected members of the Council, and to that extent only an exception might be made to the general rule that the President should be selected from among the elected members of the Legislative Council.

The line of evolution.

30. The line of evolution before this scheme is that, in process of time, the non official Presidents of the Boards would advance to the position of responsible Ministers, while the other members would remain as the permanent officials to advise them. Until this final stage is reached the power of the Presidents to over-rule their Boards would be subject to the concurrence of the Lieutenant-Governor. The powers of the Boards, and through them of their non-official Presidents, would be increased from time to time by the delegation to them of the powers of the Local Government. Finally when the time comes to make the full assignment of powers, and the Presidents have become in the full sense of the word responsible, the concurrence of the Lieutenant-Governor would no longer be required to enable them

to over-rule their Boards. In this way the gradual transition from the stage of apprentice Minister to that of one fully responsible would be effected smoothly and without any sudden alteration in status or any avoidable dislocation of work. The power of control over the Presidents is indeed reserved in the initial stages, but even there the subjects committed to the Boards cover a wide range of activity, and the path of progress towards full responsibility is clear and unimpeded. That a period of apprenticeship is essential has generally been conceded, and most critics recognise that it is not feasible to make a sudden transfer of full powers to inexperienced non-officials. The present system of Government has been evolved not by one or two individuals, but by a long series of administrators. Similarly the system of self-government must develop by degrees as a class of men trained to administrative responsibility gradually comes into being. The emergence of a few highly-qualified individuals is not sufficient to justify a complete transfer of power. Traditions and precedents of self-Government in India are entirely lacking and must be given time to form. The utmost that can be done at present is, firstly, to place non-officials in a position to gain full acquaintance with the problems they have to face and the duties they have to perform, and, secondly, to give them, through the officials sympathetic help to master the problems and comprehend the duties.

The time necessary for the establishment of traditions and the creation of a sense of responsibility depends on the diligence and force of character displayed by those to whom this opportunity of office will now for the first time be given. The progress achieved by the electorate to whom they are to be responsible is also an important factor in the eventual vesting of full power in the Presidents. Electors and elected must develop a definite interdependence, and the establishment of final and complete relations of mutual responsibility must govern the rate of progress of the Presidents towards ultimate emergence as full Ministers. The conditions described in paragraph 264 of the Reforms Report must apply to Burma as to every other country where responsible Government has to be built up from new beginnings. The authors write :—

“ But inasmuch as complete responsible Government essentially depends upon the existence of an electorate sufficiently active and cognisant of affairs to hold their representatives effectively to account, we think that one of the most important duties of the Commission will be to examine the growth of capacity and responsibility in the electorates. The approximation to complete responsibility must depend among other things on the growth of the electorate and on the measure in which they give evidence of an active and intelligent use of the franchise. We wish to attain complete responsibility where we can and as early as we can, and we intend that its attainment should depend upon the efforts of the Indian people themselves. It would not be fair to give it to them till they fulfil the necessary conditions.”

Subjects Administered direct by the Head of the Province.

31. The following subjects have not been allocated to any of the Boards .—

- (1) Foreign and Political, including the administration of the Shan States, the Frontier Districts and Hill Tracts.
- (2) Army and Marine.
- (3) Appointments and Discipline.
- (4) University.

All the various schemes submitted by reformers in India or Burma acknowledge that the subjects under the first three heads can best be administered direct by the Head of the Province with the aid of a Chief Secretary. The areas dealt with under the head “ Political ” are the tracts in which for years to come responsible Government cannot arise, and personal rule is the only practicable method. The University, on the other hand, will be largely a self-governing institution with a popular element upon it, and as the Lieutenant-Governor would be the Chancellor, it cannot conveniently find a place under the local self-Government Board, which would deal with education other than University education.

Division of Subjects into Transferred and Reserved not necessary.

32. Under the foregoing scheme the position of the Lieutenant-Governor is practically that of being his own Prime Minister. In the final stage a responsible Prime Minister would take over the administrative work previously done by the

Lieutenant-Governor. After this step, the Lieutenant-Governor would cease to take a direct share in the administration, and would occupy the position of a Constitutional Governor, wielding those powers only which would be deliberately assigned to him by the usage of constitutional governments or in the delegated exercise of the prerogative of the Crown. Under a constitution framed on these lines, there is no necessity for any formal division of subjects into Transferred and Reserved, as suggested in paragraph 238 of the Report on Indian Constitutional Reforms. The Government will consist of the Lieutenant-Governor and the Boards exercising certain definite powers of their own under the general control of the Lieutenant-Governor. Further delegation of power is to be made to them from time to time as the convenience of business, and the success with which they discharge their functions may dictate. The Boards will be a part of the Government, and their Presidents will accept office on that understanding. It seems unnecessary to anticipate that the differences between the Lieutenant-Governor and the Presidents would be so constant or acute as to bring about a breakdown of the system. There would doubtless be that reasonable give-and-take between the Lieutenant-Governor and the Presidents which is essential to the smooth working of all human institutions.

V.—RELATIONS BETWEEN THE PROVINCIAL AND THE CENTRAL GOVERNMENTS.

Separation from India the ultimate goal.

33. In paragraphs 273, 274 and 277 of their Report, His Excellency the Viceroy and the Secretary of State deal with the relations between the various Provinces and the Central Government in India, and suggest that Burma be given three representatives on the Legislative Assembly of India and one on the Council of State. The grounds on which these numbers are calculated have not been stated; but the general view held in Burma is that, in relation to her area and population, the high standard of literacy that prevails, her contribution to the Imperial Exchequer, and her great potential resources, the representation proposed for the Province is inadequate. Before the correctness of this view is determined, the objects which the representation will serve must be clearly defined. The aim and ideal of Indian politicians, endorsed by the report on Reforms, is the ultimate development of one Indian nation in which the Central Government is to be conducted by representatives drawn from every Province. The question that first demands an answer is, does this objective coincide with the aspirations of Burma? To say that this Province is different from India is no mere political catchword. Burma is a separate country, a distinct nationality, and her people belong to an entirely different family of races. To the Burmese the Indian is just as much an alien as the European. Burma does not, therefore, fit into the scheme of an Indian nation governed by Indians. She wishes to preserve intact her special characteristics and genius and to contribute her national individuality to the common stock of nationhood embraced within the British Empire. In short, though her goal is similar to the goal before India, it is not the goal of the Indian Provinces. This ideal of separation from India is not capable of very early realisation; but no scheme of reforms will be acceptable to the people of Burma that does not at least set the course in the desired direction.

In her present undeveloped state, and until her people have proved their self-governing capacity, she cannot stand alone without the support of the Indian Empire. The experiment of raising local military forces is still in its infancy, and she continues to draw on India for a large part of the personnel of the Military Police. The credit and resources of the Indian Empire are behind her. She is entitled to full military protection without the payment of specific charges. She can claim admission for her young men to Indian institutions and draw upon the services of the experts and scientists in the employ of the Government of India. Her European Services gain in prestige from the fact that they are part of the great Imperial Services of India. She is free from the anxieties connected with coinage and exchange, and the Indian balances support her paper currency. It would be a very serious matter for her if she were to be cast adrift from the Indian Empire in her present unequipped state at the very moment when she hopes to embark upon so great an experiment as a change in the system of her internal Government from bureaucratic to responsible lines.

While, however, she gratefully acknowledges the protection and support which she derives from her membership in the Indian Empire, she is entitled to ask for

recognition that she is a separate entity with a separate future before her, and not merely one among several Indian Provinces, and that her financial and political relations with the Government of India should be adjusted in conformity with that claim. Throughout the War, Burma has been conspicuous for the generosity of her people of all classes and races, and for the loyalty which made it possible for the Military Police to supply three-fourths of their normal strength to the army. The cadres of the European public services have been depleted to the very utmost, and European houses of business have reduced their staffs to a minimum in order to meet the demand for officers, while the Burmans themselves, of every degree, have striven hard and with gratifying success to supply Burmese units to the Labour Corps in France and to the combatant forces of the Indian Army. If Burma was somewhat late in the day in this last form of service, it was through no fault of her own. Her share in the war loans, her patriotic support of war donations and charities, justify a feeling of pride. There have been no dissentients in the ranks of her people and no jarring notes of discord. All that she has given, she has given wholeheartedly and ungrudgingly out of her deep attachment to the British Empire and with no thought of bargain or recompense. A generous recognition by the Government of India of her special claims for development, her particular aspirations and her national ideal is not only her just due, but will constitute the best reward for her loyal services that it is possible to devise.

At the same time, while she has no desire that the affairs of Burmans in Burma should come under an Indian governed State, she on her side has no wish to take any part in the control of Indians in India. The arrangements suitable to her position within the Empire must be such as suffice to safeguard her rights without attempting to secure for her any part in the administration of India proper.

Representation on Imperial Indian Legislative Bodies.

34. Such are the considerations which should govern the representation of Burma on the Central Government of India. Large claims, based on comparisons with other Provinces, are not consistent with the ultimate ideal of separation, and suggest a desire on the part of Burma to concern herself with purely Indian affairs, whereas all she requires is that her own personal interests should not be ignored. Further, such claims would retard the progress of the Province by withdrawing too many of her best and most gifted citizens from the important field of domestic legislation and internal administration.

As regards Indian legislation, the normal procedure is indicated in paragraphs 279 and 280 of the Report on Indian Reforms. Both the Legislative Assembly of India and the Council of States are to be consulted, and, while in certificated measures the will of the latter is to prevail, in other legislation the will of the majority of the non-official members of both Chambers sitting together is to be followed. Representation on one only of these two bodies will fulfil the particular aims of Burma, and at the same time will enable her to conserve her best men for her own domestic affairs. In this case, the Council of State, before which all Imperial legislation must come, is clearly the body on which Burma should be represented. The strength of that Council is to be approximately half that of the Assembly, and Burma's object can thus be achieved with less expenditure of prominent men. It is proposed, therefore, that the Province should surrender altogether her claim to representation on the Legislative Assembly of India, and that, in compensation, she should ask for three members on the Council of State: also that she should enjoy the privilege of calling her own legislative body the Burma Legislative Assembly in preference to the designation of Provincial Legislative Council.

The first of the three proposed members for Burma on the Indian State Council would be elected from among its own members by the Burma Legislative Assembly. Having regard to the fact that commercial matters loom so large in the affairs of Burma and that commercial legislation suited to India might be in conflict with the interests of Burma, it seems most expedient that the second member should be elected by the Burma Chamber of Commerce. The third member could most appropriately be an official selected from the officers of the Burma Commission.

Application of Imperial Indian Legislation to Burma.

35. In certain classes of legislation, the interests of Burma might be affected in the same manner and to the same extent as those of other Provinces. The objections raised by her representatives in that case would have no special significance or weight. It is possible, however, that Acts might be brought forward, specially designed to meet Indian social conditions, and not equally applicable to Burma. In

such an event in might be possible, if no immediate and suitable amendments could be made in the Bills, to provide for the temporary exclusion of this Province from the Act. The necessary modifications could then be considered in the Burma Legislative Assembly, and the Governor General in Council might notify the extension of the Act to Burma with such of the amendments suggested by the Provincial Assembly as he was able to accept.

Executive Relations with the Government of India.

36. It is further suggested that the special position of Burma in the Indian Empire should be recognised by a change in the designation of the Viceroy from Governor General of India to Governor-General of India and Burma. This change would have a great sentimental value in the eyes of the Burmese people but would not connote any corresponding alteration in the style and title of the Government of India, or in its relations with the Government of Burma. It would be quite impossible for the Viceroy, in present circumstances, to take upon his own shoulders the whole responsibility for the business of Burma and deprive himself of the assistance of his Executive Council and of the Departments of the Government of India. It is however desirable that, owing to its special and distinctive needs, the Province should have a permanent representative with the Government of India in the shape of a Secretary for Burma affairs. This officer would be appointed from the Burma Commission, would hold office, as do the other Secretaries to the Government of India, for three years, and would be the official member on the Council of State. It would be his duty to deal with all cases from Burma, and to place the central government in possession of the views held by this Province in respect of any general orders or directions which were being issued for the Indian Empire as a whole. Further, he would suggest modifications in such references to Local Governments as required amendment in order to be applicable to Burma. The same right of access to the Viceroy would be accorded to him as is enjoyed by the other Secretaries to the Government of India, and he should be allowed the special privilege of putting his case personally before the Executive Council, though he would not have a vote thereon. This would secure that matters of importance peculiar to Burma received adequate attention and consideration.

Measures recommended are justified by Burma's position and ideal.

37. The measures suggested above do not travel beyond the existing constitution of the Government of India, while they provide sufficient security for the interests of Burma, and admit of her progress towards the realisation of her ideal of separation. It cannot be said that they in any way minimise the importance of the Province for they aim at securing the clearest recognition that her case is special and calls for special treatment. They emphasise the position that Burma's aim is different from that of Indian Provinces, that she does not seek to compete with them, but merely to secure, so long as her connection with them continues, that her interests do not suffer for want of adequate representation.

Division of Subjects into Provincial and Imperial cannot yet be undertaken.

38. The sole question remaining is the distribution of powers between the Imperial and Provincial Governments discussed at paragraphs 212 and 213 of the Report on Indian Constitutional Reforms. A list of Provincial, as opposed to Imperial, subjects is suggested in Appendix II. to that Report, but the case of this Province requires special treatment. Not only are Burma's conditions different from those of India, whether on geographical, historical, racial or social grounds, but the constitution advocated above differs widely from that recommended for other provinces. It seems better therefore to attempt no criticism of this list of subjects and to put forward no views until the arrangements for Indian Provinces have been decided and the special position of Burma in the Indian Constitution has been determined. It may then be possible to claim the full powers conceded to other Provinces and in addition special powers to suit the special circumstances of Burma, or in the alternative, to establish arrangements on lines different from those adopted elsewhere.

VI.—CONCLUSION.

Proposals are Tentative and Framed Solely with Regard to Conditions in Burma

39. The foregoing paragraphs outline the framework of the constitution recommended for this Province. The views and suggestions propounded are those of the

Local Government. They represent the lines on which the Lieutenant-Governor, as at present advised, is prepared to submit a scheme of reform for the consideration of the Government of India. If this scheme, in its essentials, should secure a substantial measure of support from the people of Burma, the case for its adoption would be greatly strengthened. It would then go before the Government of India and the Secretary of State as the joint recommendation of the Government and the people of Burma. It cannot be emphasised too strongly that the proposals do not attempt to conform to Indian conditions, and are not to be judged by, or contrasted with, Indian standards. They have been framed solely to suit the conditions and position of Burma, and to enable her to develop into an integral living entity in her place as part of the British Empire. Whatever degree of self-government may be granted in the initial stages to other Provinces, it is not unreasonable to anticipate that the path of further progress will be easier and smoother in Burma, and that she will overtake, and perhaps pass, India, in the years to come. It is idle to attempt to prophesy when the day for the achievement of complete self-government will arrive. No definite period of time can be fixed, nor can any programme, however carefully framed, be of the smallest assistance. The attainment of their goal depends entirely on the energy and industry which the people and their representatives devote to fitting themselves for the task before them. The opportunity is given: it is for them to make use of it.

40. Criticisms and suggestions on the foregoing proposals are freely invited. They should be sent as early as possible, and in any case by the 25th January, 1919, to the Chief Secretary to the Government of Burma, the Secretariat, Rangoon.

By order,,

(Signed) C. M. WEBB,
Offg. Chief Secretary to the Govt. of Burma.

Annexure 1 to Enclosure 1.

The Budget Committee under the proposed scheme will comprise the following nine members:—

(a) The Presidents of the—

- (1) Revenue and Finance;
- (2) Home;
- (3) Development; and
- (4) Local Self-Government Boards.

(b) The Financial Commissioner.

(c) Four non-official members elected by the non-official members of the Legislative Assembly.

The Secretary to Government, Revenue and Finance Board will act as the Secretary to the Committee.

2. The Budget Committee's control over the Provincial Budget will be exercised in the following manner:—

The draft expenditure budget for each department will be prepared by the departmental head concerned in three parts:—

A.—An estimate containing provision for all the ordinary expenses of the administration of the Province, excluding salaries of permanent officers and establishments;

B.—A statement showing in detail—

- (a) All items of new expenditure, recurring and non-recurring, sanctioned by the Local Government to take effect from the next financial year;
- (b) All reductions of permanent officers and establishments sanctioned by Government with effect from the next financial year; and

C.—A statement showing in detail—

- (a) All other proposed new expenditure (including expenditure on temporary establishments sanctioned by competent authority other than the Local Government, with effect from the next financial year) arranged in order of urgency; and
- (b) All anticipated decreases in expenditure owing to proposed reductions in permanent establishment.

The estimate A and statements B and C will then be submitted through the Accountant-General to the Board to which the department is subordinate in administrative matters. That Board will forward the budget and the Accountant-General's notes thereon to the Revenue and Finance Board with such remarks and suggestions as it may desire to make. The Revenue and Finance Board will embody in the draft Provincial Budget the figures proposed in the various departmental estimates A with such modifications as are considered suitable in view

of the reductions proposed in Part (b) of statements B and C and will also prepare consolidated statements B and C for the whole Province. It will then send to the Budget Committee—

- (1) the draft Provincial Budget of Receipts;
- (2) the draft Provincial Budget of Expenditure containing provision for all the ordinary expenses of the administration of the Province, including salaries of permanent officers and establishments;
- (3) a consolidated statement (B) showing all items of new expenditure, recurring and non-recurring, sanctioned by the Local Government, with effect from the next financial year; and
- (4) a consolidated statement (C) showing all other proposed essential new expenditure (including expenditure on temporary establishments sanctioned by competent authority other than the Local Government, with effect from the next financial year) arranged in order of urgency.

If the excess of the anticipated Provincial Receipts (1) over the anticipated Provincial Expenditure (2) is less than the totals of the items shown in the consolidated statements B and C, the Budget Committee will decide for which of these items provision should be made in the Expenditure Budget. If the Committee considers that provision should be made for expenditure in excess of the estimated Provincial Receipts of the year, it should submit detailed proposals regarding the source from which the necessary funds to meet the excess expenditure may be obtained.

3. The Committee may invite to its discussions the head of any department regarding entries in whose budget further information is required, and shall ordinarily give every head of a department an opportunity of showing cause why any alterations which the Committee proposes to make in his draft budget estimates of expenditure should not be made.

4. On the completion of its deliberations, the Committee shall submit a report to the Local Government detailing the alterations which it considers should be made in the Provincial Budget estimates of Revenue and Expenditure.

Annexure 2 to Enclosure 1.

I.—BOARD FOR HOME AFFAIRS.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.</i>
Non-official President. Inspector-General of Police. (<i>Police Department.</i>) Inspector-General of Prisons. (<i>Prisons Department.</i>)	Secretary to Government Board for Home Affairs. (<i>Present Chief Secretary.</i>) Joint Secretary, Board for Home Affairs. (<i>Secretary to the Legislative Council and Legal Re- membrancer.</i>) Deputy Secretary. (<i>Present Under Secretary to Government.</i>) Deputy Secretary, Police Department. (<i>Present Personal Assistant to the Inspector-General of Police.</i>)	Arms. General Administration (in- cluding Village Headmen) Judicial. Police. Prisons.

II.—BOARD OF REVENUE AND FINANCE.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.</i>
Non-official President. Financial Commissioner. (<i>Finance Department.</i>) Chief Conservator of Forests. (<i>Forest Department.</i>)	Secretary to Government, Re- venue and Finance Board. (<i>Present Revenue Secretary.</i>) Deputy Secretary, Finance Department. (<i>Present Under Secretary, Revenue Secretary's Office.</i>) Deputy Secretary, Forest De- partment. (<i>Present Personal Assistant to Chief Conservator of Forests.</i>)	<i>Finance Department—</i> (i) All revenue now under control of Financial Commissioner. (ii) Establishment (all de- partments.) (iii) Finance and Accounts (all departments.) (iv) Land Acquisition. (v) Land Revenue Settle- ments and surveys and Land Records. (vi) Pay, allowances and pensions (all depart- ments.) (vii) Registration of births, deaths and marriages. (viii) Registration of deeds. (<i>Forest Department.</i>)

Note.—The Commissioner of Settlements and Land Records, the Commissioner of Excise and the Inspector-General of Registration (when one is appointed) will correspond with this Board.

III.—BOARD OF DEVELOPMENT.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.</i>
Non-official President. Development Commissioner. (<i>Development Department.</i>)	Secretary to Government, Board of Development. (<i>Present Secretary to</i> <i>Financial Commissioner.</i>)	<i>Development Department—</i> (i) Agriculture. (ii) Co-operation. (iii) Emigration and Immi- gration. (iv) Explosives. (v) Factories. (vi) Fisheries. (vii) Industries. (viii) Mines and Minerals. (ix) Trade and Commerce. (x) Veterinary.
Chief Engineer. (<i>Public Works Department.</i>)	Deputy Secretary, Develop- ment Department. (<i>Present Assistant Secretary</i> <i>to Financial Commissioner.</i>) Deputy Secretary, Public Works Department. (<i>Present Under Secretary,</i> <i>Public Works Department.</i>)	<i>Public Works Department—</i> (i) Buildings. (ii) Communications. (iii) Electrical. (iv) Irrigation. (v) Miscellaneous Public Improvements.

Note.—The Director of Agriculture, the Registrar of Co-operative Societies, the Veterinary Adviser to Government (present Senior Superintendent, Civil Veterinary Department) and the proposed Director of Industries would correspond with this Board; or if found more convenient, will act as Joint Secretaries to the Board in their respective subjects. The present Joint Secretary, Public Works Department, would become Inspector-General of Irrigation and Adviser to Government and might be Joint Secretary to the Board in his own department.

IV.—BOARD OF LOCAL SELF-GOVERNMENT.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.</i>
Non-official President. Inspector - General of Civil Hospitals. (<i>Medical and Sanitation De-</i> <i>partment.</i>)	Secretary to Government, Local Self - Government Board. (<i>Present Secretary to Govern-</i> <i>ment.</i>)	<i>Municipal and Local Depart-</i> <i>ment—</i> (i) District Councils and Circle Boards. (ii) Municipalities. (iii) Port Funds. (iv) Town Funds.
Director of Public Instruction. (<i>Education Department.</i>)	Deputy Secretary, Municipal and Local Department. (<i>Present Assistant Secretary</i> <i>to Government.</i>)	Medical and Sanitation. Education.
Chief Engineer. (<i>Public Works Department.</i>)	Deputy Secretary, Medical and Sanitation Department. (<i>Present Personal Assistant</i> <i>to Inspector-General of Civil</i> <i>Hospitals.</i>) Deputy Secretary, Education Department. (<i>Present Assistant Director of</i> <i>Public Instruction or Deputy</i> <i>Director if sanctioned.</i>)	

Note.—The subjects under the head “Municipal and Local Department” would be dealt with by the President and the Secretary to Government without reference to any other member. The Sanitary Commissioner would become Sanitary Adviser to Government and Inspecting Officer, and would cease to be head of a Department, his office being amalgamated with that of the Inspector-General of Civil Hospitals.

Annexure 3 to Enclosure 1.

SUMMARY OF THE RECOMMENDATIONS.

(This summary is intended only to be a concise indication of the proposals, and should be read with the paragraphs of the Resolution which are noted in the margin.)

	I.—PRELIMINARY.	Para.
1. Object of Scheme to give effect to announcement in Parliament of 20th August 1917, on lines suited to circumstances of Province		1-3
2. Rate of admission of Burmans into the higher services to follow proportions found suitable for India		4
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GOVERNMENT OF BURMA'S FIRST SCHEME.

Letter from the Honourable Mr. C. M. Webb, I.C.S., Chief Secretary to the Government of Burma, to the Secretary to the Government of India, Home Department, No. 217. 1L-1., General Department, Dated Maymyo, the 2nd June, 1919.

Reform Scheme for Burma submitted after Public Discussion and Criticism.

In paragraph 198 of their Report on Indian Constitutional Reforms, His Excellency the Viceroy and the Secretary of State decided that the problem of the political evolution of Burma must be left for separate and future consideration. To await the outcome of the proposals for Constitutional Reform in India as finally sanctioned by Parliament would have meant considerable and undesirable delay, for which there was no sufficient justification, inasmuch as the political development of this Province is to be on lines suitable to its conditions and circumstances, and is not necessarily restricted to the measures adopted by the rest of India. The Lieutenant Governor resolved therefore, after consultation with experienced officials and non-officials, to take in hand without delay the formulation of a scheme of Constitutional Reform for Burma. In order that the recommendations might as far as possible be acceptable to the people and in conformity with their wishes, it was decided to ascertain the opinions held in this country on the applicability to Burma of the proposals for India contained in the "Report on Indian Constitutional Reforms," and then to publish a tentative scheme for public discussion and criticism, so that ideas, aims and policies might be crystallised, and resolved into definite and concrete suggestions or objections. These steps were taken in due course, and I am now to submit, for the consideration of the Government of India, the matured proposals of the Local Government for a scheme of Constitutional Reform in Burma.

Before 1917 no Indigenous Demand for Reform.

2. History shows that until the announcement made in the House of Commons on 20th August, 1917, regarding the development of responsible government in India, and until the visit of the Secretary of State to India to investigate in person

the problems involved in the realisation of this policy, such political changes as had been introduced in this Province were imposed from without and were not the outcome of any agitation or movement among the people themselves. It is exceedingly improbable that but for these two events the Burmans would, of their own initiative and volition, have pressed a demand for constitutional reform. Their traditions and recent memories were those of a personal and despotic sovereign, subject to no guidance but that of his own caprice, and hampered, in dealing with the lives and property of his people, by no limitation save that of his power to enforce obedience. The principle of elective institutions was indeed not entirely unknown, but it could not be considered either popular or an unqualified success. Elections were held for the appointment of Pagoda Trustees, and in some cases for the membership of Municipal Committees, but were usually regarded as affording an opportunity rather for the gratification of private friendship or partisanship than for the public-spirited pursuit and realisation of definite aims and policies. Men of standing did not care to submit themselves to the suffrages of their neighbours and face the possibility of defeat, and so little interest was evinced generally in the administration of public affairs that Government had often to nominate members of Municipal Committees in the absence of sufficient candidates for the vacant posts. In later years, with the spread of co-operative credit, considerable success was achieved in the adoption of the elective principle in the management of co-operative societies. The benefits derived from the efficient working of these societies are, however, essentially of a concrete and personal nature, and it cannot safely be assumed that equally satisfactory results will necessarily attend the extension of elective institutions to the administration of public affairs.

Burmans Generally Indifferent to Public Affairs.

3. A limited number of natives of India resident in Burma used to echo the sentiments of the National Congress, and to organise branch associations in support of Indian movements. But these operations awakened little or no response among the people of the country. They formed no political associations of their own, and while some may from time to time have joined the Indian caucuses, the great majority held strictly aloof, and the few who joined represented neither Burmese sentiment nor Burmese opinion. This indifference to public affairs is well illustrated by the history of the Burma Legislative Council. This body was created in the year 1897, not in response to any demand from the people for such an institution or to any express desire for participation in the government of the Province, but because the Government of India and the Local Government considered its establishment feasible and desirable. When first constituted the Council consisted of nine nominated members, four of whom were non-officials. Its proceedings roused but little interest in the minds of the people, who were content to pursue their private callings and leave affairs of State alone, secure in the sincerity and impartiality of their British officers. In 1909 the membership of the Council was increased to seventeen and in 1915 to nineteen. So strong, however, was the disinclination of the Burmans to participate in public life that though so late as 1916 the only elected members of the Council were two Europeans, and the sole representatives of the indigenous races were two Burmans, one Karen and a Shan Chief, yet no desire was expressed for an enlarged Council or for an increased representation of the people of the country. It fell to the then Lieutenant-Governor, Sir Harcourt Butler, to apprehend the anomaly of the situation, and in 1916 he appointed a strong and representative Committee including seven Burmans to formulate proposals for the revision of the membership of the Council. In its report this Committee recommended that a few elected members be added to the Council and that its strength should be increased substantially, but it definitely recorded that all the Burmese members were of opinion that the country was not ripe for any general extension of the elective principle, and that the great majority of Burmans would much prefer nomination. Proposals on these lines were submitted to the Government of India with Mr. Rice's letter, No. 503—1L-2, dated the 20th June, 1917, but before orders could be passed there intervened the announcement by the Secretary of State in Parliament and his visit to India. A deputation, which contained a number of natives of India, waited upon the Secretary of State and the Viceroy in Calcutta, and for the first time put forward a demand for some more popular form of government in Burma. This deputation was largely inspired by the fact that the Burmans began to be alarmed lest an Indian government, largely controlled by Indian politicians, should undertake the government of Burma. So far as the Indians were

concerned, it was a movement in support of the Indian National Congress, and not dictated by any special sympathy with Burman aspirations. Burman participation in it was partly due national pride that Burmans should not be considered in any way inferior to Indians, and partly prompted by the feeling that Burma had not been treated quite fairly by India in the past, and that such treatment was likely to grow worse as Indians attained increasing influence and power in the government of India. Although Burmans and Indians may co-operate from time to time in the large towns, and especially in so cosmopolitan a place as Rangoon, it cannot be denied that there is a natural antipathy felt towards Indians, and a feeling that they have absorbed the lion's share both of the trade and industry of the country and in not a few of the Departments of public service. The Burman is not fond of cooly work or menial service, and is quite content to employ Indian labour in all these humble offices; but as regards the superior kinds of service, lucrative trade and industries, he feels that he is being overshadowed in his own country and entirely refuses to admit that this superior position attained by Indians corresponds to any superiority in character or capacity.

Fear of Indian domination and re-awakening of national pride through recruiting campaign have led to demand for share in government by upper and better-educated classes.

4. Had Burma been an entirely separate country administered as a Crown Colony, it is exceedingly improbable that any political movements in the direction of self-government would ever have started, or at least not until a considerably later date than the present; but as things have turned out, the presence in the country of a number of Indians, the proximity of India proper, and the fact that purely Burman interests appear to be in some jeopardy of being left out in the cold, have caused a rapid development of ideas, and the publication of the Reforms Scheme has crystallised these new sentiments. The Young Men's Buddhist Association, at first only an imitation of the Young Men's Christian Association, and intended to serve social and religious purposes, has, in fact, converted itself into a political association, while numerous mushroom associations in various parts of Burma have been formed in connection with reforms and political questions generally. A practice has sprung up of calling what are termed "mass meetings," which are really nothing but public meetings of persons interested, or beginning to be interested, in politics. A great deal of zeal has been manifested among young educated Burmans, mainly with the desire that paragraph 198 of the Reforms Report should not be construed as a slight on Burman capacity or as an unfavourable discrimination against the Burmans as a race in comparison with the Indian races. Two factors have contributed largely to the rise of this national self-appreciation. First, the Imperial Idea Committee, appointed by Sir Harcourt Butler and enthusiastically taken up by many of the most experienced and thoughtful officers, strongly advocated a policy having as its definite aims the elevation of Burma as a country and a people, and its recognition as a distinct national entity among the countries comprised within the British Empire. The second factor has been the effort made in recruiting Burmans for the Army. One of the main arguments used has been that, if Burma is a candidate for ultimate inclusion as a self-governing entity within the Empire, the Burmans must show that they are capable of defending themselves as soldiers and do not fall behind other races in the Indian Empire in this most important respect. Appeals to patriotism have therefore figured very largely in the recruiting campaign. It was part of Sir Harcourt Butler's policy—a policy which has been warmly adopted by Sir Reginald Craddock—that Burmans should be pushed forward, encouraged and stimulated into asserting themselves in their own country instead of allowing so many of the functions, activities and profits, which ought to be their birth-right, to fall into the hands of aliens who are showing greater energy and enterprise. The awakening of Burma is the policy of the moment. But the awakening is far from complete or generally diffused. There is no sign as yet that it has spread beyond the upper and better educated classes. The mass of the people, in spite of a much wider extension of primary education than can be found in India, is still superstitious and credulous, and there is a considerable risk lest, as has happened in India, this awakening should be more developed in the phrases of enthusiastic and fledgling politicians than in the facts and realities of the general life of the country. Fortunately for Burma, this tide in her affairs has come after much valuable experience has been gained in India, the burden of which is that it

is of the highest importance that the forward movements should be guided and led from the first in such a way as, if possible, to prevent bitterness being engendered by undue delay in the grant of reforms without at the same time jeopardising the substantial well-being of the people by rash and premature experiments. However much the expediency may be recognised of placing Burma on the road towards ultimate self-government, it is impossible to ignore such facts as that the total number of Burman graduates has not yet reached 400; that up to date no Burman has been a successful competitor in the open examination for the Indian Civil Service; that both in the field of Commerce, and even at the Bar itself, Burmans have not attained anything like the pre-eminence and success won by Indians in these walks of life; that except in seven or eight municipal towns the elective system even to this day has not been in general operation; and, finally, that there have been no such organizations as district or local boards, and that rural Burma is a total stranger even now to local self-government. Any scheme of reforms for Burma must therefore differ considerably from models which may be found suitable at the present time in the Indian Provinces. On the other hand, the present movement has its origin in the stirring and re-awakening of the Burmese national pride and self-consciousness. Delay or niggardliness in the grant of reforms to Burma as compared with India may deeply wound the Burman's *amour propre* and even throw him into the arms of the agitator and revolutionary. Further, there are features in the social system of Burma which mark it out as *prima facie* a more promising soil for the introduction of electoral institutions than can be found in India. The widely diffused primary education already mentioned, the emancipated condition of women, the freedom from violent religious antipathies, the great tolerance of the Buddhist religion, the absence of a landed aristocracy, of caste distinctions and of hereditary occupations—all these are factors which tell strongly in favour of the ultimate success of democratic institutions. The great development of Co-operative Credit Societies and their allied Associations, which have now advanced so much that they are in danger of usurping the functions which should by right belong to legally constituted local bodies, is the strongest proof that the organization of local self government in rural Burma has been most unduly deferred and is one of the most pressing wants of our administration.

Tentative scheme of reform published for criticism in December, 1918.

5. Such were the considerations and reflections which influenced the Local Government in the formulation of the tentative scheme of reform published for criticism in resolution No. 1L-7, of the 17th December, 1918, copies of which have been submitted to the Government of India with my letter No. 411 1L-7 of the 18th December, 1918. A spare copy is attached for ready reference. The scheme aroused considerable interest and numerous criticisms were elicited from all classes, creeds and nationalities in the Province. After full examination of these opinions and suggestions, the Lieutenant-Governor in his speech at the end of the session of the Burma Legislative Council on the 19th April, 1919, made a public announcement describing the amendments to be made in the scheme. A copy of an extract from this speech is enclosed for the information of the Government of India as Annexure I.

The basic principle of the scheme is that it is an introduction to the realisation of the formulas adopted in paragraphs 188 and 189 of the Report on Indian Constitutional Reforms. These are firstly, complete popular control in local bodies coupled with the largest possible independence for them of outside control, and, secondly, the immediate devolution of such power in Provincial affairs as is compatible with safety and efficiency, combined with the measures necessary to justify and secure the progressive realisation of complete responsibility in those affairs.

Local self-government: Exclusion of backward areas.

6. It does not seem necessary to trouble the Government of India with a lengthy exposition of the details of the proposals regarding *local self-government* as they are almost purely of provincial interest. Briefly summarised, these proposals premise, firstly, that conditions in Burma require the separation of rural and urban administration, and, secondly, that special tracts such as the Shan States, and backward areas such as the various Hill Tracts and certain frontier districts, should for the time being be omitted from the scheme so far as rural self-government is concerned.

The districts to be excluded are Putao, Myitkyina, Bhamo, the Ruby Mines, the Upper Chindwin, and Salween. So much of these areas consists of forests

and undeveloped tracts largely inhabited by hill tribes that it is premature to include them in the scheme of local self-government. Symmetry is not secured by introducing rural self government into Burma in an entirely indiscriminate fashion. There are still some who think that the country is not ripe even for the introduction of such local bodies as Circle Boards and District Councils, and who consider it quite sufficient to form village committees. That is an extreme view. But, on the other hand, it would be also extreme to the verge of absurdity to introduce rural self-government into these backward and heterogeneous tracts simply because the settled districts of Burma are ripe for it. If, too, these wild frontier areas are not fit for the introduction of rural self-government, it is obviously premature to consider them in connection with the Legislative Assembly. An equal objection, however, does not apply to the grant of urban representation to any towns in these areas which commercial development or extension of the railway has brought into existence, and important trade centres such as Bhamo, Myitkvina and Mogok have therefore been included in groups of towns for the purpose of selecting a representative to the Legislative Assembly. Further, it is always possible to nominate to the Assembly any particular citizens of these areas whose presence on the Assembly would be of value but who has no constituency for which he could sit.

Extension of local Self-Government in Urban Areas.

7. As regards urban administration, the Municipal Act is to be extended to all *urban areas* of sufficient size and importance; all Municipal Committees will be mainly elective and almost entirely non-official, and will appoint their own office-bearers. The necessary measure of control, which will be limited as far as is compatible with the interests of the general administration, will be exercised from without, and not, as heretofore, from within. Under the existing rules women are not disqualified from having a vote, and it is not proposed now to deprive them of that privilege. Whatever may be the position of women in India, in Burma religion and custom have given them a freedom and emancipation which in many respects approximates to Western rather than to Eastern ideas. They have undoubted business acumen and with better education will in time merit and assume greater influence in the administration than they now possess.

Wide Franchise for Election in Rural Areas of Local Bodies.

8. In *rural areas* much of the power in purely local affairs hitherto exercised by the Deputy Commissioner will be entrusted to Circle Boards and District Councils. The formation of Village Committees in some of the larger villages was mooted in the tentative scheme. Experience however teaches that such committees must be an offshoot and not the root of local self-government. Where it is expedient they can be formed by devolution from Circle Boards, but their creation and constitution is a matter for separate consideration and will be taken up in due course. Circle Boards are to be constituted from members elected by groups of village tracts, and the electorate will comprise all the residents of the tracts in each group who are assessed to capitation-tax, or *thathameda* or income-tax, or who have been exempted from these taxes on grounds other than poverty. In the annual rolls prepared in every village for the assessment to capitation-tax, or *thathameda*, is to be found, ready-made, an electoral register which will, in all probability, prove far more comprehensive than that to be obtained in any other Province of India. The franchise will extend in Upper Burma to women who are liable to be assessed to *thathameda* if they are independent householders, and in order to equalise matters in this respect in Upper and Lower Burma, and even more on grounds of intrinsic merit, it will be necessary either to abolish capitation-tax as it stands in Lower Burma and substitute for it *thathameda*, or, if the name is retained, to modify the principles of its assessment in such a way as to make it more akin to the Upper Burma impost. It is not proposed to disqualify women by regulation from being members of the Circle Boards, but it is not likely that they will aspire to or attain such a position for some time to come. Residence in the rural area will be an essential qualification for election to the Circle Board, and village headmen may offer themselves as candidates.

Landowners resident in Towns will also be Represented.

9. It was suggested in the tentative scheme that the District Councils should be composed solely of the elected representatives of the Circle Boards. Numerous

critics, however, pointed out that this would deprive landowners and other persons of means and intelligence whose interests were mainly rural, but who lived for private reasons in towns of any share in rural administration. It has been decided, therefore, that each Circle Board shall elect at least one representative to the District Council, and that in addition each municipal area shall return to the District Council of the district in which it is situated one member who must have been in possession of a substantial area of land in the district outside municipal limits for a period of at least twelve years. The electorate for this member is to be composed of all the landowners resident in the town who possess extra-municipal land in the district. In this way an opportunity is afforded to those who, though resident in towns, have still a substantial stake in the country outside, of finding a place on the District Councils, and of playing their part in rural administration.

Procedure Proposed for Preparation of Constitution for District Councils.

10. It is not necessary to dilate upon, or to describe in any further detail, the constitution, powers or duties of these new local bodies, or the amount of Government control which will be exercised over them. Such subjects all fall within the sphere of purely local self-government, and a special officer is being deputed to tour the districts of the Province and, in full consultation with the local authorities and local non-official opinion, to devise a constitution for these local bodies and a draft of the Local Self-Government Act under which they will work and be controlled.

Direct Election to Burma Legislative Assembly possible only in Urban Areas.

11. In matters outside purely local administration, the constitution of the Provincial Legislative Council, or *Burma Legislative Assembly* as it will hereafter be styled in accordance with the proposals contained in paragraph 37 of this letter, first requires consideration. The tentative proposals on this problem are to be found in paragraphs 17 to 24 of the Local Government Resolution dated the 17th December, 1918. As regards the electorate, direct relations between the villagers and the members of the Assembly are at present impracticable. It may be argued that the annual rolls prepared in each village for assessment to capitation-tax and *thatha-meda* provide ample material for the provision of direct election, but it would be absurd to attempt to entrust the selection of the Legislative Assembly to large masses of rustics in a country where a local Board or District Council has not yet been brought into existence. Although, therefore, there are many *a priori* arguments in favour of direct electorates to a Legislative Assembly, these are outweighed by the impracticability of an attempt to substitute for a small nominated body a large elected Assembly based on almost universal manhood suffrage. The conclusions arrived at therefore are, first, in the case of towns, which will be grouped on lines explained in the following paragraph, to give a direct vote to the Assembly to the ordinary municipal voters, and, secondly, in the case of rural areas, to entrust the election of rural members in the Legislative Assembly to the members of Circle Boards, to whom would be added the members of the Municipal Committees of those small towns or notified areas which are too unimportant for inclusion in an urban group. This body of voters could in no sense be termed an electoral college. The electors would be true representatives of the rural localities on the bodies in which they had seats. Electorates of this kind will, it is believed, return to the Legislative Assembly members who are as suitable representatives of rural interests and rural opinion as can be obtained in any other way. In this way also the difficulties of framing electoral rules and of controlling elections without fraud or personation will be largely, if not entirely, obviated. It is desirable that as regards candidates the choice should be limited to those members of Circle Boards who have won election to the District Council, including the land-owning members who, holding land in the district, were not eligible to sit on Circle Boards because they happened to reside in a municipal town. As regards Government servants, there seem to be no sufficient grounds for disqualifying them from voting, but they should not be allowed to stand as candidates. The report of the Franchise Committee, which is just to hand, does not deal specifically with the question of the franchise for Government servants, and in this matter the Lieutenant-Governor is willing to follow whatever course is adopted in India.

Non-officials in Assembly to number 70, of whom 56 Elected.

12. In considering the size of the Burma Legislative Assembly, the maintenance of the proportion of elected to nominated members, and of non-official to

official members, has been kept steadily in view. The first principle adopted was the preservation of a reasonable ratio between *rural and urban representatives*. In deference to the greater intelligence, education and wealth of the people represented, the urban share should undoubtedly be larger than its numerical proportion. The rural areas on the other hand should have a substantial majority among the elected members so that the interests of the country at large may not be subordinated to the interests of a vocal minority, which though representing the views of an advanced section, mostly young politicians, will not voice the sentiments of the conservative elements among the people. The proposals in the tentative scheme for the representation of rural areas were generally accepted, and one member will therefore be returned from each District Council, making 51 in all. On the other hand, the proposals regarding urban representation under which towns were grouped by Civil Divisions for the election of members to the Assembly, were widely criticised as not giving sufficient scope to the representation of the *intelligentsia* of the country who reside mainly in the towns. It is not possible to satisfy this criticism by allowing a separate member to each town of a certain size, and it is necessary therefore to retain the principle of grouping towns. The system, however, has been revised and the towns will now be grouped, not by administrative Divisions, but according to geographical proximity and similarity of interests. In *Annexure 2* to this letter the details of this new system of grouping are set out in full. Further, it has been found desirable to increase the urban representation to 19 members, 5 of whom will be returned by the constituency of Rangoon combined with the neighbouring towns of Insein and Syriam. The adherents of the "Young Burman" party are found mainly in the towns, and this increase in urban representation will therefore be to their advantage. They represent the more progressive and advanced elements in the Province, and while it is undesirable that they should be allowed to absorb a majority of the seats in the Assembly, it is equally essential that they should not be excluded from that body or made to feel unduly restricted by the imposition of qualifications with which owing to their special circumstances they may be unable to comply. It has been decided therefore not to demand a residential qualification from candidates who represent the urban groups.

Secondly, the original scheme provided *communal representation* for Indians and Chinese in Rangoon alone, as well as communal representation on a limited scale for Europeans and Anglo-Indians generally in Burma. It was, however, stated that communal representation would not be forced if the opinions were not strongly in favour of it; and as those mostly concerned were against rather than in favour of communal representation for Indians and Chinese in Rangoon, this measure has been discarded. The only communal electorates that remain are those of the Europeans and Anglo-Indians, which in the original scheme were granted one member each. The arguments in support of this measure of communal representation are fully set forth in Sir Reginald Craddock's "Minute on the Report on Indian Constitutional Reforms" submitted with Mr. Rice's letter, No. 514—1L-7, of the 30th November, 1918, and it is not necessary to elaborate them afresh here. In view of the extent and importance of the interests which the non-official European community has at stake in Burma, and of the fact that three additional seats have been proposed for urban representatives, it has been deemed advisable to allow one more seat to the Europeans. Further, in order to avoid unpleasant and invidious distinctions, and election petitions based on the objection that a particular European candidate had been returned at the head of the poll by the votes of persons who were really Anglo-Indians, it seems better to amalgamate the European and Anglo-Indian electorates, whose interests are on the whole sufficiently akin to justify this course. This combined constituency therefore will elect three representatives, two of whom must be Europeans. Its members will not form part of the general electorates for the rural and urban candidates, though they may, if qualified, have votes as members of the special electorates such as the Chamber of Commerce, the Trades Association or the University. In the case of both communities the electorate will be composed of persons who either are tax-payers in towns, having residential qualification as householders or rate-payers, or who are assessed to income tax. The recent raising of the limit of this tax to incomes of Rs. 2,000 and over is a distinct advantage in that it improves the qualifications for these two electorates. Europeans and Anglo-Indians who do not qualify for inclusion in this combined constituency will, if otherwise eligible, form a part of the urban or rural electorates.

No change is advocated in the representation of one member each accorded to the University, the Burman Chamber of Commerce, and the Rangoon Trades Association. In the case of the University, the seat is to represent not educated persons in general, but the cause of education by the election of an educationalist. No objection has been raised by critics to this measure of representation which finds adequate justification in the importance of education. It is contemplated that the electorate for this member will consist of the Council and Senate of the University when established. The total number of elected members will thus be 56, comprising 31 rural representatives, 19 urban and six from special electorates.

Fourteen Nominated to Redress Possible Inequalities Resulting from Elections.

13. As regards *nominated non-official members*, in the original scheme five seats were set apart for nomination to meet particular interests. It has been found advisable, on re consideration, to amend this proposal. A recent municipal election at Insein, near Rangoon, has demonstrated that Indians may succeed in securing a complete monopoly of seats in urban areas; and the whole future of these elections is so difficult to prognosticate that it is advisable to retain upon the revised Assembly a larger nominated element than was at first thought necessary. There are very special reasons for this course. It is essential to secure that landholders who have a considerable stake in rural tracts but are resident in Municipal towns should not be entirely ousted from participation in the work of District Councils. It is not impossible that whatever precautionary rules are adopted, the District Councils may be found to include under this head persons who, although undoubtedly qualified for the position, are nevertheless more urban than rural in their sympathies. It is therefore, also possible that rural members returned to the Burma Assembly by District Councils might prove to be persons of the politician class to the exclusion of those whose interests are more exclusively confined to the country proper. It is also likely, as already stated, that Indians may oust Burmans as urban representatives. Inequalities will arise if the rural electorates return an undue proportion of men of the urban class, if Indians secure an undue proportion of seats to the exclusion of Burmans or if, on the other hand, Burmans should develop a racial patriotism resulting in the almost total exclusion of Indians. Again, there is the question of Chinese, and of the Karens, Christian and non-Christian, to be provided for. It is all-important therefore that there should be no sudden and complete change from a system of almost entire nomination to a system of almost entire election. For these reasons it has been thought advisable to increase the number of members nominated to represent particular interests from five to six, and in addition to empower the Local Government to nominate one member from each Civil Division on the recommendation of the Commissioner. The total of nominated non-official members will thus be raised to 14, and this power of nomination will make it possible for the Local Government to rectify the anomalies which the elections in a country like Burma, new to rural self-government and almost new to the elective principle, will probably disclose at first.

The Lieutenant-Governor has always shared the *a priori* objections to communal electorates, but they are preferable to a system which ends in the complete exclusion of important racial, religious, and social elements from a body supposed to represent the people at large. In this scheme the actual issue is left to actual experience. Time will show whether communal representation is necessary or not in Burma, and the present reservation of extra nominated seats will at one and the same time afford protection to these interests, if they need protection while the experiment is being made, and offer the necessary scope for introducing communal electorates, if the results of the general elections show that such are really necessary. This is the answer to those persons who complain that the revised scheme is less liberal than the tentative one.

Total Strength of Assembly including 20 Officials, 2 Experts and the Lieutenant-Governor is 93.

14. The number of non-officials in the Burma Legislative Assembly has thus been raised from 57 in the tentative scheme to 70, of whom 56, or 80 per cent., will be elected. In consequence of this increase of the non-official element it is expedient to raise the number of *nominated officials* from 15 to 20, though it may not be necessary to use this power to the full. With the addition of two seats for experts, who may be either officials or non-officials as the occasion may require, the total strength of the Assembly works out to 92, or, including the Lieutenant-Governor,

93. It is probable that in the course of time the increase of population, the development of towns and so forth, may necessitate some addition to this number. The Lieutenant-Governor would ask therefore that sanction may be accorded to the establishment of an Assembly with membership not exceeding 100, so that a small margin may be allowed for new seats to be added when the scheme has been in working for a number of years. As the people develop in political capacity and in comprehension of the value of elective institutions, it may be possible to dispense with some of the seats reserved for nominated non-officials, and these might be added to those for elected members. With this additional margin the full strength of 100 members should suffice as the maximum for a considerable period. The constitution of the Burma Legislative Assembly as now proposed is as follows:—

A.—Elected Members.

1. One district representative from every district that has a District Council	31
2. Urban representatives, <i>vide</i> Annexure 2 to this letter ...	19
3. One elected member of the Burma Chamber of Commerce ...	1
4. One elected member of the Rangoon Trades Association ...	1
5. One representative of the Burma Educational Syndicate, and later of the University when established	1
6. Three elected members of the combined European and Anglo-Indian communities, two of whom must be Europeans	3
Total elected members	56

B.—Nominated Members.

7. Fourteen non-officials nominated by the Local Government for races or interests inadequately represented by the elected members	14
8. Two experts, official or non-official	2
9. Twenty officials	20
Total nominated members	36
GRAND TOTAL	92
or including the Lieutenant-Governor ...	93

The Lieutenant-Governor should be the President of this Assembly, and should be empowered to nominate a senior official member to be Vice-President.

No provision for Grand Committee.

15. In paragraph 10 of his Minute on the Report on Indian Constitutional Reforms submitted with Mr. Rice's letter No. 514—1L-7, of the 30th November, 1918, Sir Reginald Craddock criticised the proposals regarding the formation of a Grand Committee contained in paragraphs 252-254 of the Report, and recommended in its stead the adoption of a certain procedure for ensuring the passing of measures considered by Government to be of prime importance and the rejection of measures considered by Government to be harmful to the country. This procedure was, in brief, that it should be laid down that in respect of *certificated measures*, the will of Government should prevail unless a contrary motion were carried against it by a specified majority. The principle involved was adopted in paragraph 25 of the tentative scheme of reform for Burma in which it was suggested that the specified majority should be two-thirds of the Assembly. The introduction of this procedure would only be resorted to in the case of certificated measures, and certification will only be necessary if experience shows that the general temper of the Legislative Assembly is obstructive or hostile to Government or if there is an organised opposition to defeat Government measures. There would, of course, always remain the *Lieutenant-Governor's veto*; but the veto should be an extraordinary safeguard and not an ordinary method of dealing with legislation. Moreover, a veto has, ordinarily speaking, merely a negative operation. Under Sir Reginald Craddock's scheme as described in his Minute abovementioned, this negative operation would have the effect of being used affirmatively, *viz.*, by being exercised against amendments to

Government measure, the Government measure itself becoming law, except in so far as amendments were carried by a two-thirds majority.

Value of Resolutions of the Assembly.

16. *Resolutions* of the Assembly would only have the value of recommendations on whatever subject and by whatever majority they were passed. In the tentative scheme it was proposed that resolutions on matters connected with the Provincial Budget should be binding upon the Local Government if carried by a two-thirds majority. On reconsideration, however, the Lieutenant-Governor is of opinion that this provision is unnecessary and might in practice prove a stumbling block. It is unlikely that any Government would venture to disregard the clearly expressed wishes of the members of the Assembly except on matters which it considered essential for the maintenance of peace and security, and so long as Government remains responsible for these matters, its will regarding them must prevail. The effect therefore of the change regarding the value of resolutions on financial matters is more apparent than real.

Ordinary safeguards and qualifications to be prescribed.

17. In the measures constituting the Burma Legislative Assembly there will, no doubt, also be included the same *safeguards* which may be found necessary in the final Reforms Scheme extended to India as regards powers to dissolve the Assembly. It would also be necessary to include powers which are not specifically inserted in existing regulations for the suspension of particular members who defy the authority of the Chair or otherwise break the rules and regulations governing the business of the Assembly. There would also be inserted in specific terms the qualifications for a vote, and the disqualifications which are personal to individuals, *e.g.*, age (which should certainly be fixed at not less than twenty-five years), insolvency, criminal history and so forth.

Temporary Committees preferable to Standing Committees except for Finance.

18. With the exception only of a Standing Committee on Finance it does not seem necessary to make provision for the formation of a number of *Standing Committees* such as are described in paragraph 235 of the Report on Indian Constitutional Reforms. His Honour fully realises that it is essential to encourage the Assembly to take an active interest in the administration and add thereto its proper contribution of constructive statesmanship, rather than to adopt the role of the indifferent spectator or be content with purely destructive criticism. He intends therefore from time to time to appoint *temporary committees* from among the members of the Assembly, to advise not merely on proposals regarding legislation, but on the many problems of general administration where non-official opinion and assistance can be of value in attaining a satisfactory solution. He considers that temporary committees *ad hoc* while the Assembly is in session and the attendance of members can be secured, fulfil the desired objects with much better chance of practical utility than the creation of so-called Standing Committees, of which the members could not attend with any regularity without serious detriment to their own businesses, involving therefore either the payment of salaries, or irregularity of attendance and great delay in the disposal of business. The objects aimed at are to familiarise the elected members of the Assembly with the processes of the administration, and to make the relations between the executive and the legislative more intimate. These objects, His Honour believes, will be adequately secured by the formation of temporary committees and by the system of government by Boards to be described below. The formal constitution therefore of Standing Committees, except in the case of the Budget Committee, does not appear advisable or necessary. Proposals for the constitution and procedure of this *Budget Committee* were put forward in the tentative scheme and are embodied in a revised form in Annexure 3 to this letter.

No provision for equivalent of Parliamentary Under Secretaries.

19. The suggestion in paragraph 224 of the Report on Indian Constitutional Reforms that power should be taken to appoint members of the Legislative Assembly to positions analogous to that of a *Parliamentary Under Secretary* while desirable in principle, is unnecessary for the same reasons that have been adduced in the case of permanent Standing Committees. Men who would be capable of filling such a role are few in number, and would probably be unable to undertake the duty if it were purely honorary. Further, the non-official Presidents of the Boards under the proposals to be discussed below fulfil both the functions to be

assigned to these officers of assisting the executive members in their departmental duties and of representing them in the Assembly. The Lieutenant Governor does not propose therefore to ask for power to make appointments on these lines.

Constitution of Provincial Executive.

20. The constitution of the Provincial Executive falls next to be examined. In paragraph 27 of the tentative scheme reasons were given against the adoption, in Burma, of the ordinary devices of Advisory and Executive Councils and in the rest of Part IV. of the Resolution a system of Boards was proposed and explained. At first sight such a system may appear to be an entirely novel departure from the system of Indian administration, to be out of keeping both with everything that has gone before and with everything that was projected in the Report on Indian Constitutional Reforms, to be, in fact, as a Calcutta newspaper described it, "a fantastic scheme." It is essential, therefore, if the objects and merits of the proposal are to be appreciated at their correct value, that the conflicting considerations of which it is the outcome should receive careful and thorough elucidation.

Advisory Councils rejected when first proposed in India.

21. In evolving their scheme of Constitutional Reform the Secretary of State and His Excellency the Viceroy had to base their recommendations on the foundation of existing conditions, which were the result, firstly, of the trend of the Morley-Minto Reforms, and, secondly, of the approval of the creation of Executive Councils and of the appointment thereto of Indians, which was pronounced by Lord Morley in 1909. Now in the original Reforms proposals formulated by the Government of India, which were placed before Provincial Governments for consideration in Sir Harold Stuart's letter No. 2310-2317, of the 24th August, 1907, it was suggested that *pari passu* with the enlargement of Legislative Councils in the various Provinces and some extension of elective system, there should be brought into existence what were termed *Advisory Councils*. These were apparently to be large and somewhat amorphous bodies without any very clearly defined duties. They were probably intended to be a select body of conservative advisers to counterpoise the possible radical tendencies of Legislative Assemblies and to deal with important questions before they were ripe for legislative consideration. Sir Reginald Craddock advocated such a Council for the Central Provinces, on the hypothesis that Lord Morley's orders on the Reforms left those Provinces without any part or lot in the new Reforms Scheme, since as the statutes then went, it was not possible to provide a Province with a Legislative Council unless it had already been raised to the status of a Lieutenant-Governorship. He was also to some extent influenced by the fact that, as far as he could see, the Legislative Council in the Central Provinces would consist almost entirely of lawyers, an anticipation that has been entirely verified by results. When once the statutory restrictions on a Legislative Council of the Chief Commissionership had been removed, as they were by Act of Parliament, there could no longer be any justification for excluding a province of such growing importance and containing such politically advanced areas as were part of the Central Provinces from the privilege of having a Legislative Council of its own. In these circumstances, the proposals for an Advisory Council of the kind adumbrated by Sir Harold Stuart in his original reference, were unnecessary so far as the Central Provinces were concerned, and as they excited general opposition they dropped out from the Morley-Minto reforms altogether. They have, however, been revived in a different shape in the "Report on Indian Constitutional Reforms" for such minor provinces as Coorg, Delhi, Ajmer-Merwara and the North-West Frontier Provinces.

Executive Councils no part of Responsible Government.

22. The extension of *Executive Councils* to various Provinces and the admission of Indians to them was regarded as outside practical politics in the year 1908, and this new departure was undoubtedly of the nature of a belated (and it might even be said hasty) super-imposition upon the then reform scheme. It was made without prior consultation with Local Governments and sprung as a surprise upon both the officials and non-officials alike. The favour with which the Indian Constitutional Reforms Report views the system of Executive Councils is born of the desire to see the system of one-man government abolished as inconsistent with the self-government idea. As a means of relief to the Head of a Province otherwise overwhelmed with administrative details, or, in the alternative, obliged to surrender unduly large powers to the Secretaries to Government, it has no doubt great merits. But viewed entirely as an institution, it has no more claim to represent self-government than

has the system where a Head of a Province exercises authority with informal advisers of his own choice and Secretaries of his own appointment. An Executive Council as such may be even more bureaucratic than a single Head of a Government consulting all and sundry and with great freedom as to his advisers. So far as officials on it are concerned, it is purely bureaucratic in its nature, and the appointment on it of non-official Indians does not alter its character, for it is agreed on all sides that where you have an Executive Council, every member must be selected by the Governor or by the Governor-General or the Secretary of State, as the case may be, and that his choice cannot be limited to elected members of legislative bodies or to any other outside authority, popular or otherwise. The existence of these Executive Councils in India and the fact that they have been accepted by Indian political opinion which demands that they should consist entirely of Indians or entirely of Indians elected by the Legislative Council, are at the bottom of the necessity for a dyarchical form of government, with a division of subjects into reserved and transferred, which forms the cardinal feature of the Montague-Chelmsford Reforms. This feature in that scheme of reforms is condemned by many persons, and is disliked even by its supporters, although they may accept it as a *pis aller*, because they can discern no other way of introducing a more responsible element into the composition of the Government.

An Advisory Council was originally contemplated for Burma.

23. His Honour's first idea when he came to Burma was that it might be possible to form an Advisory in place of an Executive Council but of an entirely different character from the large and ill-defined body which Sir Harold Stuart's original proposals contemplated and which was rightly rejected by Lord Morley. The kind of Advisory Council which Sir Reginald Craddock at first envisaged was a small one of, perhaps, four or five members, some of whom might be selected from the Legislative Assembly. These individuals were to constitute the non-official advisers of the Lieutenant-Governor in all matters in which he stood in need of non-official advice. They were in no sense to be a nominal council, constituted merely to satisfy appearances, but were to take their place as authorised advisers entitled to see papers and to note their opinions on them. Further, Sir Reginald Craddock purposed to give them reasonable salaries, so that men, who spent time and trouble over considering cases and writing their opinions upon them as well as in attending meetings to which they were summoned for deliberation and advice, should have substantial remuneration and not regard themselves as under no obligation to spend their time on public service, and as having no real influence or recognition in the administration of public affairs. Such a scheme appeared a possible alternative to the introduction of an Executive Council on the lines followed in the older Presidencies and forecasted for all Provinces under the new Scheme of Reforms.

Reasons special to Burma for Rejecting an Executive Council.

24. It is true that in this Government's letter No. 522T. of the 17th October, 1917, Mr. Rice, who held the office of Lieutenant-Governor temporarily after the departure of Sir Harcourt Butler in September, 1917, expressed his opinion in favour of a Governor with an Executive Council in Burma, consisting of two officials and two Burmans. He considered that such a scheme would be the best introduction to ultimate self-government, but apart from this simple expression of opinion, he did not investigate the problem in any detail or consider any alternative, nor did he enter upon the question as to whether a succession of Burmans suitable to undertake this responsibility could be found.

Now, without any criticism or disparagement of Mr. Rice's views, it is clear that the declaration made by the Secretary of State and His Excellency the Viceroy in paragraph 198 of their Report releases the Government of Burma from any obligation which this letter might be held to have imposed upon it. In Burma the Morley-Minto Reforms have never been in operation. The elective principle has been so limited in application that to this day the majority of Municipal members are nominated. The Presidents of such bodies are almost entirely official (the rare non-official President being merely the experiment of to-day), while not a single local board or district council is yet in existence. As has already been stated, the total number of Burman graduates does not reach 400, and only in the lower grades of the public services can Burman officials be found having

University degrees, while in even so reputedly backward a Province as the Central Provinces there is scarcely a member of the Provincial Service and the Subordinate Judicial Service who is not at least a B.A., or B.L., or B.A., LL.B. Whereas in India distinguished Indian lawyers have occupied seats on High Courts for three-quarters of a century, the first appointment of a Burman lawyer to a seat on the Chief Court was only made two years ago, and there is no Burman holding the permanent appointment of a Divisional or Sessions Judge. In these circumstances, the choice of a Burman to be a member of an Executive Council would obviously be so extremely limited that it would be practically impossible to fill the appointment. New departures of this kind should not be made on the mere chance of finding some *rara avis*, and can only be appropriate where the candidate is the best among a considerable body of men, any of whom might be selected for the post. Conditions such as these do not at present obtain in Burma. In India, although qualified candidates for such an office cannot with truth be described as numerous, still there is a sensible number of persons either among official Indians, or among land-owners, or among the educated middle class, from whom a choice can be made. Also the number of highly educated men possessing high University degrees is, by contrast with Burma at all events, exceedingly numerous. Moreover, if to an enlarged Legislative Assembly, which appears to be an inevitable concomitant of an extension of self-government, were added an Executive Council on the Indian model, so far from developing on lines different from those followed in Indian Provinces, the Burma Reforms Scheme would merely have been a premature imitation of the Indian Reforms without even a tenth part of the justification for that step.

Continuance of existing Executive Councils in India a transitory measure.

25. The ultimate objective in a Scheme of Reforms, if people are to be self-governing, is government through responsible ministers chosen from the elected representatives of the people and therefore responsible to the people who elect them. Executive Councils on the Indian model do not fall within this category. They cannot be said to be a stepping-stone from bureaucratic to responsible Government, and as India progresses towards self-government, the Executive Council will disappear and responsible ministers take its place. But while in India such Councils are an accomplished fact and cannot well be abolished, in Burma they have never existed, and it does not seem an advantageous step to create an institution anew, merely that it may presently be abolished. On the old style of Council, as it was before 1908, there might have been no objection to the appointment of senior and experienced officers as Executive Councillors, and it might in time have been possible to find a Burman official who could have been entrusted with one or two portfolios. This proceeding would however merely have led, if not immediately, at all events in the very near future, to a demand for the dyarchical system of the Montagu-Chelmsford Reforms—a mere slavish imitation of a projected Indian institution which is at the best a transitory device for converting a bureaucratic institution into semi-responsible government.

The Advisory Council, even of the special kind which Sir Reginald Craddock had first contemplated as a possibility, stood open to the objection that, however much it might be intended to be a reality, it would have been regarded as a make-believe. Certain experienced officers suggested the alternative of an Executive Council consisting of two officials and three Burmans, one Burman to be given an independent portfolio of subjects belonging to local self-government, the other two Burmans each to hold portfolios jointly with the official Executive Councillor. This joint tenure of portfolios and duplication of officers appeared not only to be very expensive but also of doubtful expediency. If two persons hold joint charge of one particular office the probable result would be either domination of one over the other, or constant friction. His Honour therefore had to search for some other method by which Burmans should be put in a position for gaining experience and gradually acquiring increasing power without jeopardising the working of the Government machine by handing portions of it over to totally inexperienced hands.

Relations between Heads of Departments and the Secretariat.

26. There were also other aspects of administration that had been the subject of frequent discussion and trouble at various times in connection with Provincial Governments which required to be borne in mind. On the one hand, it has frequently been urged that under the present system the Secretaries to a Local Government assume the position attaching to Executive Councillors without any of the restric-

tions and obligations which limit the individual powers of such Councillors. There has been, in many parts of India, a general feeling that Secretaries are too strong, that they are out of touch with concrete questions, and that they overrule officers even of great experience and seniority who have the additional advantage of being directly responsible for the administration of their charges and in much closer contact with the men and the measures than is the Secretariat. Criticisms of this kind are prevalent in every Province in India, and the views held are common not only to the regular district and divisional officers but to the numerous Heads of Departments and departmental officers through whom the administration is carried on. In order to meet these criticisms Local Governments have adopted various expedients, such as weekly interviews with Heads of Departments, unofficial noting between them and the Secretariat, and in some cases the constitution of Heads of Departments as Under Secretaries to Government in the particular Department of which they are in charge. All of these criticisms are entitled to some weight, and it is obviously impossible and undesirable to perpetuate the system which has obtained in the Public Works Department, by which the Head of the Department is also the Secretary to Government in that Department. This system has never been a real success in the case of the Public Works Department which has a tendency to set itself up as distinct from the Civil Government and as constituting a watertight compartment of its own, regarding all other branches as its natural enemies and being regarded in the same light by them. The Police Department, the Forest Department, the Education Department and so on, all urge that their Heads ought to have the last word with the Government and not be liable to have their most carefully prepared schemes dismissed *ex parte* on the advice, or it may be on the *ipse dixit*, of an omniscient Secretary.

Creation of Executive Council tends to complicate without improving the Administration.

27. Again it has long been felt that the sudden passage from a single Head of Government to an elaborate Executive Council of two, three or four persons besides the Governor renders the machine extraordinarily top-heavy, while affording no relief lower down. Overworked Secretaries continue as before to be overworked, for they have more masters to satisfy and more people requiring information. Between the District Officers and the Commissioner on the one side and the Governor on the other are already interposed such bodies as Boards of Revenue and Financial Commissioners, and the new Executive Council becomes a further interposition which will not only add greatly to the expensiveness of the administration but cause much duplication and delay. Suggestions have been made from time to time that where Councils are appointed, Boards of Revenue and Financial Commissioners ought to be absorbed. The insertion between the Governor and the officers who are responsible for district administration and are face to face with concrete facts, of more intervening layers of correspondence, merely adds to the burden of those below with no countervailing advance in the sum total of progress or the rapid despatch of business. It seemed expedient therefore that as a substitute for an Executive Council in Burma, a governing body should be created by some process of amalgamation with officers of the class of the Financial Commissioner. These officers would continue to perform the specific duties assigned to them by statutory law, but would in all other respects form members of the governing body, so that circumlocution and delay between this body and the local officers would be obviated.

System of Boards proposed for Burma introduces principles of responsible government.

28. It was after mature consideration of all the arguments for and against these views and of the practical difficulties in the way of many of these alternatives, that Sir Reginald Craddock was finally led to the plan of government with the aid of *Boards*. In effect the scheme is that Heads of Departments and the Secretaries to Government combine to form Boards corresponding to convenient groups of Departments, the idea being that the weight attaching to the opinion of Heads of Departments should be increased and that the weight attaching to the opinion of Secretaries should *pro tanto* be diminished. The two sets of interests should now as far as possible be on equal terms. If these Boards were to be purely official they would constitute no advance towards responsible self-government, though they would undoubtedly remove the objections that now exist both in respect of an autocratic Lieutenant-Governor or an uncontrolled Secretary. It was neces-

sary therefore to introduce on these Boards a non-official element, and the first idea was to select non-official Burmans, and in one case at least a non-official European, as members of the Boards. This would have been a very useful method of training non-officials in the ordinary work of Government and of placing non-official advice in a formal way, first before Heads of Departments and Secretaries, and ultimately before the Lieutenant-Governor. There would, however, have been a great tendency for the non-official member to become a mere sleeping partner in the concern and perhaps to devote a minimum of time and trouble to his share of the duties. He would certainly have remained a fifth wheel in the coach, and there would have been practically no advance towards a sense of responsibility. His Honour therefore came to the conclusion that if non-officials were to be introduced on these Boards, they must be given a definite position, status and authority, and that, in fact, they ought to be appointed *Presidents* and not simply Members.

No undue Interference with duties of Heads of Departments.

29. It may be urged against this measure that the Heads of Departments will be far more tied to headquarters than they now are, and will have less time for inspections. Some such result is however inevitable if these officers are to be given greater influence in the administration. Moreover, there is no reason why the Head of a Department should be required to complete a tale of routine inspections when that duty can properly be assigned to senior officers such as the Conservator of Forests, the Deputy Inspector-General of Police, or the Superintending Engineer, whose functions essentially comprise inspection and supervision. It was for this reason that the Lieutenant-Governor recently recommended the appointment of a Deputy Director of Public Instruction, who would perform much of the work of inspection in the Education Department which now falls to the lot of the Director. The Head of a Department under this scheme would, rightly and properly, confine his inspections to those that are necessary to keep him in general touch with his work, and to such specific matters as, either from their intrinsic importance or for other sufficient reasons, justify his personal investigation.

Powers and Position of non-official President, and the line of Evolution.

30. Under the scheme the Boards will be invested with some of the powers now wielded by the Local Government. The official members of the Boards will, in respect of their Departments, exercise without reference to the President, the independent powers which they now possess under the existing system as Heads of those Departments, but in all matters which lie beyond the powers appertaining to the Head of a Department at the present day, no action may be taken without the cognizance and the participation of the non-official President. In all matters, therefore, which either have to come before the Lieutenant-Governor, or in which the Board will act with powers delegated to it by the Lieutenant-Governor, the participation of the President is indispensable. This is the method by which the responsibility of the *non-official President* for the Departments which are entrusted to his care will gradually be attained. Additional powers will, from time to time, be delegated to these Boards as they show their fitness for the exercise of such powers, but it will always be open to the Head of Government to withdraw such delegations if they are unwisely exercised, a precaution which is impossible in the case of an Executive Councillor. In short, under this scheme the position of the non-official President is that of an apprentice or an embryo minister. The position of the Lieutenant-Governor is that of a Lieutenant-Governor discharging also the duties and responsibilities of a Prime Minister, and he will retain for his own administration certain branches which it is obviously necessary for him to keep. When the members of the Board are at variance in matters within its power of decision, the opinion of the majority will ordinarily prevail; but if the President should dissent from the opinion of the majority, he will be empowered to carry the case to the Lieutenant-Governor and ask for his permission to overrule the Board upon the matter in question. It seems advisable to use some such wording as this in order to introduce the principle that the authority of the President is greater than that of the members. This authority may at a later stage in the history of the country become that of a responsible minister, whose co-members of the Board would then reside to the position of permanent official advisers. In order, as far as possible, to keep up the connection between the non-official President and the Legislative Assembly, it seems desirable that the non-official President should be chosen from

among the elected members of that Assembly; but in the case of Europeans, the number of whom on the Legislative Assembly will necessarily be very limited, it may not be possible to insist upon the non-official President being selected out of that limited number. It is sufficient, therefore, to say in respect of a non-official President that he will be a member of the Legislative Assembly, and, as far as may be, one of the elected members of that Assembly. The seats reserved for nomination will enable the Government to find a place for a non-official President upon the Legislative Assembly, if it is impossible to select from the elected members of that body. These non-official Presidents will necessarily, as forming part of the Government, be obliged to support the Government in the Legislative Assembly as a condition of their office. But it will always be open to the Legislative Assembly to show their disapproval of the non-official President's administration of his Board by an adverse vote, and it will also be possible, except in the rare cases when the non-official President is nominated and not an elected member, for the electorate that returned him to the Assembly to reject him at the next election, thereby rendering him ineligible for continuance in office. The advance towards responsible government by this method will necessarily be very tentative in its character, and progress should be marked not by abrupt changes made as a result of agitation, or by periodical re-constitution of the entire administrative machinery, but by slow and almost imperceptible evolution. This evolution will take place according as public men of mature judgment, experience and sense of proportion become more common in Burma, as the Boards merit and obtain added delegations of power from time to time, and as the Presidents gradually acquire increasing ascendancy over the proceedings of the Boards and increasing influence with the Lieutenant-Governor.

Constitution of the Boards.

31. As regards the constitution of the different Boards, in the original scheme it was proposed that the *Secretaries to Government* should also be Secretaries to, but not members of, the Boards. On reconsideration, however, and on examining the criticisms that have been raised, the Lieutenant-Governor is convinced that the best method of working will be secured by including upon the Boards as full Members the various Secretaries to Government to whom the subjects dealt with by the several Boards respectively fall by distribution of duties. The Boards form part of the Government, and, in disposing of references, act either on powers delegated to them or on the sanction and authority of the Lieutenant-Governor. The Secretary to Government will therefore supervise and be responsible for the correct issue of the orders of the Board on which he serves. Further, a Secretary to Government acting in that capacity will be entitled to insist upon the decisions of the Board being brought to the notice of the Lieutenant-Governor in accordance with the definite rules of business to be laid down, one of which rules will give him the same power of referring the decisions of the Board, before the issue of orders, to the Lieutenant-Governor as the Secretary to the Government of India enjoys with reference to the Viceroy in respect of orders passed by the Member in charge of his Department. Such a power might be exercised equally well no doubt, if the Secretary to Government were also Secretary to the Board; but one of the criticisms which many of the officers directed against the scheme as first published was that there would be no adequate guarantee against the Head of a Department carrying his views and securing the concurrence thereto of the non-official President on departmental grounds alone and without reference to general administrative considerations. It was urged that the Director of Public Instruction, for example, or the Inspector-General of Police, might carry a departmental view through an inexperienced President, making it exceedingly difficult for the Secretary to Government to intervene until the mischief had been done. It was the general feeling among Commissioners that the interests of general administration would not be safeguarded unless an officer, whose experience was of a wider and more general character than that ordinarily possessed by the Head of a Department was able to take some part in the decisions of the Board. There are also necessarily some matters which have not any recognized departmental Head, and in these matters it is essential that the non-official President should have an official colleague. Further, the public were alarmed that, in the case of the Home Board, references under Law and Justice would be dealt with by a non-official President assisted only by such officers as the Inspector-General of Police or the Inspector-General of Prisons who are not qualified to give the best advice on such subjects. It is there-

fore necessary that, in the case of that particular Board, the Chief Secretary should have a seat upon it and that the Legal Remembrancer, (an appointment the creation of which is at present under separate discussion with the Government of India), should be a member of the Board, and assist in the disposal of legal and judicial matters.

Subjects retained by Lieutenant-Governor.

32. The Boards are to be four in number, and a description of the Members who will find seats upon them, the persons who will act as Secretaries or Deputy Secretaries, as the case may be, and of the subjects with which they are to deal, is enclosed as Annexure 4 to this letter. Certain branches of the administration will not be allocated to any of the Boards, but will be retained by the Head of the Province in his own hands. These subjects will be :—

- (1) Foreign and Political, including the administration of the Shan States, the Frontier districts, and Hill Tracts.
- (2) Army and Marine.
- (3) Ecclesiastical.
- (4) Appointments and Discipline.
- (5) University.

It is generally acknowledged that matters under the first four heads can best be administered direct by the Head of the Province. The exclusion from the scheme of reform of the Shan States, the various Hill Tracts and the districts which are to be formed into a Frontier Division, has already been noted. The popular element will be represented on the University, which will be largely self-governing. As the Lieutenant-Governor will be its Chancellor, it cannot conveniently come within the jurisdiction of the Local Self-Government Board, which will therefore confine itself to education other than University education.

No additional staff involved by system except non-official Presidents.

33. I am to point out that the proposed machinery involves no new appointments which are not necessary on other grounds, with the exception of the four non-official Presidents. A Legal Remembrancer is required in any case; and a second Financial Commissioner, under the name of Development Commissioner, is already a crying need of the Province. A separate communication will be addressed to the Government of India on the subject of this latter appointment. So far as Secretaries are concerned, there are the existing Secretaries to Government, their Under Secretaries and Assistant Secretaries, the Secretary and Assistant Secretary to the Financial Commissioner and the Personal Assistants to the various Heads of Departments, so that the new distribution of duties and creation of functions (except, again, the cost of the non-official Presidents) will add a very trifling sum to the cost of administration. It is impossible at this stage to attempt to work out the effect of these changes on ministerial establishments. The amalgamation, however, of these various offices with the Secretariat, and the considerable diminution of correspondence to and from the Secretariat which will result therefrom, is likely to lead to some appreciable saving in ministerial establishments, though this in turn may be swallowed up by improvement of pay, should such a step be found necessary on independent grounds.

Salary of Rs.4,000 for Presidents of Boards.

34. For reasons into which it is not necessary to enter here, it is proposed that the pay of the Financial Commissioner, and of his counterpart the Development Commissioner, should be Rs.4,000, the equivalent on the Executive side to the pay of a High Court Judge. It is obviously impossible to pay a non-official President at a lower rate than the most highly paid member of a Board, and a salary of Rs.4,000 is therefore recommended for the non-official President. For the moment this sum may seem extravagant, but it is most important that the office should be one carrying emoluments in proportion to its dignity, and certainly in the case of Europeans a less figure than this would not suffice to attract men of outstanding merit. There are strong reasons, especially in Burma, for recognizing the claim of the non-official European not merely to a share of seats in the Legislative Assembly but to a share in the Government itself. It is important for the sake of European interests that this principle should be recognized from the first, for *ex hypothesi* under a scheme which is intended to be the first step in the direction of responsible government, the governing power must gradually be shifted from official on to non-

official shoulders; and if the right of the European in this country to share in this governing power is not affirmed at this stage, it will become increasingly difficult as time goes on, to secure that recognition. At the present moment the number of Burmans who are fit to exercise the duties of such responsible posts is exceedingly limited, and the selection of a European for one of these posts will not excite opposition. But if from the first all these four posts should be filled by Burmans, the introduction hereafter of a non-official European at a time when the number of capable Burmans has very largely increased as compared with the number now available, will be regarded as an invasion of the birth-right of the Burman, and would certainly excite the most strenuous opposition.

Lines on which Boards will work.

35. *The general working of the scheme* will be somewhat on the following lines:—The power which the Head of a Department exercises at present he will continue to exercise sitting singly. Where, however, power has been delegated to the Board, or where the case is one which requires to be put before the Government, the Head of the Department concerned will deal with it in conjunction with the Secretary to Government and the non-official President. If the decision relates to a matter in which full powers have been delegated to the Board, orders will forthwith issue; if it requires the sanction of the Lieutenant-Governor, the Board's Minute on the subject will be placed before him by the Secretary to Government. Where, as will frequently happen, the matter is one which affects another Department, whether under the same Board or another, it will be the business of the Secretary to Government to see that reference is made to the proper Member or Board concerned. Where the reference is to another Board and the Boards agree, orders will issue, except in matters which require a reference to the Lieutenant-Governor; where they disagree, and in cases beyond their competence, the matter will be referred to the Lieutenant-Governor. All correspondence with the Government of India will be carried on by the Secretaries to Government, although naturally the materials will be furnished in the Board's Minutes and the draft be prepared by the Boards' establishment. Matters which do not fall within the sphere of any Departmental Head upon the Boards will be dealt with by the President and the Secretary to Government concerned, and either disposed of by them if within their competence, or referred to the Lieutenant-Governor for orders. In all communications issued by a Board, the authority responsible for the orders or views will be indicated by entering the title of that authority after the usual opening formula to a letter. Thus the Joint Deputy Secretary to the Board for Home Affairs, Police Department, would write: "I am directed by" (a) "the Inspector-General of Police," or (b) "the Board for Home Affairs," or (c) "the Local Government," according as the case had been disposed of (a) by the Inspector-General of Police sitting singly, (b) by the Board in virtue of the powers delegated to it by the Lieutenant-Governor, or (c) by the Board after reference to, and on the orders of, the Lieutenant-Governor. Letters to the Government of India would issue in the name and over the signature of the Secretary or Joint Secretary to Government in the Board concerned. Other letters would ordinarily issue in the name and over the signature of the Deputy or Joint Deputy Secretary of the Board.

Division of subjects into Reserved and Transferred not necessary. Rules of Business to be drawn up when system has been approved.

36. In such a scheme the formal division of *subjects* into *Reserved and Transferred* finds no place and is unnecessary. The Government consists of the Lieutenant-Governor and the four Boards. The latter exercise certain definite powers under the control of the Lieutenant-Governor, who must be authorised to delegate further powers to them whenever such delegation can conveniently and safely be made. Sir Reginald Craddock has no doubt that practical experience will show that this system of administration is capable of constituting a machine that will work smoothly and well as soon as the initial difficulties have been surmounted. If the approval of the Government of India and the Secretary of State is received to the scheme, the necessary steps will be taken to draw up detailed rules of business. These rules will no doubt require modification from time to time as with a somewhat novel machinery it is not possible to foresee beforehand all the various points of difficulty that may arise. The present rules of business under which the Presidency Governments and the Government of India itself are conducted were no doubt the outcome of gradual experience and evolution, and from these rules will be obtained much of the material

necessary for the regulations governing the relations between the different members of each Board and between the different Boards, as well as the relations which will exist between the Lieutenant-Governor and the Boards.

Surrender of representation on Indian Legislative Assembly enforced by backwardness of Province and consequent necessity for retention in Burma of all her ablest men.

37 The preceding paragraphs have dealt solely with the problems of the internal administration of the Province. On the question of the relations between the Provincial and Central Governments it is suggested in the Report on Indian Constitutional Reforms that Burma should have three representatives on the Indian Legislative Assembly and one on the Council of State. The grounds on which this suggestion is based have not been stated, and it is not easy therefore to verify or criticise its adequacy with any assurance. In paragraphs 33-37 of its tentative scheme the Local Government put forward the proposal that Burma should surrender its representation on the Indian Legislative Assembly and be allotted instead three members on the Council of State, and that for sentimental reasons the Provincial Legislative Council should be styled the Burma Legislative Assembly, and the designation of the Viceroy should be altered to that of Governor-General of India and Burma. The arguments in support of this proposal have been set out in detail in Part V. of the Resolution of the 17th December, 1918, and it is not necessary to recapitulate them here. I am, however, to lay particular stress on the fact that economy of man-power in the higher grades of the administration is perhaps the most serious problem that faces the Province at present. The backwardness of Burma as regards higher education has been touched on in paragraph 4 above, where it was shown that there are less than 400 Burman graduates, and where comment was made on the paucity of Burmans with University degrees serving in the Provincial and Subordinate Services. It would be idle to assert that the political capacity of a people rests on the number of its graduates, but it would be equally vain to deny that the number of those who have taken a University course is a fair and reasonably sure index of the extent to which higher education is diffused throughout the country. Native wit and shrewdness may suffice in the realm of purely local administration, where all concerned are intimately acquainted with conditions and requirements, and the questions are comparatively simple and of limited application. These qualities, however, are not sufficient equipment with which to face the more subtle problems of Provincial government with their many ramifications and complexities. Reasoning capacity, breadth and clarity of vision, sympathy with and comprehension of the opinions of others are necessary for such a task, and these are the fruit of that higher education, of initiation into which a University degree is the outward symbol. The ever-growing increase of the better-educated classes in India is indeed one of the main grounds on which the claim for reforms is based.

It cannot be gainsaid but that, for some time at any rate, this Province will find it difficult to supply sufficient men who have the inclination and the education to exercise, worthily and efficiently, that increased control over Provincial affairs which it is proposed to delegate. If, in addition, men who can usefully be selected as members of the Indian Legislative Assembly have to be sent to India when the first measures towards responsible government are being initiated in Burma the growth of the Province in internal reform will be stunted by the withdrawal of her best and ablest citizens at the time when she needs them most.

Membership of Indian Assembly will not secure better Financial Treatment for the Province.

38. It has been suggested by some critics in Burma that it is essential to demand a large measure of representation on the Indian Assembly in order to secure the fair treatment of the Province financially. In this, however, they are mistaken. The representatives of other Provinces are not likely to champion the cause of Burma so far as the distribution of money is concerned, and resolutions brought forward by a small group of members from one Province with no support from the rest of the Assembly would not have the slightest effect in securing better financial terms, which can result only from direct negotiation between the Provincial and the Central Governments.

Surrender marks separation from India as the ultimate goal.

39. While the financial interests of Burma thus will not suffer merely from the absence of her members from the Indian Legislative Assembly, this very absence would in itself be a fitting recognition of the fact that Burma is not part of India, has no wish to participate in the control of Indians in India, and looks forward, ultimately, to her separation from India and her establishment as a distinct entity within the British Empire. There can be no attempt to advocate separation in the immediate or near future, or even to fix a period within which separation should ensue, but at a time when schemes are afoot for the progress of the peoples of India to their distant goal of responsible government, it would be inappropriate and short-sighted not to emphasise that the goals of Burma and of India, though similar, are not identical. As was urged in the tentative scheme, Burma is entirely a different country from India, and is not, properly speaking a Province of India, whether on geographical, historical or ethnological grounds. It is a mere political accident that has caused Burma to be attached to the Indian Empire, and when, in the fulness of time, India becomes self-governing, Burma would not suitably find a place in the federation.

Representation on Council of State is adequate safeguard in legislation.

40. Again, as all Imperial Legislation has, under the procedure indicated in paragraphs 279, 280 of the Report on Indian Constitutional Reforms, to come before the Council of State, representation on that body alone will suffice to safeguard the interests of Burma so far as legislation is concerned. The Lieutenant-Governor would suggest that Imperial Acts should not be extended to this Province *proprio vigore*, but by notification by the Governor-General in Council with such modifications as the Local Government might propose after ascertaining the views of the Burma Legislative Assembly. Resolutions of that body on the applicability of legislation to Burma would not of course have any binding effect, but if they contained reasonable amendments based on real local differences, they would naturally have the support of the Local Government, and would excite no opposition in the Indian Assembly as they would come into force by the sanction of the Governor-General in Council.

Three members on Council of State, including one official proposed.

41. So far therefore as matters of Finance and Legislation are concerned, the interests of Burma will not be detrimentally affected by the surrender of her representation on the Indian Legislative Assembly, while her general administration will profit by the continued presence of all her best men, and her national sentiment will be gratified by the formal recognition of her claim to be treated as a distinct entity with a view to ultimate separation. As regards the three members proposed for the Council of State, it is recommended that one should be elected by the Burma Legislative Assembly from among its own members, another should be elected by the Burma Chamber of Commerce, and the third should be an official of the Burma Commission.

No explanation seems to be required of the election of a member of the Burma Legislative Assembly to the Council of State. As for the second member, little has yet been done to develop the natural resources of this Province, and commercial interests must be assured of adequate security if they are to be extended. Commercial legislation suited to India may not be equally favourable to Burma, and the addition of a member of the Chamber of Commerce does not appear unreasonable or excessive. As regards the official member for Burma on the Council of State, it was suggested in paragraph 36 of the tentative scheme that he should hold the position and rank of a Secretary to the Government of India. If this proposal should be deemed impracticable, owing to the comparatively slight volume of work that would fall to his lot or for other reasons, the Lieutenant-Governor would suggest that this officer be attached to one of the Departments of the Government of India, so that he could both assist in that Department and also be allowed to advise on all cases where the interests of Burma are concerned. His Honour is so convinced of the importance of this appointment to the interests not only of the administration but also of the Burma Commission that he is prepared, if necessary, to agree to its cost being borne by the Provincial budget. The training and experience to be derived from such a post would be of the utmost value to officers of this Province. Circumstances have rendered the Commission in Burma a much

closer compartment than in any other part of India. Their opportunities of meeting brother-officers in other Provinces are far more limited than is the case with officers of the various Commissions in India. These latter are not only much more accessible to the Government of India and more often seconded to it, but they much more frequently visit the Himalayan hill station than do officers from Burma. Moreover, the majority of Burma officers travel direct from Rangoon to England and so miss the opportunities of discussion with other members of the Civil Service which voyages between Bombay and England so constantly afford to men serving in the various Indian Provinces. Again, there are few officers in Burma who read the Indian newspapers or take interest in the resolutions or proceedings issued by provincial Governments in India. The local Press in Burma takes little or no account of Indian happenings, except in the rare cases where they are of a sensational nature. Further it is rare for officers of Indian services, except a few high Inspecting officers, to visit Burma. The result is that the exchange of ideas between India and Burma is so limited that Burma loses the advantage which all other Provinces enjoy, of seeing something of other methods, problems and solutions. It has so happened that a good many Lieutenant-Governors of Burma have come from other Provinces, but this practice may very likely not continue. For these reasons, therefore, no opportunity should be lost of giving officers of the Burma Commission a chance of studying Indian conditions and Indian problems, for, although the Burmese may differ entirely in race psychology from the Indian peoples, yet there are hundreds of problems in which psychology plays but a very small part. The administration of Burma was founded originally by Indian administrators, and some of the methods followed have varied but slightly from those originally introduced, though their line of development has been different from what it might have been had the mutual interchange of ideas between the men engaged in administering Burma and India been facilitated by greater opportunities for contact.

Proposals involve no change in constitution of Government of India.

42. The proposals outlined above do not transgress the limitations imposed by the constitution of the Government of India, and the Lieutenant-Governor trusts that the special conditions of Burma will be held sufficient justification for their adoption. The change of nomenclature suggested for His Excellency the Viceroy does not connote any alteration in the relations between the Governments of Burma and India. It would manifestly be impossible to dissociate the Government of India from the control of the Government of Burma, and to throw the whole responsibility on the Governor-General alone. The alteration of the designation has simply the sentimental value of the recognition of Burma's special position, and would in practice have no effect upon the administration.

Division of subjects into Imperial and Provincial postponed.

43. On the division of subjects into Imperial and Provincial, His Honour is not at present prepared to make any recommendations. He considers it advisable to wait until the lines which reform in Burma is to take have been decided, and the powers which other provinces in India are to exercise *vis-a-vis* the Central Government have been determined. It will then be open to Burma either to adopt similar arrangements, or, if they do not meet her needs, to propose others more suitable.

Proposed scheme designed to meet special needs of Burma, and is educative and preparatory, allowing for such continuous advance towards responsible government as is compatible with progress of people. Extremists not satisfied but general approval of moderates secured.

44. The foregoing paragraphs briefly detail the measure of reform which Sir Reginald Craddock wishes to introduce. It provides, as regards internal administration, firstly for a Legislative Assembly on which all classes, communities and interests will be represented by means either of election or nomination, and secondly, for the institution of four Boards, comprising certain Heads of Departments and the Secretaries to Government, with non-officials selected from the Legislative Assembly as Presidents, to which all matters not at present within the competence of Heads of Departments will be submitted either for disposal or for

reference to the Lieutenant-Governor. As regards relations with the Government of India, the province is to surrender its claims to representation on the Indian Legislative Assembly in return for permission to have upon the Council of State three members, one of whom will be an officer of the Burma Commission attached to the Government of India to advise on all matters affecting the interests of Burma, and a nominated official of the Council of State. These recommendations contain no startling novelty, and no departure from the lines suggested for other Provinces that is not justified by the peculiar conditions of Burma. The mandate conveyed by paragraph 198 of the Report on Indian Constitutional Reforms is for the formulation of a scheme suited to the needs of Burma, and those needs have been the touchstone by which each proposal has been tested and proved. Before he came to this Province, Sir Reginald Craddock had a considerable experience of the conditions obtaining in other parts of India, and when he now advocates special treatment for Burma, it is because it has become clear to him, during his tenure of office here, that Burma's needs are special and not to be measured by the standards of Indian Provinces. The scheme that he now puts forward is in fact a training scheme on a large scale. It introduces almost the whole rural male population to a vote in regard to matters which are within their horizon, while the most intelligent of these, selected by themselves, are allowed to elect representatives to the Legislative Assembly. It gives a direct vote to urban ratepayers, the same men being entrusted with the selection of representatives both for their own civic affairs and for the larger affairs of the Province. It gives Burma a Legislative Assembly of which 60 per cent. will be elected, and 75 per cent. will be non-official, with some scope for an increase in these proportions. It associates Burmans at once with all branches of the Provincial Executive Government, except the few subjects retained entirely by the Head of the Province. It preserves at the outset nominated non-official seats equal in number to 15 per cent. of the total Assembly. This precaution is intended as a safeguard against classes or races failing to secure election, and not as a permanent feature if actual experience proves that the general electorates can be trusted to ensure adequate representation of the various sections and races in the community. Although it keeps for the present large controlling powers with the Lieutenant-Governor, it creates a machinery of government which would rapidly produce a dead-lock if the Lieutenant-Governor were persistently to ignore and override the body of constitutional advisers about him, and it concedes to the Legislative Assembly a position of strength and influence which prevents any legislation being carried in ordinary cases if the elected members solidly oppose it, and even in certificated measures if the non-official opposition is solid. The Legislative Assembly in Burma will be in a stronger position *vis-a-vis* the Government than the Provincial Legislative Councils which in 1913 the late Mr. Gokhale claimed for Indian Provinces. The Lieutenant-Governor does not wish to contend that the scheme satisfies the ambitions of the group of young Burmans who, under Indian inspiration, are calling for fuller powers than are likely to be given even to the oldest Provinces in India, and who consider that to ask for less than this would not only from their point of view be impolitic but a confession of inferiority. The ambitions of the class to which these Young Burmans belong it is not possible to satisfy; they are always pitched a little beyond what is granted. But the scheme satisfies non-official Europeans; it undoubtedly goes further than the vast majority of Burmans either desired or expected; and, finally, it sets the course of the development of Burma and its people towards the realisation of a separate national entity within the British Empire. The scheme is a preliminary advance towards the goal of responsible government, further progress being dependent upon the extent to which the people, who have these chances given, avail themselves of the opportunities offered and exhibit qualities of industry, sense of proportion and political sagacity. The Lieutenant-Governor feels sure that the Government of India will give this scheme most sympathetic consideration, and he is hopeful that their detailed examination of it will enable them to support it to the Secretary of State.

I have, &c..

(Signed)

W. J. KEITH,

for *Chief Secretary to the Govt. of Burma.*

Annexure 1 to Enclosure No. 2

(Paragraph 5.)

Extract from a speech delivered by His Honour Sir REGINALD CRADDOCK, K.C.S.I., I.C.S., in the Burma Legislative Council on the 19th April, 1919.

And now, gentlemen, I will come to the question of Reforms.

The Council, and in fact the whole Province, are no doubt anxious to know what stage the tentative Scheme of Reforms for Burma, published on the 17th December last, has now reached. An opportunity was given to all officials and non-officials to send in their criticisms. I think I can say that the Scheme as a whole was well received by all classes, and the bulk of the criticisms was directed rather against details than against principles. It is naturally impossible for complete agreement to be reached in matters of this kind; but all shades of opinion have been consulted, and, in the scheme now about to be submitted to the Government of India, considerable changes have been included in order to meet some of the objections and criticisms that were put forward. It will be remembered that the general scheme was that each village tract should return a member to the Circle Board, each Circle Board a member to the District Council, and each District Council a member to the Legislative Assembly. This was to constitute the rural element of the enlarged Provincial Assembly. The urban element was provided for by direct election by groups of towns, the balance of the Council being made up by representatives of special interests, and by nominations.

Considerable controversy has ranged on the question of the election of the village headman as the village representative on the Circle Board. It was contended that the village headman is half an official and that Circle Boards and District Councils, consisting wholly or mainly of village headmen, would not be a sufficiently independent body. Some suggested that if the village headman were himself elected to his office, this disadvantage would be removed, since the headman would no longer be a nominee of Government, but a representative of the people. Others considered that the village headmen should be made ineligible for a seat on the Circle Board or District Council. Those who have advocated the election of village headmen as part of the scheme appear to overlook first, that the village headman is already to a considerable extent chosen according to the wishes of the people, and, secondly, that the existing headmen have been appointed permanently, in many cases in accordance with the avowed intention of Government to foster the hereditary system. It would, therefore, be a gross breach of faith with the existing village headmen if they were to be suddenly told that their continuance in office was in future to depend upon their securing periodically the votes of a majority of the householders of their villages. It is exceedingly probable that some of the most zealous headmen who have been most strict in the performance of their duties would be ousted in such circumstances. On the one hand, to base a new reform scheme upon a system which could only be introduced gradually as the present village headmen, one by one, died, or resigned, or were dismissed, would be an absurdity. It would be to build an immediate scheme upon a basis which could not come into general existence for years to come. Furthermore, the present village system has been the pivot on which district administration in Burma has turned, and to throw it away suddenly in favour of an entirely new and untried system would be the height of rashness. The proposal, on the other hand, to oust village headmen entirely from all part and lot in the local self-government of rural areas must stand self-condemned. There are hundreds and hundreds of villages in which the best representative of the local people is to be found in the village headman; and to begin with rural self-government with the stipulation that no village headman is to have a share in it would, in my opinion, be an act of egregious folly. Some critics say that village voters will be too timid to elect to the Circle Board anybody but the village headman, who will be foisted on them by the Township Officer, Subdivisional Officer or the Deputy Commissioner. But almost in the same breath I find that some of these same critics point with pride to the fact that villagers have elected outsiders and not the village headmen to be Chairmen of Co-operative Societies. Revenue officers of all degrees indignantly repudiate the suggestion that they force village headmen upon an unwilling people. It may be that in some cases the man chosen by the villagers is not appointed, but these cases are exceptional, and the rejection is based on sound public grounds. I may remark that some of those very critics who urge that the villagers are too weak and feeble even to elect the most appropriate person for the Circle Board, ask that they should be given direct votes for the election of members for the Legislative Assembly. Such criticisms as these carry their own rejection. In the course of further examination of the subject, however, it seems certain that the village tract cannot be accepted as the unit of election for the Circle Board. They are too numerous for this purpose; and if each village tract were to return one member to the Circle Boards, these Boards would either be too unwieldy or too numerous for the practical working of a suitable scheme of local self-government. It has been decided therefore that village tracts shall be formed into convenient groups, and that each group shall return one member to the Circle Board. This incidentally gets rid of the objections about the village headmen, for it will be open to the voters to elect any resident as their member for the Circle Board, whether he be a village headman of one of the villages in the group or not. The question of the undue influence of the village headman will therefore not arise.

The revised scheme does not provide for village committees, but all experience teaches that village committees must be an offshoot from and not the basic root of the structure of local self-government. Where found expedient village committees can be brought into existence by devolution from Circle Boards. But their creation and constitution is a matter for entirely separate consideration, and that question will be taken up in due course.

I now turn to the question of District Councils. It has been represented that the District Council, as suggested in the tentative Reforms Scheme, would be too essentially rural and

that many intelligent persons who lived in municipal towns, but were deeply interested in the land and in the administration of rural areas, would be unable to find a place upon it. It is, of course, necessary that District Councils should not be swamped by townsmen whose interests in village life were merely nominal; but, on the other hand, there is force in the objection that there would be persons of means and intelligence whose interests were largely rural but who would find no place on the Council. To meet this difficulty, it will now be provided that each municipal area shall return a member to the District Council of the district in which it is situated. All registered landowners living in the town, but having land outside municipal limits in the district, will constitute the electorate for this member; but in order to prevent members with purely nominal or ephemeral interests in land coming forward as candidates for this seat, the condition will be attached that a candidate shall have held land for at least twelve years within the district and that he holds an area (to be prescribed for each district) which represents a substantial interest in rural affairs. This will give an opportunity for the addition to District Councils of a few members who, though residing within municipal limits, at the same time have a substantial stake in rural administration. It will be necessary to require, for the transaction of business in the District Councils, that any quorum determined upon shall contain a bare majority of members returned by the Circle Boards.

I may mention that a specially selected officer is about to be placed on special duty to work up a scheme for local self-government district by district after full consultation on the spot with officials and non-officials.

I turn next to the Legislative Assembly. Under the tentative Scheme, the members to represent rural interests were to be elected by members of the District Council from among themselves. It is certainly desirable, if the rural element on the Provincial Assembly is to be really representative, that the candidate should be found out of the members of the District Council; but in order to widen the electorate, it has been decided to constitute it from the members of the Circle Boards, to which will be added the municipal members of the few municipalities and notified areas that are considered too small for inclusion in urban electoral groups.

Next, in regard to urban representation, it has been found impossible to give a separate member to each town of a certain size, and it has, therefore, been necessary to maintain a system of grouping; but the grouping has been revised, and the towns united together will not now be grouped by divisions but by geographical proximity and similarity of interests. Under this revised grouping the towns will return 19 members instead of 16 as under the original scheme. Of these 19, five will be returned by Rangoon and 14 by the other urban areas in Burma. Under special electorates there will be six seats:—the Chamber of Commerce, 1; the Trades Association, 1; University, 1; and Europeans and Anglo-Indians, 3. In the Scheme originally submitted, it was proposed to give one seat to Europeans and one to Anglo-Indians. The non-official European interests in Burma are very extensive and important, and the community have claimed additional representation. As three seats have been added for urban representatives, it is considered fair that one additional seat should be given to European representation. It is also considered better that Europeans and Anglo-Indians should form a single instead of two separate constituencies. There are some Anglo-Indians who are not ashamed to call themselves and to be called what they really are; there are others, however, whose claims to be called Europeans might be disputed, and it therefore seems much wiser to avoid unpleasant distinctions by combining the two electorates. Although there may be some difference in the interests of the two classes, yet, on the whole, they are sufficiently similar to warrant this combination. There is one point connected with urban representation which I should like to emphasize, and that is that neither under the scheme originally submitted, nor under the scheme as now revised, is residence in the municipal area a necessary qualification in a candidate for election. It is probable that municipal electors will prefer to elect a townsman of one of the towns included in their group; but if their choice should fall upon some one else, it is open to them to elect him unless he is otherwise disqualified on personal grounds. The total number of elected members under this revised scheme will then be 56.

I now turn to nomination. The original scheme set apart five seats for nomination to meet particular interests, but it has been thought expedient to raise this number to six. In addition to this, the revised scheme provides that the Local Government shall nominate one member for each Division upon the recommendation of the Commissioner. This will enable the Commissioners to rectify any anomalies that the actual election results may disclose. In a country like Burma, which is entirely new to rural self-government and almost new to the elective system, it is important, for a time at all events, to reserve a few extra seats for nomination in the Divisions. There is, however, one additional reason why it is very advisable to add to the nominated seats which the original scheme provided. In the original scheme it was contemplated that there should be communal electorates in the case of Rangoon, seats being allotted—2 to Burmans, 2 to Indians and 1 to the Chinese. It is perhaps a remarkable circumstance that communities, which in India have laid such stress upon communal representation, in the case of Burma urge that no such system is required; and this is the more remarkable, because in the large municipal towns communal representation has been in existence for many years in Burma but not in India. As, however, both Burmese and Indian opinion is not in favour of such a system in connection with the Legislative Assembly, I do not propose to force it on them. It is impossible to forecast how the elections under the new scheme will turn out. It would not be in accordance with the fitness of things if, for example, Rangoon and Mandalay should be represented on the Provincial Assembly by Indians only, nor, on the other hand, will it be desirable that Indian representation should be entirely excluded if the poll should go the other way. It is, therefore, all the more necessary that additional seats should be retained for nomination by Government to rectify inequalities and to protect classes and interests which might otherwise be left entirely out in the cold. The total nominated seats for non-officials will thus be 14, and the

total non-official seats will be 70, of whom it will be seen that one-fifth will be nominated and four-fifths elected. In consequence of this considerable increase in the numerical strength to the non-official element in the Council, it will be necessary to raise the number of nominated officials from 15 to 20. When two seats have been added for experts (who may be either official or non-official as the business before the Council requires) the total strength of the Council works out to 92, or including the Lieutenant-Governor 94. I propose, therefore, to ask the Government of India to sanction a Council not exceeding 100, thus enabling a small margin of new seats to be added after the scheme has been working for some time, when increase in population, town development, and so forth, may necessitate some addition to the representation. As time goes on it may be found unnecessary to retain some of the 11 nominated non-official seats. Then, with this further margin for increasing elected seats, I consider that a total strength of 100 will suffice as a maximum for a considerable number of years.

I hope that all will agree, as they reflect on the constitution of the present Legislative Council, that the proposed Legislative Assembly of 93, with a margin of expansion to 100, represents as liberal and generous an advance as can reasonably be taken at one step.

I do not propose to go into the details regarding the constitution of the new Boards, through the agency of which the Government will work. The alterations made from the original scheme will not be great or numerous, and the details of the constitution of the Boards are mainly of an administrative character which will have to be discussed with the Government of India and are not of very great interest to the public. It will be necessary, however, to bring the Secretaries to Government on to the Boards so as to prevent these latter acquiring too departmental a character; and the Home Board will be fortified by the inclusion of the new appointment of Legal Remembrancer in its staff. I do not propose to modify the original scheme which I propounded, that three of the non-official Chairmen of the Boards should ordinarily be Burmans and one ordinarily a European. The European Association have asked that two of the Presidents should be Europeans, while some of the Burman critics have asked that all four should be Burmans. I am not prepared to accede to either of these requests. In holding one of the four Presidentships, non-official Europeans will certainly have their fair share; but to exclude them entirely from a post of this kind would be to ignore the great part that Europeans have played in the development of the Province, and the fact that European interests are permanent interests in the country, and that they as a class are entitled to take a share in self-governing institutions. Criticisms have been directed, mainly by some Burman critics, against the suggestion contained in the draft scheme that a European would be the most suitable non-official President of the Board of Development. These criticisms are based on the hypothesis that such a man would most probably have been connected with some European firm during most of his time in Burma and that he would therefore favour European interests to the disadvantage of indigenous enterprise. But critics of this kind entirely fail to envisage the conditions under which a European accepting this appointment would hold his office. It by no means follows that he would in every case have been a member of one of the European firms; but even if he had been, he would have severed his connection with the firm, and vigour in the cause of indigenous commercial enterprise would be one of his principal duties. If he were to elect to favour European enterprise to the detriment of indigenous interests, he would soon fall foul both of the Government and of the Legislative Assembly. I for one have sufficient faith in my countrymen to believe that they would do their duty impartially in such circumstances.

Some of the suggestions made, *viz.*, that immediate control over public affairs should be given to the non-official Presidents, are born of enthusiasm and optimism rather than of calm reflection. They are tantamount to a request that self-government should be granted immediately to Burma and they ignore the whole principle of the scheme put before the public. It was a scheme of training in all branches of public works, local and provincial. The extension of powers and responsibilities must be a matter of slow development, according as those under training acquire experience and the number of qualified persons has expanded to dimensions which cannot at present be foreseen. The scheme is certainly not intended to substitute a limited oligarchy for the present form of government. There can also be no time-table in such matters for there are no mathematical laws which govern the rate of progress, though naturally it is possible to have periodic stock-taking as to the actual progress achieved.

Questions relating to the representation of Burma on the Indian Legislative Assembly and the Council of State must be discussed with the Government of India. The proposals which I put forward last December have not been seriously criticised, but the matter is one so dependent upon discussions with the Government of India and upon the decision of the Secretary of State that any further pronouncement upon this subject at this stage would be of no public benefit.

I trust generally that these announcements will commend themselves both to the Members of this Council and to the public at large.

Annexure 2 to Enclosure No. 2.

(Paragraph 12.)

Proposed grouping of towns for purpose of representation on the Burma Legislative Assembly.

Group No.	Town or Towns in group. (Population according to 1911 census.)	Number of Members.	Group No.	Town or Towns in group. (Population according to 1911 census.)	Number of Members.
1	Akyab... 37,893	1	8	Tavoy ... 25,074 Mergui ... 14,889 Total ... 39,963	1
2	Rangoon ... 293,316 Insein ... 13,992 Syriam ... 10,897 Total ... 318,205	5	9	Pyinmana ... 14,074 Yamethin ... 8,083 Meiktila ... 7,076 Pyawbwe ... 4,571 Kyaukse ... 5,877 Total ... 39,681	1
3	Prome... 26,911 Paungle ... 12,104 Letpadan ... 9,247 Thonze ... 6,929 Gyobingauk ... 7,410 Total ... 62,601	1	10	Thayetmyo ... 11,577 Allanmyo ... 12,894 Taungdwingyi ... 6,402 Magwe ... 4,967 Yenangyaung ... 8,896 Minbu... 5,501 Salin ... 7,547 Total ... 57,784	1
4	Bassein ... 37,081 Henzada ... 25,052 Ngathainggyaung ... 7,182 Kyonpyaw ... 5,429 Lemyethna ... 5,372 Total ... 80,116	1	11	Sagaing ... 10,937 Shwebo ... 10,629 Monywa ... 8,628 Total ... 30,194	1
5	Yandoon ... 12,500 Wakema ... 7,031 Mawlamyainggyun ... — Kyaiklat ... 8,438 Pyapon ... 7,066 Ma-ubin ... 7,022 Myaungmya ... 6,561 Dedaye ... 6,189 Total ... 54,807	1	12	Mandalay ... 138,299 Maymyo ... 11,974 Total ... 150,273	2
6	Moulmein ... 57,582	1	13	Pakokku ... 20,010 Myingyan ... 16,379 Total ... 36,389	1
7	Thaton ... 14,392 Kyaikto ... 6,127 Pegu ... 17,104 Nayannglebin ... — Pyu ... — Shwegyin ... 8,037 Toungoo ... 18,546 Total ... 64,206	1	14	Mogok... 11,069 Bhamo ... 9,762 Myitkyina ... 5,663 Katha ... — Total ... 26,494	1
Total ... 64,206			Grand Total ... 19		

The following Municipalities and Notified Areas are omitted from the foregoing proposals It is proposed to group them with the Circle Boards for returning the District Members:—

Arakan Division—Municipalities—Kyaukpyu and Sandoway.
Pegu Division—Notified Areas—Minhla, Zigon, Nattalin, Thongwa.
Irrawaddy Division—Municipalities—Myanaung and Kyangin.
Irrawaddy Division—Notified Area—Danubyu.
Tenasserim Division—Notified Area—Kawkareik.
Meiktila Division—Notified Area—Nyaungu.

All these places are small and unimportant.

Annexure 3 to Enclosure No. 2.

(Paragraph 18.)

The Budget Committee under the proposed scheme will comprise the following nine members:—

- (a) The Presidents of the following Boards:
 - (1) Revenue and Finance;
 - (2) Home;
 - (3) Development;
 - (4) Local Self-Government.
- (b) The Financial Commissioner.
- (c) Four non-official members elected by the non-official members of the Legislative Assembly.

The Secretary to Government, Revenue and Finance Board, will act as the Secretary to the Committee.

2. The Budget Committee's control over the Provincial Budget will be exercised in the following manner:—

The Revenue and Finance Board will place before the Budget Committee—

- (1) the draft Provincial Budget of Receipts;
- (2) the draft Provincial Budget of Expenditure containing provision for all the ordinary expenses of the administration of the Province;
- (3) a consolidated statement (B) showing all items of new expenditure, recurring and non-recurring, sanctioned by the Local Government, with effect from the next financial year; and
- (4) a consolidated statement (C) showing all other proposed essential new expenditure (including expenditure on temporary establishments sanctioned by competent authority other than the Local Government with effect from the next financial year) arranged in order of urgency.

The main function of the Budget Committee will be to scrutinise the items entered in Statement B and C and to select in order of urgency those for which Budget provision should be made to the extent of the excess, if any, of the anticipated Provincial Receipts (1) over the anticipated Provincial Expenditure (2). It will, however, be open to it to suggest modifications in (1) and (2), and, if it considers that provision should be made for expenditure in excess of (1), to submit detailed proposals regarding the source from which the necessary funds to meet the excess expenditure may be obtained.

3. The Committee may invite to its discussions the head of any department regarding entries in whose budget further information is required, and shall ordinarily give every head of a department an opportunity of showing cause why any alterations which the Committee proposes to make in his draft Budget Estimates of Expenditure should not be made.

4. On the completion of its deliberations the Committee shall submit a report to the Local Government detailing the alterations which it considers should be made in the Provincial Budget Estimates of Revenue and Expenditure.

Annexure 4 to Enclosure No. 2.

(Paragraph 32.)

1. BOARD FOR HOME AFFAIRS.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.*</i>
(1) Non-official President.	(a) <i>Secretaries.</i>	Arms.
(2) Inspector-General of Police. (Police Department.)	(1) Secretary to Government, Board for Home Affairs. (Present Chief Secretary.)	General Administration (including Village Headmen). Judicial. Police. Prisons.
(3) Inspector-General of Prisons. (Prisons Department.)	(2) Secretary to Government in the Legislative and Judicial Departments, Board for Home Affairs. (Legal Remembrancer.)	Archæology. Legislation.
(4) Secretary to Government, Board for Home Affairs. (Prisons Chief Secretary.)	(b) <i>Deputy Secretaries.</i>	
(5) Legal Remembrancer. (Judicial and Legislative Departments.)	(1) Deputy Secretary, Board for Home Affairs. (Present Under Secretary to Government.)	
	(2) Joint Deputy Secretary, Board for Home Affairs, Police Department. (Present Personal Assistant to the Inspector-General of Police.)	

* This list is not exhaustive, and merely indicates the lines on which the allocation of subjects among the different Boards will be undertaken.

II.—BOARD OF REVENUE AND FINANCE.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.*</i>
(1) Non-official President.	(a) <i>Secretary.</i> Secretary to Government, Board of Revenue and Finance. (<i>Present Revenue Secretary.</i>)	<i>Finance Department—</i> (i) All revenue now under control of Financial Commissioner. (ii) Establishment (all de- partments). (iii) Finance and Accounts (all departments). (iv) Land Acquisition. (v) Land Revenue Settle- ments and Surveys and Land Records. (vi) Pay, allowances and pensions (all depart- ments). (vii) Registration of births, deaths and marriages. (viii) Registration of deeds.
(2) Financial Commissioner. (<i>Finance Department.</i>)	(b) <i>Deputy Secretaries.</i> (1) Deputy Secretary, Board of Revenue and Finance. (<i>Present Under Secretary, Revenue Secretary's Office.</i>)	
(3) Chief Conservator of Forests. (<i>Forest Department.</i>)	(2) Joint Deputy Secretary, Board of Revenue and Finance, Forest Depart- ment. (<i>Present Personal Assistant to Chief Conservator of Forests.</i>)	
(4) Chief Engineer, Irrigation Branch, Public Works Department. (<i>Present Chief Engineer and Joint Secretary to Govern- ment, P. W. D.</i>)		
(5) Secretary to Government, Board of Revenue and Finance. (<i>Present Revenue Secretary.</i>)		<i>Forest Department—</i>

Note.—The Commissioner of Settlements and Land Records, the Commissioner of Excise, and the Inspector-General of Registration (when one is appointed) will correspond with, and be consulted by, this Board.

III.—BOARD OF DEVELOPMENT.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects *</i>
(1) Non-official President.	(a) <i>Secretaries.</i>	<i>Development Department—</i>
(2) Development Commis- sioner. (<i>Development Department.</i>)	(1) Chief Engineer and Secre- tary to Government, Public Works Depart- ment. (<i>Roads and Buildings.</i>)	(i) Agriculture. (ii) Co-operation. (iii) Emigration and Immi- gration. (iv) Explosives. (v) Factories. (vi) Fisheries. (vii) Industries. (viii) Mines and Minerals. (ix) Ports. (x) Trade and Commerce. (xi) Veterinary.
(3) Chief Engineer and Secre- tary to Government, Public Works Depart- ment. (<i>Roads and Buildings, Public Works Department.</i>)	(2) Chief Engineer and Joint Secretary to Govern- ment, Public Works Department. (<i>Irrigation.</i>)	
(4) Chief Engineer and Joint Secretary to Govern- ment, Public Works Department. (<i>Irrigation Branch, Public Works Department.</i>)	(3) Secretary to Government Board of Development. (<i>Present Secretary to Finan- cial Commissioner.</i>)	<i>Public Works Department—</i> (i) Buildings. (ii) Communications. (iii) Electrical. (iv) Irrigation. (v) Miscellaneous Public Improvements.
(5) Secretary to Government, Board of Development. (<i>Present Secretary to Finan- cial Commissioner.</i>)	(b) <i>Deputy Secretaries.</i> (1) Deputy Secretary, Board of Development. (<i>Present Assistant Secretary to Financial Commissioner.</i>) (2) Joint Deputy Secretary, Board of Development, Public Works Depart- ment. (<i>Present Under Secretary, Public Works Department.</i>)	

Note.—The Director of Agriculture, the Registrar of Co-operative Societies, the Veterinary Adviser to Government (present Senior Superintendent, Civil Veterinary Department) and the proposed Director of Industries will correspond with, and be consulted by, this Board.

* This list is not exhaustive, and merely indicates the lines on which the allocation of subjects among the different Boards will be undertaken.

IV.—BOARD OF LOCAL SELF-GOVERNMENT.

<i>Members.</i>	<i>Secretariat.</i>	<i>Subjects.*</i>
(1) Non-official President.		<i>Municipal and Local Department—</i>
(2) Inspector-General of Civil Hospitals. (<i>Medical Department.</i>)	(a) <i>Secretary.</i> Secretary to Government, Board of Local Self-Government. (<i>Present Secretary to Government.</i>)	(i) District Councils and Circle Boards. (ii) Municipalities. (iii) Town Funds. <i>Medical Department.</i> <i>Education Department.</i> <i>Sanitary Department.</i>
(3) Chief Engineer, Public Works Department. (<i>Public Works Department.</i>)	(b) <i>Deputy Secretaries.</i>	
(4) Director of Public Instruction. (<i>Education Department.</i>)	(1) Deputy Secretary Board of Local Self-Government. (<i>Present Assistant Secretary to Government.</i>)	
(5) Sanitary Commissioner. (<i>Sanitary Department.</i>)	(2) Joint Deputy Secretary, Board of Local Self-Government, Medical Department. (<i>Present Personal Assistant to Inspector-General of Civil Hospitals.</i>)	
(6) Secretary to Government, Board of Local Self-Government. (<i>Present Secretary to Government.</i>)	(3) Joint Deputy Secretary, Board of Local Self-Government, Education Department. (<i>Present Assistant Director of Public Instruction.</i>)	

Note—The subjects under the head “Municipal and Local Department” will be dealt with by the President and the Secretary to Government, reference being made to other members where necessary.

Enclosure 3 in No. 2.

CRITICISM BY THE GOVERNMENT OF INDIA ON GOVERNMENT OF BURMA'S FIRST SCHEME.

Letter from the Honourable Sir William Marris, K.C.I.E., Secretary to the Government of India, Home Department, to the Chief Secretary to the Government of Burma, No. 2425, dated the 18th November, 1919.

I am directed to refer to your letters Nos. 21-T.-1-L.-1, dated the 2nd June, 1919, and 1009-1-L.-1, dated the 28th August, 1919, regarding certain points in the scheme of reforms which the Lieutenant-Governor has proposed for application to Burma. The proposals regarding local self-government have not yet been examined in detail, but, as is pointed out in paragraph 6 of your letter of the 2nd June, 1919, the details are almost purely of provincial interest, and the Government of India do not propose to delay on that account the consideration of the main scheme.

2. The scheme of reforms for Burma differs profoundly from the common type of schemes which have been considered in India, but it is not open to criticism on that general ground, as it has been recognised from the beginning that the problems of Burma are very different from those of India, and that the peculiar needs of Burma may call for a different line of political development. There are, however, some features of the scheme which the Government of India are not prepared to accept without further justification. But, having regard to the great care and thought, which have evidently been expended in elaborating the scheme, the Government of India think it right that before they submit their views to the Secretary of State, His Honour the Lieutenant-Governor should be given an opportunity of meeting the criticisms which have been directed at certain of its features. I am accordingly to set out the difficulties which the Government of India feel regarding certain of the proposals and to invite a further expression of His Honour's views on those points.

3. The most striking feature in the scheme is the proposal that the machinery of the executive administration should be a number of Administrative Boards, presided over by non-official presidents, and exercising such powers of the local Government as the Lieutenant-Governor may from time to time delegate to them. The

* This list is not exhaustive and merely indicates the lines on which the allocation of subjects among the different Boards will be undertaken.

reasons which led the Lieutenant-Governor to adopt this scheme and to reject alternatives have been carefully considered, but the Government of India are not convinced that the proposal is a sound one. In the first place the proposal is open to the criticism that it gives no responsibility, in the Parliamentary sense of the term. The system of Boards may provide a means of training non-officials in administration, but it does not contain the elements of responsible Government, as the Boards are apparently not in any way under the control of the local legislature. It may be urged that this is no real objection, but it must be recognised that it may prove to be a practical obstacle to the acceptance of the plan. In the second place, it appears to the Government of India that the system of Boards may prove to be an unwieldy method of administration. In paragraph 27 of your letter of the 2nd June, 1919, the Executive Council system is criticised as causing much duplication and delay, but the proposed system of boards appears even more open to this criticism. To take one instance, matters which are at present settled between two Secretaries to Government will be discussed by two Boards; and differences between corporate bodies are always more difficult to reconcile than differences between individuals. It is, of course, most difficult to say how a novel system of this kind will work in practice; but there appears to be ground for apprehension that the machinery will prove to be cumbrous, complicated and dilatory. Further, it appears to the Government of India that the non-official Presidents of the Boards will be placed in a very difficult position. If the President is a weak man he will tend to be a mere figure-head, while if he is a strong man with ideas of his own his position in relation to the Members of the Board and to the local Government would, it is apprehended, lead to constant friction. Finally the system seems open to the criticism that it makes no real advance in the direction of giving Burmans any power over the administration of their country. The powers to be exercised by the Boards will be those which are delegated to them by the Head of the Government, and the Head of the Government is to retain authority to withdraw from the Boards at his discretion any of the powers which he has delegated.

4. For the reasons stated above the Government of India are not convinced that the system of Boards is a satisfactory arrangement. Moreover, though there is not much information as to the manner in which the system of Boards is viewed by the public, the Government of India are inclined to doubt whether Burman opinion would be satisfied without a Governor in Council, as any substitute would be regarded as of inferior dignity. On the other hand, the establishment of an Executive Council would give the Burmans some measure of administrative control at the outset, and when the time came it might be possible to convert the non-official Councillors into responsible Ministers. One of the arguments used against the establishment of the Executive Council system in Burma is the difficulty of securing suitable Burmans to serve on the Council. But unless the Presidents of the proposed Boards are to be mere figure-heads, the argument can be used against the system of Boards as well; if duly qualified men are not available for appointments as Executive Councillors, it is difficult to see where suitable persons for appointments as Presidents of the Boards could be obtained. In view of the difficulty of securing qualified men for appointment as Executive Councillors it would perhaps suffice to start with an Executive Council of two—one European official and one non-official Burman. The Government of India would be glad if the Lieutenant-Governor would give further consideration to this alternative proposal.

5. As regards the proposed legislature, the process of indirect election which has been proposed in the case of rural members is in some ways open to objection, but the Government of India are prepared to accept it as necessary, at any rate for the present. The Government of India have no further criticism to offer regarding the proposed constitution of the Legislative Assembly. I am to add that they have already suggested to the Secretary of State that section 76 of the Government of India Act might provide for the strength of the Legislative Council of the Lieutenant-Governor being raised to 100.

6. Turning to the procedure to be adopted for ensuring the passing of legislation considered by the Government to be of essential importance, the proposal that certificated measures should be taken as passed unless a two-thirds majority of the Legislative Assembly votes against them is open to objection on the ground that it is a process of carrying laws by an acknowledged minority vote. The Government of India consider that whatever principle is adopted in the new Bill in the Provinces in India (whether it is the Grand Committee procedure or not) might also be adopted for Burma.

7. The proposal that the official representative of Burma on the Council of State should be attached to one of the Departments of the Government of India, so that he could assist in that Department and also be allowed to advise on all cases where the interests of Burma are concerned is another matter which seems to require further consideration, and the Government of India doubt whether such appointment could be justified in view of the small amount of work which such an adviser would have to do.

8. I am to add that the Government of India have telegraphed to the Secretary of State asking him to consider whether the terms of the Government of India Bill, which is now before Parliament, could not be widened so as to make possible the adoption of a scheme of reforms for Burma widely different from those of any other province without the necessity for fresh Parliamentary legislation.

Enclosure No. 4 in No. 1.

GOVERNMENT OF BURMA'S SECOND SCHEME.

Letter from the Honourable Mr. C. M. Webb, I.C.S., Chief Secretary to the Government of Burma, to the Secretary to the Government of India, Home Department, General Department. Mandalay, the 22nd January, 1920.

I am directed to acknowledge the receipt of Home Department letter No. 2425 (Reforms), dated the 1st November, 1919. Since the receipt of that letter the Local Government has been supplied with copies of the Report from the Joint Select Committee on the Government of India Bill. The Government of India do not consider the scheme of reforms proposed for Burma to be open to criticism merely on the general ground that it differs profoundly from the common type of schemes which have been considered in India. The Joint Select Committee, however, while fully accepting the wide differences in political conditions between India and Burma, recommend that the Burmese have deserved, and should receive, a constitution *analogous* to that provided in the Bill for their Indian fellow-subjects. It is accordingly essential for the Local Government, before taking into consideration the special criticisms of the Government of India upon the scheme of reforms previously submitted by this Government, to examine the general question of its divergence in type from the Indian scheme, and to consider how far the scheme as submitted, or with certain revision, can be deemed to present sufficient analogy to that provided for the Indian people, to comply with the recommendation of the Joint Select Committee. In view of the wide divergences in national characteristics, in political aptitude and in electoral experience, between the Indian races and the Burmese, it is assumed that the term "analogous" does not connote complete identity or even any close similarity. The Local Government proposes to interpret the term "analogous" as indicating a scheme of reforms for Burma based as nearly as possible on the general lines of the Indian scheme, but modified where it is essential to allow for the great difference in the stage of political progress at which Burma has arrived, yet capable of being transformed in due course into the Indian scheme, should the progress observed justify the adoption of that form of government in Burma. On the basis of this interpretation the Lieutenant-Governor has reviewed the scheme as a whole, and in doing so has necessarily given special consideration to the feasibility of adopting the first alternative mentioned in the speech of the Secretary of State delivered in Parliament on the 3rd December, 1919, that Burma should become a Governor's province under section 15 of the Act, including the suggestion of the Government of India that Burma might start as a Governor's province with an Executive Council of two, one European official and one non-official Burman.

2. The essential feature of the Indian scheme of reforms is the administration of reserved subjects by a Governor assisted by an Executive Council, and of transferred subjects by a Governor through one or more Ministers. The essential feature of the Burma scheme, as proposed, was the administration of a much more limited list of reserved subjects direct by the Lieutenant-Governor, and of the remainder, comprising the greater portion of the administration of the province, by the Lieutenant-Governor through four Boards instead of through Ministers. The opinions of the Local Government regarding the unsuitability of Council Govern-

ment for Burma were expressed in paragraphs 20 to 25 of my letter No. 21T-1L-1, dated the 2nd June, 1919. In view, however, of the subsequent suggestion that Burma should start with an Executive Council of two members, it is necessary to renew the consideration of the question. Such a reconsideration can conveniently commence with a reference to the opinions of the Joint Select Committee to the effect that Burma is only by accident part of the responsibility of the Governor-General of India, and that the Burmese are as distinct from the Indians in race and language as they are from the British. These opinions in themselves afford very strong reasons for doubting whether a system of Government, however suitable for adoption it may be for Indian provinces, should necessarily be applied without modification to Burma. The differences in conditions are, however, much greater than are implied by the Joint Committee. They are not confined to the accident of political inclusion within the Indian Empire or to differences of race and language. The difference in political experience is even more marked. It can truly be said that the Burmese as a nation have practically no electoral experience whatever. They have not availed themselves to any appreciable extent of even the limited electoral facilities afforded for the past twenty years under the Municipal Act. They have, in the majority of instances, preferred that the whole of their municipal members should be nominated by Government, and, in the few cases where in accordance with their desire they have elected their members, they have until the past three years invariably elected officials to be their Presidents. It was only when the Local Government took the initiative, and pressed for the election of non-official Presidents, that a few such Presidents were elected. The Burmese have no experience whatever of Village Councils, Rural Boards or District Councils; and when the Local Government invited the assistance of leading Burmans in preparing schemes for the creation of such local bodies, the Young Burmans, who had made themselves prominent in political agitation, took practically no interest in such essentially important questions. Lastly, there is a complete dearth of suitable personnel. Burma is from 40 to 50 years behind India in its capacity for self-government, and in no respect is its backwardness more manifest than in the absence of persons willing and able to assume positions of great responsibility. There are few or no such Burmans in prominent positions in the various phases of national life. Where such positions are not occupied by Europeans, they are generally occupied by Indians and Chinese. It is not to be expected that a nation which so far has failed to produce any great leaders in branches of its national life, which are open to all comers, will automatically produce, without experience or training in political life, efficient political leaders.

3. The truth is that the Burmese, under the influence of their national history, have an intense belief in the efficacy of personal administration. Indeed the vast mass of the people have not yet grasped what is meant by collective administration or by responsible self-government. They have no practical experience of such ideas, which to them are mere abstract conceptions with no clear or definite meanings. This backwardness is not insisted upon as a reproach to the Burmese people. They have not had the time or the opportunity with which to shake themselves free of ancient traditions. Their association with the Government of India has brought them many advantages, but it has been accompanied by one serious drawback. In India the British administrators had to employ Indian agency for all posts, major and minor, in the Services which were not filled by Europeans. Indian commerce and Indian professions were gradually built up by the Indians themselves. All that was non-European was Indian. But the earlier progress of India and Indians has been a retarding factor to Burmese progress. The opportunities which British rule had long since opened to Indians were not available to Burmans. They were in no position to compete with the influx of Indians, who flocked in to exploit the resources of the country and to take up the posts for which no trained Burmans were available. The ready supply of educated Indians reduced the demand for educated Burmans, and Burman progress, as distinct from European and Indian progress in Burma, has thus been at a much slower rate than Indian progress in India. To discard completely personal government with respect to the most vital portions of the administration, practically without notice, among a people who have no experience or conception of any other form of government, and to substitute a system of collective government, in which persons without the requisite capacity or preliminary training must suddenly assume the highest responsibilities is an experiment so rash that the Lieutenant-Governor is unable to commend it.

4. There are no persons at present who could be selected to fill the independent position of Ministers under the Indian scheme dealing only with transferred subjects, and it follows that an even greater difficulty must attach to the selection of an Executive Councillor to deal with both reserved and transferred subjects alike. For so responsible a position as that of an Executive Councillor who is entitled not only to decide most of the matters which would fall within his own portfolio but also to make his voice heard in the disposal of every kind of public business, great or small, a man of outstanding ability, highly educated, and of mature judgment is absolutely essential. Political aspirations in Burma are not yet three years old, and the aspirants are young and entirely inexperienced, and have yet to win their spurs in their own various walks in life. Among the older men, both inclination and the education requisite to undertake such great responsibilities are wanting. To select an elderly man of conservative tendencies as a convenient figurehead would give no satisfaction to the youthful party of reform; while to elevate to this solitary position of responsibility some young graduate of an age but little above 30 years would deeply offend the susceptibilities of Burmans generally, as being a procedure entirely out of accord with their traditions and sentiments.

5. In this connection I am to draw the attention of the Government of India to the three memorials (Enclosures A, B and C)¹ in favour of the Burma scheme as it stands. As explained in paragraph 6 of my letter No. 1009 IL-1, dated the 28th August, 1919, the propaganda of the Young Burmans cannot be accepted as the voice of the people. The great mass of the people, as well as the great body of solid, respectable and responsible elders of the people, remained untouched by such propaganda. So far as it came within their notice, most members of the latter class were highly indignant at the methods of propaganda adopted. The memorials now forwarded are the spontaneous efforts of a number of the members of this class in some of the larger towns of the province to express their opinions on the nature of the reforms proposed by the Local Government. The Local Government was unaware that any such memorials were being prepared until the first was received. They may be accepted as a genuine expression of sober middle-class Burmese opinion, uninfluenced by Indian political agitators. They afford evidence that there is a considerable body of responsible public opinion which recognises that the scheme of reforms proposed by the Local Government secures as great an advance in political progress as Burma in its present stage of development can be expected to make, and that the system of Boards is a reasonable and practicable first step to take towards that advance. They may also be taken as an expression of the fear that Burma is in danger of losing her national identity, if regarded as one province in a self-governing India. The incessant vigilance of the Local Government is necessary to ensure that the Burman shall not be supplanted by the Indian in many departments of official life. There are apprehensions that such resistance to the tendency for Indians to participate in the administration of Burma will be much weakened with the growth of self-government in India. The Burmese can never hope to secure many appointments in India. Indians could secure almost a monopoly of the Government appointments in Burma. Even the Young Burmans feel some apprehension about the Indianisation of Burma, but they are vain enough to imagine that they can secure the assistance of the National Congress in order to gain their immediate aims, and then free themselves from Indian guidance and domination whenever they choose. Resentment against what is considered to be Indian permeation is constantly being brought to the notice of the Local Government. The feeling that participation in the Indian scheme of reform will ultimately result in the increasing permeation of Burmese national life by Indian influences is very strong, though not very articulate. It has certainly been one of the factors leading to the preparation of these memorials, and is a strong influence with the thoughtful Burman, in opposing the inclusion of Burma in the Indian scheme on the same terms as other provinces, and in supporting the scheme proposed by the Local Government.

6. In the circumstances described and for the reasons given, the Lieutenant-Governor feels unable to recommend the first alternative adumbrated by the Secretary of State, namely to declare Burma a Governor's province and thus bring it within the Indian scheme. To include it is to brush aside the reasons which induced first the authors of the Report on Constitutional Reforms and then the Joint Select Committee to recommend its exclusion. Nor is there anything to be gained by the adoption of a half-way house by which a single Burman non-official

(1) Not printed.

would set on an Executive Council of two. Such a step introduces no element of responsibility to a legislature into the constitution of the Provincial Government, for again and again in the literature of the reforms has insistence been laid upon the fact that the responsibility of the Executive Councillor is to Parliament and not to the local legislature or to the electors. That some half-way house is needed between the existing system of Government and the full scheme of reforms on the Indian model is apparent both from the arguments contained in this letter and from the whole case as presented by the Local Government in its several communications on the subject of reforms for Burma, and I am to submit that this half-way house has been found in the scheme laid before the Government of India. But the scheme as then put forward has been closely re-examined with reference to their criticisms, and it is hoped that the modifications which are presently explained will remove the difficulty which the Government of India felt in endorsing that scheme with their approval.

7. The two main departures of the original Burma scheme from the reforms now granted to India are the retention of the personal administration of the Head of the Province in a limited number of reserved subjects in Burma, and the administration of all the remaining subjects through Boards instead of through Ministers. The case for the former was stated in paragraph 32 of my letter of the 2nd June, 1919. Every one of these subjects except the last is of a kind which the Governor of each province in India is likely to deal with himself with the aid of the appropriate Secretary, and not hand over to one of his colleagues on his Executive Council. There is no wide divergence here from the practice that is likely to obtain under the new Indian system. As regards the second main departure, its largest point of divergence from the Indian scheme is not so much the existence of the Boards proposed as the preponderance of the official element on those Boards. It was all along intended that the President would work only with the particular Member of the Board concerned in the particular subject under disposal, and that other members of the Board would only be called in if they were jointly concerned in the subject. But the constitution of the Board gave an appearance of the President being always confronted with a majority of officials, and there was a certain inconvenience in putting officers subordinate to him in a position of equality with the President, while there were certain Heads of Departments who had to be given seats on more than one Board.

8. It is accordingly now proposed, while retaining the four Boards as essential and convenient units of administration, to reduce the membership of each Board to two, a non-official as First Member of the Board, who would also be termed a Minister, and an official member, who would be the Second Member of the Board. The membership of the Boards would then be as follows:—

Home Affairs	{	First Member—non-official.
		Second Member—Chief Secretary to Government.
Revenue and Finance ...	{	First Member—non-official.
		Second Member—Financial Commissioner.
Development	{	First Member—non-official.
		Second Member—Development Commissioner.
Local Self-Government	{	First Member—non-official.
		Second Member—General Secretary to Government.

It is proposed that the First Members of the Boards, or Ministers, should be selected in exactly the same way as it was proposed to select the non-official Presidents under paragraph 30 of this Government's first Reforms letter of the 2nd June, 1919; that is, there would be three Burmans selected from the Members of the Legislative Assembly, and as far as possible from the elected Members, and one European, the First Member of the Development Board, who would be one of the nominated Members of the Legislative Assembly. It is also intended that they should receive the same salary as was proposed for the non-official Presidents, Rs. 4,000 *per mensem*. It will, however, be necessary in appointing the first non-official members of the Boards, on the occasion of the initiation of the reforms, to adopt a course similar to that prescribed in clause 9 of the Government of India Bill (as amended by the Joint Select Committee) and give the Head of the Province power to appoint any persons, whether elected members of the Legislative Assembly or not, to be the non-official members of the Boards on their first constitution, at least three of the

subsequent appointments to be made from the elected members of the Assembly. It is quite impossible to foretell whether any of the limited number of persons fit to hold office as Ministers under the scheme will be found among the elected members of the first Legislative Assembly, or even whether such persons will stand for election. If it is borne in mind that there has never to this day been an elected Burman on the existing Council, that there has never been a political election in Burma, this precaution scarcely needs justification. At the end of three years the position ought to be much clearer and a choice is likely to be easier; at present it might be a choice in the dark.

9. It is admitted that the composition of the four Boards is not quite symmetrical in that two of the Boards have executive officers of high standing, the Financial and Development Commissioners, as their Second Members, whereas the remaining two Boards have Secretarial officers as their Second Members. This want of symmetry, however, is in accordance with actual administrative realities. The Financial and Development Commissioners will be executive officers who are the natural official heads of the two branches of the administration with which these two Boards will be concerned, quite independently of the position it is proposed to give them on the Boards. The necessity for such executive officers to supervise the work of Development and Revenue and Finance has arisen in the natural course of administration, but a similar necessity has not been felt in the various departments concerned with Home Affairs and Local Self-Government. The Chief Secretary and the Secretary have, however, equally naturally, developed into two strong co-ordinating factors with respect to the departments with which they severally deal. The Chief Secretary is already an officer of more than Commissioner's standing, and the rapid development of Education and Local Self-Government in recent years has transformed the appointment of Secretary (or General Secretary) into one but little inferior to that of Chief Secretary with respect to the amount of responsibility to be borne. The Chief Secretary and the General Secretary, although they perform no executive or administrative functions, are officers whose duties of co-ordination between the various departments within the sphere of their jurisdiction are of a similar nature to those performed in this respect by the Financial and Development Commissioners. It is particularly with respect to these duties of co-ordination that their membership of the Boards is essential. They will, as colleagues of the First Member, give him the benefit of their experience and training in viewing departmental proposals from the correct perspective, and in weighing possibly conflicting claims in inter-departmental cases. It is proposed that the pay and status of the Secretary shall be raised to the equivalent of that of a Commissioner, a proposal that would be justified, quite apart from the question of his position as Second Member of the Board of Local Self-Government, by the increasing magnitude and responsibility of his duties and by existing precedents in some other Provinces.

10. The functions of the Boards and of each Member of the Board under the scheme will be as follows. All cases, except those reserved for consideration by the Head of the Province under paragraph 32 of this Government's Reforms letter of the 2nd June, 1919, will come to the Boards for consideration after preparation by the Secretary concerned. The fact that two of the Secretaries are on the Boards will not materially affect this procedure, though in minor cases of a non-controversial character, the cases of the Home and Local Self-Government Boards will probably be settled by discussion without very elaborate preparation. The Boards will then dispose of the following cases:—

- (i) delegated cases concerning one Board only, where the two Members of the Board are in agreement,
- (ii) delegated cases concerning two or more Boards where all Members of the Boards concerned are in agreement;

and will send the following cases to the Head of the Province for disposal

- (iii) cases of major importance, the disposal of which has not been entrusted to the Boards,
- (iv) minor cases in which the two Members of a Board are not in agreement,
- (v) cases concerning more than one Board in which the Boards concerned are not in agreement,
- (vi) cases which a Board may consider of special importance although they fall within its power of disposal.

Other cases which would go to the Head of the Province would be—

- (vii) cases reserved for his consideration under paragraph 32 of the letter of the 2nd June, 1919,
- (viii) cases in which a Secretary to Government (not being a Member of a Board) considers that the decision of a Board should be referred before orders issued.

In each of these eight classes of cases the position of the Minister or First Member of a Board with reference to the Head of the Province would be almost similar to that of a Minister under the Indian scheme, except in cases of class (iv), and in cases of class (iii) where the two Members are not in agreement. Cases under class (iv) would be submitted to the Head of the Province with two opinions, instead of being disposed of by the Minister, and a certain number of cases of class (iii) would be submitted to the Head of the Province with two opinions, instead of being submitted with the opinion of the Minister only. The position of the First Member of the Board with reference to the Legislative Council would be similar to that of a Minister under the Indian scheme in all of these classes of cases, because in this respect cases dealt with by a Board would be of two classes only—those disposed of by the Board and those referred to the Head of the Province. Wherever there was a difference of opinion on the Board the decision would be made by the Head of the Province, and the position of the First Member with reference to the Legislative Council in such a case would be the same as that of a Minister referring a case to the Head of an Indian Province, who might, or might not, as in India, agree with the Minister's recommendations. The question will naturally be asked whether the cases of delegated powers comprised in classes (i) and (ii) above are going to be merely insignificant matters or cases of considerable importance. The Board of Revenue and Finance, and the Development Board, will possess all the powers which are now exercised by the Financial Commissioner, and which in Burma are very considerable. To these, in the case of the former Board, can be added certain financial powers of the Local Government. In the case of the other two Boards delegation will have to be made on similar lines so as to put these Boards on the same level as the other two. The four Boards would then start with a minimum of powers equal to those usually entrusted to officers of the status of a Financial Commissioner, plus such additional powers as detailed examination may show to be reasonable. Other powers could no doubt be added as the training and experience of non-official Ministers progressed. They would develop almost imperceptibly from being First Members of the Boards into Ministers, and it is in view of this intention and probable course of development, that it is proposed to call them Ministers from the outset, though they would not exercise the full personal responsibility of a Minister with regard to transferred subjects under the Indian scheme. The First Members of the Boards would be undergoing a course of intensive training in administration, exercising sufficient power and responsibility to develop their latent faculties, but under sufficient guidance to prevent their political inexperience from endangering the good administration of the province. The Local Government is unable to accept the criticism that if duly qualified men are not available for appointment as Executive Councillors, they will be equally unavailable for appointment as Presidents of Boards. The President of a Board under the original scheme, and the First Member of a Board under the present scheme, would not require for the performance of their duties the full qualifications of an Executive Councillor. The First Member of a Board will be transacting his daily work under the constant guidance and advice of a colleague. To say that you cannot find a trained man for a post is not the same as to say that you cannot find a man to train. The advantages claimed for this scheme are—

- firstly*, that it employs and trains in responsible posts a maximum number of non-officials within a short space of time;
- secondly*, that it brings them into contact with all branches of the administration and not merely with particular subjects classed as transferred;
- thirdly*, that it admits of gradual increase of powers by delegation made from time to time without controversies over the distribution of transferred and reserved subjects;
- fourthly*, that when the time comes for further devolution of power to non-official representatives, it admits of easy transformation into a constitution of Ministers, or a constitution of Executive Councillors, or a constitution of both combined.

11. The Government of India criticised the original scheme as giving no responsibility in the Parliamentary sense of the term, as the Boards were not apparently in any way under the control of the local legislature. With reference to this criticism the Lieutenant Governor invites a reference to paragraphs 40, 97 and 98 of the Government of India's first Reforms Despatch of 1919. If the Government of India felt the difficulties about the introduction of Parliamentary responsibility in the Indian scheme, it must follow that these difficulties will initially be much greater in the case of Burma. Paragraph 28 of this Government's Reforms letter of the 2nd June, 1919, specifically raised the question of the advance towards a sense of responsibility, and it was definitely to achieve such an advance that the non-official Members were to be given the position, status and authority of Presidents of the Boards, and were not to be simply appointed as Members. The methods by which the responsibility of the non-official Members were intended gradually to be attained, the introduction of the principle that the authority of the President should be greater than that of the remaining Members, and the measure of control by the legislature over the actions of a President were given in detail in paragraph 30 of that letter. It is not contended that the scheme of Board Presidents would confer quite the same degree of responsibility in Burma, as Ministers will enjoy under the new Act in India, but that there was no element of responsibility at all in their position the Local Government feels unable to admit. But, however that may be, under the scheme as now modified, the degree of responsibility will assume greater prominence. The Minister, or First Member of the Board, cannot be overruled except by the Governor. He will be (except perhaps during a short period of transition) an elected Member of the Legislative Assembly, and it is unreasonable to suppose that he will be entirely insensitive to his position as a member of that body. He must from the nature of things be more sensitive to it than would be a solitary Executive Councillor.

12. The Government of India further apprehend that if the President of the Board is a weak man he will tend to become a mere figurehead, and that if he is a strong man he is likely to engender friction. But the Lieutenant-Governor must represent that this criticism will apply to any non-official brought suddenly inside the inner circle of administration. In so far as it has special application to the Burma scheme, it has been met very largely by the modification of the scheme now proposed. The First Member of a Board will have a very clearly defined and responsible position with respect to his colleague on the Board, to the Lieutenant-Governor and to the Legislative Council. If he is a weak man and a mere figurehead, the Legislative Council may be expected to remind both the defaulting Member and the Head of the Province of his shortcomings; and if he is a strong man, which is hoped, the friction generated will be but the inevitable concomitant of the extension of self-government. It is one of the minor inconveniences which form part of the price to be paid for rapid political progress, and the risk of it is indeed inseparable from any form of collective government.

13. As regards the apprehensions expressed that the system of Boards will prove an unwieldy method of administration, cumbrous, and dilatory in its action, it was considered necessary in this Government's Reforms letter of the 2nd June 1919, to enter somewhat minutely into the details of the working of the system of Boards if only to show that the scheme was not a hasty sketch. Such details were concerned with administrative rather than with constitutional matters and would in due course have been regulated by rules of business. The inclusion of this detail may have given a mistaken impression that the scheme was unwieldy and cumbrous in its working. In this connection I am to invite attention to paragraph 38 of the First Reforms Despatch of the Government of India, in which it is stated that no one can say how the new institutions will add to the labours of the executive, that far more time will be consumed in consultations and committees, and that if the new complex administration of the future is to adjust itself, a far more generous margin of time must be allowed than has been the case in the past. Thus, whatever scheme of reforms be adopted, increased complexity is inevitable. As a further criticism of the system of Boards it is stated that matters which are at present settled between two Secretaries will be discussed by two Boards, and that differences between corporate bodies are always more difficult to reconcile than differences between individuals. This is equally a criticism against the Indian scheme. The system, by which matters are settled by two Secretaries to Government, is to be finally abandoned for a more complex system both in India and Burma. Paragraph 38 of the First Reforms

Despatch indicates that the adoption of the Indian scheme would not relieve Burma of the extra consultations and discussions which its system of Boards will involve.

14. But, as a matter of fact, while the Government of India have referred to the delays involved in such meetings and discussions between the various Members of the Boards and between different Boards, they have ignored entirely the great saving of time in correspondence and circumlocation between the executive officers of the Government which the scheme effected. This feature is preserved in the modified scheme so far as the Finance and Development Commissioners are concerned. These officers will now be merged in the Government, they will possess no separate Secretariat of their own, and time and labour will be saved now spent in double noting and intermediate correspondence. Unless Boards of Revenue and Financial Commissioners in other provinces are now to be abolished, the Lieutenant-Governor claims that the progress of business under the Burma system will be more expeditious than will be the case in India. The administration of the Boards will now be almost the same as the administration of transferred subjects by a Minister in an Indian province. The sole difference will be that the Minister will have a trained and experienced colleague to assist him in his difficulties and to share his responsibility. The procedure to be followed will be so simple that it can be explained in a few words. Heads of Departments will dispose of the business within their competence as at present. Any matter for decision by the Local Government will be received by the Secretary concerned, and prepared in the Secretariat for consideration by the Board or Boards dealing with the case. Cases under class (vii) of paragraph 10 above will be submitted direct to the Head of the Province. Cases under the remaining classes will be treated by the Boards just as they would be treated by Ministers in dealing with transferred subjects under section 52 (3) of the amended Government of India Act, although in cases under class (iv) the Head of the Province would have, and in cases under class (iii) he might have divergent opinions from the two members of a Board, instead of a definite line of advice from a single Minister. Heads of Departments will be given the right to discuss any departmental questions with the Boards, and in cases which affect more than one Board, the Heads of Departments concerned can in important cases be called in to participate in the discussion, but only Members of the Boards would participate in the decision, or in the presentation of the case to the Head of the Province. In all cases the final decision would issue in the name of the Local Government. It is not expected that the discussions under this system of Boards worked in this manner will exceed in length or in number those anticipated in paragraph 38 of the First Reforms Despatch of the Government of India under the Indian scheme, or that the machinery of administration will prove to be more cumbrous, complicated and dilatory than would be entailed by an Executive Council for the administration of reserved subjects supplemented by Ministers for the administration of transferred subjects.

15 The final criticism of the system of Boards advanced by the Government of India is that it makes no real advance in the direction of giving Burmans any power over administration, as the Head of the Government is to retain authority to withdraw any of the powers delegated to the Boards at his discretion. This appears to be a criticism which could be applied equally to the power of the Head of an Indian province over the disposal of cases to be dealt with by a Minister for transferred subjects. The relations of the Head of the Government with such Ministers are stated in paragraph 219 of the Montagu-Chelmsford Report, and are elaborated in somewhat greater detail in paragraph 97 of the First Reforms Despatch of the Government of India concerning rules of business. It appears to be doubtful whether the relations of the Head of the Government with the Boards in Burma will be different in any respect from the relations of an Indian Governor with his Ministers. The rules of business will decide that cases of major importance shall be laid before the Governor of an Indian province, and nothing more than this is contemplated under the Burma scheme. At its initiation, it is probable that the proportion of cases declared to be of major importance will be relatively high, and that this proportion will gradually be lowered as the training and experience of the First Members of the Boards increase. In this respect the Local Government is quite willing to accept the proposals of the Government of India expressed in paragraph 97 of the First Despatch, and the provisions of section 52 (3) of the amended Government of India Act, if the term "Board" is substituted for the term "Minister" in their application to Burma.

16. The Government of India are inclined to doubt whether Burman opinion would be satisfied without a Governor in Council, as it would regard any substitute as of inferior dignity. Sir Reginald Craddock has no doubt that Burma, as a province, would resent the term Lieutenant-Governor being applied to its official head while the Province of Assam was administered by a Governor. There is, however, no reason to believe that the majority of persons in Burma, who would appreciate the distinction, would feel any resentment if the Head of the Province were styled Governor, though he might not be assisted by an Executive Council. Under the scheme now proposed he would be administering the province through a number of Boards, the First Members of which would be termed Ministers. The term Governor in Council is a term necessary when it is essential to distinguish between the acts of the Head of a Province acting sometimes with the assistance of an Executive Council, and sometimes independently of the Council through Ministers. But it does not appear to be necessary when no such distinction has to be made. It is not considered that there could be any objection to the use of the term "the Government of Burma" in connection with the acts of the Government in all its manifestations. On the purely personal question, for such time as His Majesty's Government continues him in office, Sir Reginald Craddock does not mind whether his official title is Governor or Lieutenant-Governor. On the general question, it is recommended that the Head of the Province should be styled Governor and not Governor in Council, the same rule as to the appointment of a Governor from Home, or from the Indian Civil Service, being observed as is applied to the non-Presidency provinces of India.

17. It is suggested by the Government of India that Burma should adopt the principle adopted in the Government of India Act for ensuring the passing of legislation considered by Government to be of essential importance. The provisions to secure this object are contained in section 72E of the amended Government of India Act, and though it is considered that they may give rise to considerable difficulties, they are accepted as affording the best practicable method of securing the object desired. This Government preferred, and still prefers, its own solution of this particular difficulty, but as it is hoped that resort to this method of legislation will be less frequent in Burma than in India, it does not desire to contest this particular suggestion made by the Government of India.

18. To turn now to other points of criticism. In view of the doubt expressed by the Government of India that there would not be sufficient work to justify the appointment of an official representative of Burma on the Council of State, who would also act as a Secretary to the Government of India on Burma affairs, the Lieutenant-Governor does not wish to press for this appointment at present, but considers that the Government of Burma should reserve to itself the discretion to reopen the question should it be found that, under the newly constituted system of government, the interests of Burma should fail to receive adequate consideration. It is quite possible that, owing partly to its remote situation, and partly to its divergent needs and conditions, it may not receive equivalent treatment with other provinces. Though refraining from pressing for the appointment of a special Secretary for Burma affairs, the Local Government adheres to its proposal that the official designation of the Viceroy should be changed to that of Governor-General of India and Burma. This change of designation is fully justified by the references made to Burma by the Joint Select Committee.

19. The proposal of the Local Government to exclude Burma from representation on the Imperial Legislative Assembly has been criticised principally from the point of view of the most appropriate method of extending all-India Acts to Burma should the proposal for exclusion be adopted. The provisional distribution of seats on the Legislative Assembly, recently published, proposes to allot Burma four members, three general members and one European. If the Local Government were desirous of claiming any seats on the Assembly, it would raise an emphatic protest against such an allotment, which places Burma in a lower position than the Central Provinces and on the same level as Assam. Enquiries are made by the Government of India whether Burman opinion would be satisfied without a Governor in Council as any other substitute would be regarded as an inferior dignity. This question is considered elsewhere, but it may be stated that Burman opinion would certainly not be satisfied with any representation on the Legislative Assembly that is not on a scale approximate to that granted to the Punjab and Bihar and Orissa. The peculiar interests of Burma and its isolation, quite apart from its intrinsic import-

ance as a province, demand that, if represented at all, its representation should be adequate. It is admitted that the requisite number of representatives, possessing the necessary qualifications, will not be forthcoming for some years, and it is presumed that this admission on the part of the Local Government is the cause of the small number of representatives provisionally allotted to Burma. This unsatisfactory compromise is a fresh demonstration, if any further demonstration is needed, of the impossibility of attempting to treat Burma and India on identical lines in the advance towards self-government. The peculiar conditions of Burma have been allowed to operate gravely to her detriment, in determining her scale of representation on the Legislative Assembly; but they are scarcely admitted as having any validity in determining the nature of her internal constitution. The disparity of representation on the Legislative Assembly proposed for the Punjab and Bihar and Orissa on the one hand and for Burma on the other, may be taken as the estimate of the Government of India of the relative inferiority of Burma in the supply of persons qualified to accept high positions of responsibility. In reality, the disparity is much greater; but even if it were merely in proportion to the provisional allocation of seats on the Legislative Assembly, it is respectfully urged by the Local Government that such a disparity should be frankly acknowledged as an adequate ground for a distinctive, though analogous, internal constitution. The allotment of four members of the Legislative Assembly to Burma appears to be an unsatisfactory compromise, imposing on the province all the disabilities arising from its isolation and its differing conditions, while withholding all opportunity for self-development on the natural lines dictated by these distinctive characteristics. The internal administration of the province will need the assistance of every Burman of outstanding merit. It cannot be assumed that Burman representatives on the Indian Legislative Assembly will ever coalesce with the Indian members. They will remain a foreign, unincorporated, and neglected group, uninterested in all purely Indian matters, and unable to rouse the interest of the Assembly in Burmese matters. For all practical purposes they might as well be absent, and it is impossible to acquiesce in such a waste of the best available administrative material in India when it will be so urgently needed in Burma. For these reasons the Local Government adheres to its original proposal, that as Burma is unable to provide a sufficient number of suitable representatives to maintain its position on the Legislative Assembly, it should be excluded from such representation, the application of all-India legislation to Burma being governed by the procedure suggested in paragraph 22 below, and the significance of the exclusion being marked by the local legislature receiving the title of the Burma Legislative Assembly.

20. It is noted that in place of the three members on the Council of State recommended by the Local Government, two representatives from the general electorate are provisionally allotted to Burma. The Local Government has acquiesced for the present in the doubts expressed by the Government of India as to the feasibility of appointing an official representative on the Council of State, but desires to urge that Burma should be allotted three members, two elected by the general electorate and one representative of Commerce. The case for a special commercial representative on the Council of State is exactly as stated in paragraph 11 of the second Reforms letter of this Government, No. 1009—1L.-1, dated the 28th August, 1919, in proposing generous representation to commerce on the local Legislative Assembly. The Chambers of Commerce of Bengal and Bombay in a measure represent the commercial interests of the whole of India proper. They do not represent the commercial interests of Burma in any respect. The interests of Burma in rice, in rubber, in oil and minerals generally, in railways and communications, and in the general characteristics of its import and export trade, are markedly different from those of India, and sometimes in conflict with them. The magnitude of such differences can be gauged by such specific instances as the Rice Control. It was in connection with a commercial problem that His Excellency the Viceroy recently characterised Burma as an isolated province, and it is felt that the commercial interests of Burma can never be adequately expressed or safeguarded save by a special commercial representative on the Council of State. Even should there prove to be insuperable obstacles to the allotment of three seats to Burma on the Council of State, it is still urged that one of the two representatives should be representative of commerce, and one only elected by the general electorate. In any event it is presumed that among the official members having seats on the Council of State a place will be found for an officer of the Government of Burma.

21. For the Council of State it is intended that the elections should be direct and suggested that the Local Government should frame the franchises so as to yield an electorate composed of men of wealth and position aggregating about 2,000, who would elect from their own number. There will be under the Burma scheme, as now proposed, an electorate in existence of exactly this nature for the rural portions of the province, and of approximately this number, in the members of the Circle Boards who form the electorates for the rural members of the local Legislative Assembly. This electorate is described in paragraph 24 of this letter. If to these members are added the elected members of the municipalities and town committees of the province, there will be an electorate of the nature required, somewhat exceeding the number prescribed, but not to such an extent as to necessitate the creation of a separate and more restricted electorate. It is proposed that an electorate composed as suggested above, should elect the two members or (in case one of these is cut out) the one member to be the general representative of Burma on the Council of State. It is proposed that the commercial representative shall be elected by a special constituency to be subsequently determined after consultation with the Burma Chamber of Commerce, the Rangoon Trades Association, and the various bodies representative of the Burmese, Indian and Chinese commercial interests within the province.

22. The important problem of the extension of Indian Acts to Burma must be considered from three aspects: firstly, the question whether such Acts should be automatically extended without modification to Burma; secondly, if modifications are to be permitted, the methods by which the modifications considered necessary before extension should be determined; and thirdly, the procedure by which the Acts when modified should be made effective. The question of the automatic extension of Indian legislation to Burma depends on the nature of the differences between Indian and Burmese conditions and on the degree of Burmese representation on the Council of State and the Legislative Assembly. The Local Government considers that there are weighty arguments for the exceptional treatment of Burma in this respect. If the representations of the Local Government concerning the representation of Burma on the Council of State and the Legislative Assembly are accepted, then such exceptional treatment must necessarily be conceded.

23. Assuming that the principle of the automatic extension of Indian legislation to Burma is not enforced, it is suggested that the following procedure to determine any necessary modifications in the legislation to be extended to Burma, and to make such modifications effective, should be adopted. The Government of Burma in its executive capacity, when consulted as to the propriety of any piece of legislation, would express its opinion whether it should be extended to Burma in its entirety or not. In the first case, no further special action would be necessary. If, however, the Government of Burma desired any modifications, it would express its opinion, and state the modifications it wished to be made before applying the legislation to Burma. If the Government of India agreed, it would insert in the Bill, when brought before the Indian legislature, a special clause giving the Governor-General in Council power, on certain conditions being fulfilled, to modify the Bill in extending it to Burma. The control of the Indian legislature would be ensured by this clause. Though the actual modifications proposed would not be part of the Bill, they would be before the two Chambers of the legislature. If the modifications were thought to be reasonable the clause would be passed; if not, it would be rejected, and the Bill without the clause would be automatically extended to Burma. If the clause were retained, the modifications proposed by the Local Government would then be considered by the Burma Legislative Assembly. If supported by a two-thirds majority in that Assembly, they would then be submitted by the Local Government to the Governor-General in Council, for acceptance or rejection. It would be necessary to prescribe that the modifications finally accepted should not differ in principle from those originally before the Imperial Legislature when it passed the enabling clause, though slight differences in detail need not necessarily be precluded. This object might be achieved by prescribing that the final modifications, together with the original modifications proposed, in parallel columns, should be laid before each of the two Chambers, the Council of State and the Legislative Assembly, and that the acceptance of the Governor-General in Council should not be given until they had been before the Chambers for eight days.

24. Although considering the process of indirect election proposed in the case of rural members to be in some ways open to objection, the Government of India

are prepared to accept it as necessary for the present. The Local Government considers it necessary to explain in some detail the causes leading to its proposed system of indirect election. It is not feasible in Burma to utilise the assessments to income-tax or to land revenue for the preparation of electoral rolls. Income-tax is not levied on agricultural incomes and is not at present levied in Upper Burma outside the city of Mandalay. Land revenue is levied, not by fixed assessments, but by assessments varying from year to year in accordance with the crop raised, the area sown and other factors. It would be a difficult task requiring an elaborate revising machinery to maintain electoral registers on the basis of the payment of land revenue above a fixed standard. There would be other obstacles to such a course both in principle and practice. In some of the districts of Lower Burma, a large percentage of the assesseees are non-cultivating absentee landlords, and an electoral register based on land revenue assessments above a certain standard would disfranchise a large proportion of the genuine cultivators. Moreover, holdings are frequently scattered about over several assessment units, and the preparation of an electoral register based on a varying aggregate land revenue demand in respect of such landholders would entail many practical difficulties. But though it would be more difficult in Burma than in India to base electoral registers on income-tax or land revenue assessments, Burma possesses in its *thathameda* and capitation-tax rolls a unique register of the householders of the Province which has no parallel in any province in India. These rolls form an ideal basis for electoral registers, in that they are comprehensive, and are checked and maintained up to date annually by the revenue authorities for the purposes of the revenue assessment and demand. They would require no special revising machinery, but could be accepted automatically as the actual electoral registers on which the primary elections would be conducted. But it is scarcely possible to introduce direct election, based on household suffrage, for the members of a Legislative Assembly with a large majority of elected members, into a province, which has as yet had no experience of elections even to a Circle Board or to a District Council, and in which the people have not had any previous experience, even on a limited suffrage, of electing a single representative to the local Legislative Council. Such a course would be a political advance for which no precedent can be found in the history of reforms in India. The number of assesseees on the rolls is over 2,280,000, of whom about two millions would be rural electors, and quite apart from the magnitude of the political advance entailed, it would in actual practice be a matter of extreme difficulty to organise the election of thirty-one rural representatives by direct vote in constituencies with an average number of over 64,000 voters each. The system of indirect voting proposed, while taking advantage of the existence of the *thathameda* and capitation-tax rolls to extend the suffrage to a wider extent than will be feasible in any province in India, safeguards that extension by providing, at any rate during the first few years of working of the reforms, more select electorates for the election of members to the District Councils and to the Legislative Assembly. These electorates will be formed of the members of the Circle Boards and of those Municipal Committees too isolated or too unimportant to be included in an urban group. Thus they would be in no sense of the term a mere electoral college. They would have been elected primarily to perform important administrative duties. Their voting for members of the Legislative Assembly would be merely an incidental and a secondary function. If Burma is considered to be fitted for the experiment of popular election on the widest possible basis, the members of the Circle Boards, who will form the large majority of the constituents in electing the rural members of the Legislative Assembly, should be the most intelligent and influential members of the rural community. Their numbers will be too large, and their places of residence too scattered, for their independence as an electorate to be undermined. In this connection, the Local Government desires to propose an extension of the sphere of choice of candidates for the Legislative Assembly. It was proposed in paragraph 11 of the first Reforms letter of the 2nd June, 1919, that candidates for election to the Legislative Assembly should be limited to members of the District Councils. It is now proposed that any member of the Circle Boards of the District to be represented should be eligible as a candidate for the Legislative Assembly. This will effect a very wide extension of the numbers of persons in each district from which such candidates can be drawn.

25. It is perhaps necessary to meet one line of criticism which has not been expressed by the Government of India, but which has been voiced in the local press, and represented to the Local Government in the course of its endeavours to ascertain

public opinion as regards the scheme. Briefly and crudely, the criticism is to the effect that the village-tract, or the jurisdiction of one village headman, is to be the basic electoral unit; that the village headman is a Government official of considerable power and local influence; that he will succeed, by means of his power and influence as a Government official, in the very large majority of instances in getting himself elected to the Circle Board; and that consequently the Circle Boards, and the great majority of the members of the District Councils and of the rural members of the Legislative Assembly will be Government officials, dependent for their position and emoluments on the executive government. The primary reply to this criticism is that the village headman is not a salaried official of Government. He is a local elder, usually a landholder, selected after an informal consultation with the villagers, and as far as possible in accordance with their wishes, who is paid a commission for collecting the revenue and for performing other miscellaneous police and administrative duties. Although it was originally proposed to make the village tract the basic unit of election for the Circle Board, in the course of the enquiries leading to the Local Self-Government Bill, which is being framed to give effect to the local portions of the reform scheme, it has been found that this would lead either to an unduly large number of circles to each district or to an unduly large number of members on each Circle Board. It was accordingly decided to form village tracts into groups, and to utilise such groups as the basic electoral unit for the Circle Boards. Measures are now proceeding for the creation of these groups of village-tracts. There will therefore be no person having a preponderating influence in the electoral unit, as the village headman might have possessed, if the village-tract had been retained as the unit. There will ordinarily be several village headmen in each primary electoral unit. Thus, no one village headman will be able to dominate the constituency and secure his election. He will have to contend not only with possible rival candidates from his own village, but also with candidates from other villages. In these circumstances the election of a large preponderance of village headmen cannot be accepted as a foregone conclusion. Moreover, it is the critics who cast doubt on the capacity of the rural elector to resist the influence of the village headman in an election to the Circle Board, who claim that such rural elector should be permitted a direct vote for a candidate to the Legislative Assembly. The two criticisms mutually destroy each other. The Local Government has therefore been unable to accept the proposal that village headmen should be disqualified for election to the Circle Boards. This would inevitably result in the conferment on the village headman of the status of a Government official. He could not be permitted to suffer the disabilities entailed on a Government officer, without being acknowledged as such. It would also cut out from the possibility of election a body of men trained in elementary functions of administration, and possessing the necessary public spirit to accept a position, the emoluments of which are by no means proportionate to its duties and responsibilities. It is intended that should a village headman succeed in election to the Legislative Assembly, his headmanship will remain suspended while serving on the Assembly. Any village headman, who may happen to be dependent largely on the commission received for the performance of his administrative duties, will thereby automatically be barred from seeking election to the Assembly.

26. The Local Government is undertaking a careful examination of the Government of India Act, 1915-16, as amended by the recent Act, with a view to suggesting the nature and scope of the legislation that will be necessary, if the scheme now proposed is to be accepted for adoption in Burma. It is not considered necessary to delay this letter in order to incorporate the results of this examination, but it is hoped to forward them for the consideration of the Government of India at an early date.

27. In conclusion, I am to express the hope that the scheme as now modified will be accepted as an honest endeavour to associate the people of the country in the work of administration and to put Burma a substantial step forward on the road to the goal of responsible government. It is frankly a halfway house, but it represents an advance which no Indian Province ever enjoyed at a like stage in its own educational and political progress. It is not the Lieutenant-Governor's desire to foist on Burma a mock constitution as has been misrepresented in certain quarters. The scheme put forward by this Government makes no secret of the fact that a preliminary political training is the first essential before the burden now sustained by Government can be shifted on to the shoulders of the people of Burma. As in India that burden has to be shifted gradually, but Burma must produce her veterans

in the political field as India has done, before the transfer can be as extensive as is considered possible in India. The only party in opposition to the scheme is a party of young enthusiasts who have more confidence in their ability to discharge this new and difficult task than is reposed in them by the great majority of the people of Burma. As time passes these young men will mature and will gain experience, and it is probable that from their ranks, some years hence, may be found individuals whose abilities and experience fit them for positions of trust. Till then they must learn to exercise patience. For the present they will enjoy opportunities of winning seats on the new Legislative Assembly which will give them acquaintance with the rough and tumble of political life. It has always been the Lieutenant-Governor's contention both in India and in Burma that while an advanced party should not enjoy any monopoly, they should always be enabled to secure reasonable representation for their particular views. This the scheme for Burma offers them, since the urban representation on the Legislative Assembly will not be limited by residential qualifications in the case of candidates for election. The Lieutenant-Governor believes that the Government of India will find no difficulty in holding that the constitution proposed for Burma falls within the description of analogous to that which has been granted to India. Many features of it are almost exactly similar, and the preliminary political training provided by the scheme paves the way to a constitution not only as liberal as that conceded to India, but even capable, as a national development, of passing India at no very distant future. But, whatever the view that may be taken by the Government of India of the scheme as now presented for their acceptance, the Lieutenant-Governor trusts that any constitution which may be granted by Parliament to Burma will emphasize that the country is quite distinct from India, and that its people have no desire to lose their individuality as a race. So long as Parliament remains responsible for the general conduct of Indian policy, they have a feeling of security that their interests will be fairly considered by the Government of India, but they have not the same confidence that their voice will be effective if India were to become entirely self-governing, as are the Dominions included within the British Empire. No constitution which ignores this cardinal fact can ever secure anything but ephemeral applause from the people of Burma.

I have, &c.,

(Signed) C. M. WEBB.,

Chief Secretary to the Government of Burma.