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THE MACHINERY OF BRITISH EMPIRE GOVERNMENT

By V. Kenneth Johnston*

As a result of the war and post-war constitutional developments, the term British Empire has come to have three meanings. In the first place, with the whole hearted acquiescence of the Government of Great Britain, the Dominions have created within the Empire that group of self-governing nations collectively known as the British Commonwealth of Nations. In the second place, since the British Commonwealth is figuratively subtracted from the whole Empire, Great Britain is left with a true empire which has an empire government, that of Great Britain, which acts as both the policy forming and administrative branch of government. In the third place, the whole British group remains as a unit under the Crown and treats with foreign states as a unit. This third group appears by the name of the British Empire in the Washington Treaties and Conference, where negotiations were carried on by the plenipotentiaries of the Crown, on behalf, not only of the government of Great Britain as a member of the Commonwealth and as the government of an empire, but also by plenipotentiaries on behalf of the various Dominions. Thus the term British Empire may have one of three meanings, that is the British Empire consists of three groups of British territories; first the whole Empire; secondly the British Commonwealth of Nations; and thirdly the British Empire, that is, the legal and international Great Britain.

Until the Great War, the British Empire from the legal and international point of view was a unit with but one government, that of Great Britain. No other government within the Empire had any international status, for the government of Great Britain was absolutely responsible internationally for all parts and governments of the Empire. As one writer stated in 1876:

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Throughout the essay I go on the theory that the powers of government are divisible into two branches only, the policy forming branch to decide 'whether' and the administrative branch to decide 'how'. Thus in the government of Great Britain the cabinet, parliament and the electorate decide 'whether' and the executive (ministry), judiciary and civil service decide 'how.'
"The whole Empire forms, for purposes of international law, one political society, one sovereign state. This is the case with the vast assemblage of nations and territories in every part of the world, which make up the British Empire, over which the Imperial Parliament of Great Britain and Ireland, consisting of Queen, Lords and Commons is the paramount power—Her Majesty, our Queen, being the visible representative of the whole Empire towards all foreign states."

As late as 1912, Oppenheim stated:

"Colonies rank as territory of the Motherland although they may enjoy complete self-government and therefore be called colonial states."

Thus, until the war, the British Empire was considered a unit, as one state with but one government, the government of Great Britain. The Government of Great Britain decided the policy of the Empire in international relations and to a large degree administered that policy, though in some cases, as in that of Canada, devolution of administration of the policy so decided upon had taken place. This appears by section 132 of the British North America Act of 1867 which provides:

"The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof as part of the British Empire, towards foreign countries under treaties between the Empire and such foreign countries."

Thus the decision as to whether a treaty should be made, rested in the British Government as the policy forming agent, but though international responsibility for the administration of the treaty rested on the British Government, the actual administration of the policy expressed by the treaty rested on the Canadian Government and Parliament. The case of Canada was, however, exceptional until the beginning of the twentieth century, and until the outbreak of the war, the devolution of actual administration from the British Government had been extended by constitutional statutes only to Australia in 1900 and to South Africa in 1909. For the rest of the Empire, the Government of Great Britain was both the policy forming and the administrative branch of Empire government.

During and after the war, changes occurred in Empire government which had such far-reaching effect that in 1921 it was possible for David Lloyd George to say:

\[\text{Creasy, First Platform of Int. L., 14.} \]
\[\text{Oppenheim, Int. L., 2nd ed., 1912.} \]
\[\text{(1867) Stat. 30-31 Vict. chap. 3, sec. 132.} \]
\[\text{(1900) Stat. 63-64 Vict. chap. 12.} \]
\[\text{(1909) Stat. 9-10 Edw. VII, chap. 9.} \]
"The position of the Dominions in reference to external affairs has been completely revolutionized in the course of the last four years. Since the war, the Dominions have been given equal rights with Great Britain in the control of the foreign policy of the Empire."7

The active participation by the Dominions in the war resulted in the formation of the Imperial War Cabinet as part of the government of the Empire. Through its formation, a clear distinction between the Government of Great Britain as such and the Imperial Government of the Empire became apparent. The government of Great Britain, during the war, was carried on by the War Cabinet and Parliament as the policy forming branch, and the Ministry and Civil Service as the administrative branch. In the government of the Empire, the Imperial War Cabinet and the Parliaments of the Empire constituted the policy forming branch and the administrative organs of the British and Dominion governments constituted the administrative branch.8 The distinction, between the government of Great Britain as such and the government of the Empire, was further emphasized at the Peace Conference and received its international recognition with the signature and ratification of the Treaties of Peace and the formation of the League of Nations. At the Peace Conference, the Dominion Governments participated, and negotiated peace, as members of the Imperial War Cabinet otherwise known as the British Empire Delegation.9 The Dominion Governments signed the peace treaties by representatives specially authorized by the Crown to sign for it on their behalf.10 The treaties were severally ratified by the Crown on the advice of the Governments of Great Britain and of the Dominions.11 The Dominions became in their own right members of an international, political organization of self-governing states, dominions and colonies, that is, of the League of Nations. Since the peace treaties of 1919, the Dominions have further emphasized the change in Empire government by their participation in the Washington Conference on Disarmament and the treaties there made, which latter Sir Robert Borden stated "were drafted according to the scheme of the Treaty of Versailles and the other treaties concluded at Paris."12

7Quoted in MacNeill, Studies in the Constitution of the Irish Free State 16.
10Ibid., p. 119.
11Ibid.
THE GOVERNMENT OF THE BRITISH EMPIRE

In the government of the whole British Empire, the policy forming branch is the Imperial Conference. The administrative branch consists of the Governments of Great Britain and of the Dominions. The formal executive head of the whole Empire is the Crown which in legal theory determines policy and administers the policy it determines. In reality the Crown acts on the advice of the Imperial Conference in determining policy and administers that policy by means of the Government of Great Britain and the Governments of the Dominions.

In the words of Creasy, “His Majesty our King, is the visible representative of the whole Empire towards all foreign states.” The formal diplomatic unity of the Empire has been maintained since the war, and the policy ultimately followed by His Majesty where group interests were involved with those of foreign states, has been one and not diverse. In the international or diplomatic field the chief means whereby international relations are carried on is through the treaty making power. That power to negotiate, sign and ratify treaties was originally the prerogative of His Majesty, and continues to be exercised, in form, by him. All treaties of the British Empire are made by His Britannic Majesty. In the treaties of Versailles and Washington to which the British Empire was a party, His Britannic Majesty was the formal contracting party but he signed by various plenipotentiaries, those for Great Britain and the non-Dominion Empire first, and, immediately following their signatures, by certain plenipotentiaries on behalf of the Dominions. A similar practice was followed at the Washington Conference. A difference of opinion exists as to the status of the Dominion plenipotentiaries at the Washington Conference. Sir John Salmond, the New Zealand delegate, reported:

“If any Dominion delegate either of his own motion or under the instructions of his Government, had found himself unable to agree with some proposal which commended itself to the Delegation it would then have been necessary for His Majesty’s general plenipotentiaries from Great Britain to determine in their own discretion the action to be taken.”

“Throughout the Conference, each delegate was in touch with his own Government by means of the telegraphs and the posts.

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13 Creasy, First Platform of Int. L. 14.
16 Chitty, Prerogatives of the Crown 40.
On the other hand, Sir Robert Borden in his report stated: Thus no Dominion could be committed without its consent and each was enabled to state its view and exert its influence in advance of the formulation of agreement with other Powers.  

Whatever may have been the status of the Dominion plenipotentiaries, it is true that the Dominion representatives signed for the Crown on behalf of their respective Dominions. Since the Dominions signed for the Crown separately from the more truly British plenipotentiaries, it would seem that the Dominions were excepted from the whole British Empire, leaving the signature by the King on behalf of Great Britain and the non-Dominion Empire to those whom Sir John Salmond called general plenipotentiaries. Even if the opinion of Sir Robert Borden is accepted, the fact is that the diplomatic unity of the Empire was maintained through preconference negotiation between the seven British Empire delegates. His Britannic Majesty received from his group of plenipotentiaries who represented various parts of his Empire, the same advice and through them he agreed to and signed the same treaties, which thereupon became binding on His Britannic Majesty after ratification, which was in due course advised by the Governments of Great Britain and of the Dominions.

Thus the post-war international representative of the British Empire is still the King. In treaties to which the whole British Empire is a party, the King formally indicates that he consents and signs generally as imperial agent on behalf of the British Empire, and individually as their common agent on behalf of several distinct self-governing areas which also are parts of the whole British Empire. It can only be concluded that through this formal indication, not only does the British international agent wish to establish, but also that foreign states agree to accept and recognize, the post-war British Empire and the various groupings of the nations and empires held in a bond of unity within that post-war British Empire.

In consequence, the formal position of the King is the same now as it was in 1876, for "His Majesty our King is the visible representative of the whole Empire towards all foreign states." Yet the actual position of the King has changed, for, whereas in 1876 the Crown acted in international relations only on the advice of one ministry responsible to one parliament, now the Crown

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17See e.g., description of parties, Treaty for Limitation of Armament, Canada, Sess. Papers, 1922, no. 47, p. 158.
acts on the advice of a co-ordinated group of ministries responsible to various parliaments widely separated geographically.

THE POLICY FORMING BRANCH

As in all governmental systems, the government of the British Empire is divisible into two branches, the policy forming branch to decide "whether" and the administrative branch to decide "how." The Crown in its function of formally governing the whole British Empire no longer acts on the advice of one ministry responsible to one parliament but on the advice of a group of responsible ministries, which together constitute the Imperial Conference. No longer is the policy forming branch of the Empire government merely the Government of Great Britain. The policy of guaranteeing European boundaries is the policy of the Government of Great Britain. The policy of limiting armament is the policy of the British Empire. The first is determined by the Government of Great Britain. The second is determined by the Government of the British Empire. The policy forming branch of the Government of the British Empire is the Imperial Conference, that is the Government of Great Britain in collaboration with the Governments of the Dominions. In accordance with the Resolution of the Imperial Conference of 1907, each government has one vote and two representatives in the Imperial Conference which sits under the presidency of the Prime Minister of the British Government. The formal voting power of each government would seem to indicate that the British Empire had to some extent become a confederation, but such a conclusion is negatived by the fact that citizens of each Dominion are not only such, but also are British subjects, whereas in a confederation, citizenship of the union is not common. Furthermore, in a confederation there is always a definite delegation of powers to a central congress, whereas in the British Empire no such definite delegation of powers has been made to the Imperial Conference. The policy forming branch of the British Empire government can only be considered, not as the organ of a confederation, but rather as a means to co-ordinate the actions and policies of a group of otherwise free agents. No subjects are considered as being within the jurisdiction of the Imperial Conference until they actually come up for consideration. If the members agree, any matter of common interest may be decided in the Imperial Conference through the freely given consent of the various governments represented and participating
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The decisions made are never forced upon any member but are binding on each member because it has freely and of its own will and at its own discretion agreed to the policy so decided. As Mr. Lloyd George said in 1921:

"I wonder what Lord Palmerston would have said if a Dominion representative had come over here in 1856 and said 'I am coming along to the Conference of Paris.' I think he would have dismissed him with polite disdain and wondered where he came from. But the conditions were different. There was not a single platoon from the Dominions in the Crimean War. It would have been equally inconceivable that there should have been no representatives of the Dominions at Versailles and at Washington. There has been a complete change in the conditions since 1856 . . . . Now they claim a voice in determining the lines of our policy. At the last Imperial Conference, they were there discussing our policy in Germany, in Egypt, in America, our policy all over the world and we are now acting upon the mutual decisions arrived at with the common consent of the whole Empire. The sole control of Britain over foreign policy is now vested in the Empire as a whole."

But although the "sole control of Britain over foreign policy is now vested in the Empire as a whole," it must be remembered that the pre-eminence of Great Britain in the whole Empire group gives the opinions of its Government a weight, which does not attach to the opinions of the Governments of the Dominions. True, no Dominion can be bound by policies with which it disagrees, yet the prestige value of the position of Great Britain as the most populous white member of the Empire, in addition to the fact that Great Britain in the whole Empire group is head of a vast assemblage of non-Dominion overseas territories, makes of the Government of Great Britain the senior partner of the group, whose opinions, in respect to partnership affairs, are accepted by the other partners as of greater weight than their own. The pre-eminence of Great Britain is a result, not only of those facts, but also of its maintenance of the naval defences of the Empire, of its wealth and of that whole group of historical reasons which carry so much weight with the conservative streak in even the most radical minds. The pre-eminence of the Government of Great Britain is not the result of coercion, for the Government of Great Britain coerces no Government of the Empire. Its pre-eminence in Empire councils is freely and almost subconsciously accorded as a fact and as a natural consequence of the many reasons which support that natural pre-eminence.

The policy of the Empire is thus decided by a group of entities. Although voting is mentioned in one part of the formal constitution of the group, decision is made not by numerical but by concurrent majority. Formally, the Dominion Governments are equal not only to each other but to the Government of Great Britain. Actually the Government of Great Britain possesses a pre-eminence and an influence greater than that of any Dominion, by reason of the prestige and size of Great Britain. Yet the Dominion Governments are not merely advisers or consultants, for the relation is distinctly not that of superior and inferior but is that of legal equals. The Dominions have a negative voice as well as a positive voice. To say, however, that a Dominion Government has a veto in the Imperial Conference is to exaggerate the situation. The idea of veto is not included in the principle or practice of the Imperial Conference.

**The Administrative Branch**

When policy has been determined, the next stage in the governing process is the application of those policies. To apply any policy requires that branch of government known as the administration. In the government of the British Empire, the administrative system is localized in the groups concerned. In the whole British Empire, the administration is, first the government of Great Britain for Great Britain and the non-Dominion Empire, and secondly, the governments of the Dominions for their respective Dominions. Originally the administrative power and jurisdiction of the British Government extended over the whole Empire, both Dominion and non-Dominion, for the British Government was alone held responsible, through the Crown, for the administration of engagements into which the Empire had entered. When Canada became a Dominion in 1867, section 132 of the British North America Act subtracted from the jurisdiction of the British Government the application of Imperial treaties within the area of Canada. Yet the responsibility to foreign states for execution of the obligations created by those engagements continued to rest on the government of Great Britain through the Crown. In 1900 a similar subtraction arose with reference to Australia, in 1909 with reference to South Africa, in 1922 with reference to the Irish Free State. The result is that, from the intra-Empire or constitutional viewpoint, the

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administrative agencies of imperial government are today, first, the Government of Great Britain, and secondly, the Governments of the Dominions. From the extra-Empire or international viewpoint, it is questioned if such distinction in administration has been changed from a de facto to a de jure situation. It would seem to be de jure for this reason, that the formal distinction between the King as representative of the whole Empire and the King as representative of two groups within that Empire, has been accepted by the powers signatory to the Treaties of Versailles, 1919, and Washington, 1922. In both those treaties His Britannic Majesty signed by general plenipotentiaries and by particular plenipotentiaries specially authorized to signify his assent on behalf of particular Dominions. This distinction is further emphasized in certain treaties between the King "in respect of the Dominion of Canada" and the United States made in 1924 and 1925. On the other hand, no express or explicit recognition of the de jure status of these sub-groups in the Empire has been given by any foreign state. The balance of the situation would seem to tend towards the implied recognition of these sub-groups and the capacity of the King to act, when he wishes, solely on their behalf. If, then, we admit that the King can make himself, as formal executive, responsible to foreign states for due administration of treaties in his whole Empire and separately and distinctly in each of his Dominions, indicating his general assent by general plenipotentiaries and particular assent by particular plenipotentiaries, then the de jure status of the administrative branch of Empire government would seem to be assured. Thus the King, who is the formal executive in the government of Great Britain and in each of the Dominions, and who takes the advice and acts only on the advice of the Governments of Great Britain and the Dominions, does and can depend on the Government of Great Britain to administer Imperial policies in Great Britain and the non-Dominion Empire and on the governments of the Dominions to administer Imperial policies in the Dominions.

The problem that would arise on breach of the Washington Treaty, through Canada's building capital ships in excess of the British Empire ratio of five, illustrates the methods used in Empire Government when foreign states are involved. The whole British Empire has made agreements through the King with foreign states to keep its capital ships within a certain tonnage.

If Canada builds a number of capital ships, then, since the British Empire ratio is now largely maintained by Great Britain, the tonnage maintained by the government of Great Britain would necessarily have to decrease. But if the tonnage of Great Britain did not decrease, then the question of the administration of treaties would necessarily arise. The administration of treaties is and always has been within the jurisdiction of the Crown, subject to the advice of Parliament where usage so requires. The decision of the question, that is, of the intra-Empire policy to be pursued, would necessarily lie in the Imperial Conference, for the question at issue involves two governments directly and the other governments of the Empire somewhat indirectly. The policy, as to whether the Canadian proportion of capital ships in the British Empire ratio should increase or not, would be settled by the Imperial Conference and the Crown would be so advised. The Crown being one and the same, Crown, but acting on the advice of various Governments, would through those Governments administer the policy so determined, for those Governments having agreed in the Imperial Conference would thereby be bound in good faith to carry out the agreement which they had made.

The difficulties which have arisen with respect to the Singapore Base also illustrate the methods pursued in Empire government. In 1923, the Imperial Conference agreed to the policy of building a naval base at Singapore. In 1923, the Labour Government in Great Britain decided not to administer the policy so decided upon. The financial assistance promised by the Government of Australia then became unnecessary and Australia instituted a different defence policy. In 1924, the Conservative Government in Great Britain decided to administer the policy decided upon in 1923. At the Conference of 1926, the Government of Great Britain announced that it was proceeding with the Singapore Base and suggested that assistance would be acceptable from the Dominions. The Australian Prime minister stated that nothing could be done by Australia until 1928.21 As the matter stood, it concerned only the Government of Great Britain, the policy being administered in 1926, having been decided by the Government of Great Britain. The Government of Australia was only very indirectly involved and continued to administer its own policy. The Singapore Base involved only the Government of Great Britain and consequently no question

21 Canada, Sess. Paper 1927 no. 10a, p. 140.
for the Imperial Conference arose in 1926 though there had been such in 1923 when other governments than that of Great Britain had been involved. The Crown through the Government of Great Britain in 1926 administered one defence policy for Great Britain and through the Government of Australia in 1926 administered another defence policy for Australia.

THE GOVERNMENT OF THE BRITISH COMMONWEALTH OF NATIONS

The British Commonwealth of Nations consists of Great Britain, Irish Free State, Canada, Australia, New Zealand, South Africa, India and to a degree Newfoundland. Membership in this group seems to require not only that the territories shall be British, that is, be under allegiance to the King, but that they shall be represented in the Imperial Conference, that they shall be self-governing* and that they shall be members of the League of Nations. Newfoundland complies with all requirements except the last and hence may be considered as nominally a member of the Commonwealth. The characteristic that distinguishes the government of the Commonwealth from the government of the whole Empire is the fact that all members are formally and legally equal in prestige—that is, the Government of Great Britain is formally and legally equal to the Governments of the Dominions in the government of the group.28 Another distinguishing characteristic of the government of the Commonwealth is the division of power between group and national affairs. In the government of the whole Empire, Great Britain has a prestige which increases her influence, but in the government of the Commonwealth which deals only with the group interests of the self-governing Dominions, the government of Great Britain loses much of that extra influence which accrues to her through her vast non-Dominion Empire. In short, the government of the Commonwealth is a government of equals, for equals and by equals, under a common Crown, to a much greater degree than is the government of the whole Empire.

The Crown in the government of the Commonwealth group has much the same functions as in the government of the Empire. It is the formal representative of the group in international affairs, binding the group when it acts, unless its acts are limited

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28It may be questioned whether India with its dyarchical form of government is self-governing. India signed the peace treaties, the Washington Treaties, is a member of the League of Nations and is formally considered a Dominion. On the question of self-government through dyarchy see Horne, Political System of British India, p. 38 et seq.; Munro, Governments of Europe, p. 344 et seq.

29See Imperial Conference, 1926, Summary of Proceedings, Canada, Sessional Paper, 1927, no. 10. -]
to one area or government. Thus, if the King makes a treaty with the United States without limiting his act to Canada expressly then the treaty is binding on the whole Empire. This is the consequence of the Halibut Fisheries Treaty of 1923, in which the treaty was actually Canadian but formally Empire. Since that date, treaties of Canadian consequence alone are made by His Britannic Majesty "in respect of Canada?" The Crown is thus the formal government of the Empire, in form determining policies, in reality accepting the advice of the policy forming branch, in form executing all policies, in reality executing those policies through the several governments.

The Policy Forming Branch

The policy forming branch of Commonwealth government is again the Imperial Conference but here the emphasis is placed, not so much on the unity of the group, as on the division between group and individual affairs. Matters of group interest, that is, which involve any two or more members of the group, are for the Imperial Conference, or the parties by negotiation, to settle. Matters of individual interest, that is, matters which concern one member alone, are decided by that member itself without reference to any other member. This division of function is admirably exemplified in the case of group and national treaties, by the rules enunciated in the Resolution of the Conference of 1923. It is further illustrated by the duties performed by the Irish Minister Plenipotentiary to Washington and the British Ambassador to Washington. This latter distinction was excellently described in the British Parliament in these words:

"The Free State Minister is the official channel of communication with the United States government for dealing with matters exclusively affecting the Free State, the principle of the Resolution of the Imperial Conference of 1923, as to the Negotiation, Signature and Ratification of Treaties, and in particular of that part of the Resolution which relates to the conduct of matters affecting more than one part of the Empire, would apply generally to all questions with which he dealt. If any doubt should arise whether any particular question exclusively concerned the Free State, the point would, if possible, be settled by consultation between the Free State minister and the ambassador. If the matter could not be settled by such consultation, it would be referred to the British

26See Imperial Conference Resolution of 1923.
Government and the Free State Government. In order to meet the possibility that any particular question might in its initial stages be exclusively of concern to the Free State and might subsequently prove to be of concern to other parts of the Empire, the Free State minister would keep in close contact with the ambassador. While the Free State minister would not purport to deal with matters affecting the Empire as a whole, the assistance of the ambassador and his staff would be at his disposal if desired. The ambassador would not, however, be in any way responsible for action taken by the Free State minister, nor would the latter be in any way subject to the Ambassador's control."

It may seem surprising to some students of government that the boundaries of group and national functions should be left so indefinite. In reality, that is the strong point of the British constitutional system. As a result of experience, the British have found that the rigid delimitation of powers, between two bodies, results in more disputes and querulous bickerings than the give and take of the gradual pricking out of these boundaries by the settlement of difficulties as they arise. Like the development of the common law, which unconsciously followed that procedure, the British Commonwealth has consciously left the determination of what is group and what is national to the gradual accumulation of precedents and to that practical sense of fair play in meeting difficult situations, which alone leads to a lasting bond between governments. As a theoretical justification of this laissez faire doctrine, such is fairly satisfactory. In practice, and in fact, if dispute were to arise in a given situation, whether the matter were national or group, the matter would be thrashed out by negotiation and if that failed, then in the Imperial Conference. In case the dispute could not be settled by the Imperial Conference through the agreement of all parties, the recalcitrant party would either get its way, or on failing and then performing the disagreeable act, it would automatically eject itself from membership in the group. Such a consequence is, however, merely academic and it is to be hoped, practically improbable if not impossible.

The Administrative Branch

The administrative branch of Commonwealth government is the government of each unit for itself alone. In the British governmental system, the actual executive is in accord with the legislative and administrative branches of the local government and in consequence of the agreement of the local executive in the group

27Cited in 10 Minnesota Law Review 117
policy, that executive is bound in good faith to administer the group policy to which it has agreed and to provide machinery for that administration. For instance, if the Imperial Conference determined that all British subjects should have the suffrage in all Dominions on complying with the local residence requirements, then the Government of each Dominion would in honour and good faith be bound to secure that such legislation be placed on the statute books and be enforced. No coercion could possibly be used by any one against any other. In case of failure to administer, the member in default would be called to account by the injured member and if that were not sufficient, the matter would again be thrashed out in Imperial Conference.

In the government of the British Commonwealth the Crown or the King, in form, carries on all the governing process. The Imperial Conference advises the Crown on group matters, the local governments advise the Crown on national matters, and through the local governments of Great Britain, Canada, Australia, New Zealand, South Africa, India, Irish Free State, the Crown administers and carries out the policies which it has been advised to adopt.

**THE GOVERNMENT OF THE NON-DOMINION EMPIRE**

In the government of the non-Dominion group, the Crown is again, in form, the whole government. In actual fact, the government of Great Britain is the policy forming branch and except where it has delegated the administration to local bodies, it also is the administrative branch. The non-Dominion Empire is almost wholly not self-governing. The governments of those territories are at most merely advisory to the British Government, which retains through its direct control of the local executive under the Colonial Office the directive and administrative function which arises when the British Government has determined the policy for the group. In short, the government of the non-Dominion Empire group approximates the usual conception of empire government—that is, a central government superior to local governments and one which determines policy and methods of administration, perhaps by and through the advice of subordinates, perhaps according to its own self-interest, perhaps according to its own caprice. But, however, policies and administration may be determined, the ultimate control and power of decision lies in the Government of Great Britain in quite the same way and to the same degree as it exists in any empire government which controls an empire in the Roman sense of the word.
The situation was neatly summed up by Mr. Amery, the British Colonial and Dominions Secretary, when he said in dealing with recent developments in the Empire:

"The work of the Colonial Office has had to develop progressively on two entirely different lines. There has been on one side the work of communication and consultation between the British Government and its partner Governments over the whole field of their mutual relations and of the common interests of the Empire as a whole. On the other hand, there has been the work of administration and development in that great colonial area for which this House is directly responsible. These two spheres of work differ, not merely in degree but in kind. The one is political, consultative and, if I may say so, quasi-diplomatic; the other is administrative and directive."

Thus, the governing of the British Empire falls into three subdivisions, that of the whole Empire, that of the Commonwealth and that of the non-Dominion Empire. The government of the Empire is today a much different matter from the methods of government followed by ancient Rome and Macedonia. True, the British Empire has, like the Persian, its corps of satraps, known as governors and governors-general. The difference lies not so much in the form as in the spirit and the motive power behind the structural machinery of government. The Crown, in form, is the same today as when Edward I temporarily held an European Empire in France. Yet the motives and the realities of that Crown differ so widely from the fourteenth century Crown that the two are as incomparable as the French Empire of Edward I is with the British Commonwealth of Nations and the modern British Empire.