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18798

THE SEPARATION OF THE JUDICIAL AND EXECUTIVE FUNCTIONS.

PUBLIC MEETING AT THE FRAMJI COWASJI HALL.

(Reprinted from the Bombay Chronicle, Monday, September 8, 1913.)

A remarkable public meeting of the citizens of Bombay was held in the hall of the Framji Cowasji Institute on Saturday evening, when resolutions urging the speedy inauguration of a scheme for the separation of Judicial and Executive functions, and appealing to the Viceroy to interfere on behalf of the Indians in South Africa and Canada, were enthusiastically adopted. The meeting was notable in the fact that the Chairman, Sir Pherozeshah Mehta,—who presided as President of the Bombay Presidency Association, at whose instance the meeting was called,—was supported by practically every available leading Indian now in Bombay.

The floor of the hall and the galleries were filled to their utmost capacity, the audience overflowing into the verandahs, the landings and staircases. Great enthusiasm prevailed throughout, the points of the different speakers being quickly taken up, while the passing of each resolution was greeted with prolonged cheers.

Among those present were Sir Pherozeshah Mehta, *Chairman*, Sir Ibrahim Rahimtulla, Sir Balchandra Krishna, Sir Vithaldas Damodar Thakersey, Hon. Mr. Lalubhai Samaldass, Hon. Mr. G. K. Farukh, Hon. Mr. Upasani, Hon. Mr. V. J. Patel, Hon. Dr. D. H. D'Monte, Messrs. K. R. Dadachani, B

K Durandhar, N. N. Saher, H. P. Mody, M. T. Kaderbhoy, W. M. Samarth, R. K. R. Cama, C. H. Setalwad, D. E. Wacha, D. G. Dalvi, V. H. Piadhan, N. V. Gokhale, S. Y. Dalvi, B. N. Apakhtyar, D. A. Khare, Drs. M. C. Javie, K. M. Dubash, S. S. Batliwala, and Mr. B. G. Horniman.

CHAIRMAN'S SPEECH.

Sir Pherozeshah Mehta said—Ladies and gentlemen,—In opening the proceedings of this meeting, as President of the Bombay Presidency Association, which has convened it, I do not propose to follow the bad example of some Chairmen who take the wind out of the sails of those who are to follow them, and who have to deal specifically with the resolutions which are to be placed before the meeting. I will only content myself by offering a few remarks on the two propositions with which you will have to deal later on. Gentlemen, in the two remarkable speeches made by the late Finance Minister, Sir Guy Fleetwood Wilson—(cheers),—he exhorted us to bear in mind the extremely conservative and practical character of the English people, and he told us to exercise a great amount—an infinite amount—of patience in dealing with them. Gentlemen, that was the advice to which we cordially gave our acceptance; at the same time, it has to be remembered that even patience is a quality that has its limitations and

that even saints and angels have not an inexhaustible quantity of that great virtue (Laughter and hear, hear) Gentlemen, I make these remarks with reference to the patience which we have exercised, year after year for over a century, in our hopes in regard to the reform about the separation of the Judicial from the Executive functions (Cheers) Gentlemen, there is a body that styles itself the Anglo-Indian or European—I am not quite sure—(laughter)—exactly which—(further laughter),—because they have been chopping and changing their appellation—(renewed laughter)—recently very often (Continued laughter) There is a body calling itself the European or Anglo-Indian Defence Association. I should have thought that a more apt epithet would have been “The Anglo-Indian Aggressive Association” (Laughter and hear, hear.) It has told the Government of India that the demand for the separation policy is not founded upon merits and is not supported by any practical scheme I am afraid, gentlemen, the Association must have been made up of Rip Van Winkles—(great laughter)—not only twenty years old, but a hundred years old—(roars of laughter),—because this question of the separation of Judicial from Executive functions dates from the time of Lord Cornwallis in 1793, and it has been going on up to the present day Gentlemen, this subject, after being dealt with by so great a Viceroy as Lord Cornwallis, was taken up by eminent Anglo-Indian officials themselves, and, ever since the foundation of the Congress, the Congress has put forward its appeals to the Government of India as well as to the Secretary of State to carry out the reform which is absolutely needed in the interests of the honest and proper administration of justice in this country (Hear, hear) Gentlemen, I will not weary you with the history of this question, but will call your attention only to one incident in connection with it to show how thoroughly the question has been discussed and how implicitly and absolutely the necessity of such a reform has been acknowledged by some of the most eminent judges who have presided over High Courts, not only of this Presidency but of the whole of India Let me remind you—I feel sure, gentlemen, most of you are acquainted with the history of this question—that in 1886, Lord Dufferin, who had no particular affection for proposals which had been put forward by the Indian Na-

tional Congress, when he read the proposal of this separation of the Executive from Judicial functions, emphatically admitted that it was a counsel of perfection (Cheers) In 1889 a closely-reasoned petition was presented to the Secretary of State, which was signed by gentlemen whose names I will read, for they are not many, but they are names whose authority cannot be questioned (Hear, hear) The names are —

Rt Hon Lord Hobhouse, K.C.S.I (late Legal Member of the Viceroy's Council, Member of the Judicial Committee of the Privy Council).

Rt Hon Sir Richard Garth, Q.C (late Chief Justice of Bengal)

Rt Hon. Sir Richard Couch (late Chief Justice of Bengal, Member of the Judicial Committee of the Privy Council).

Sir Charles Sargent (late Chief Justice of Bombay)

Sir William Markby, K.C.I.E. (late Judge of the High Court, Calcutta).

Sir John Budd Phear (late Judge of the High Court, Calcutta, and Chief Justice of Ceylon)

Sir John Scott, K.C.M.G. (late Judge of the High Court, Bombay)

Sir W. Wedderburn, Bart., M.P. (late Reader in Indian Law at the University of Cambridge)

Mr Herbert J. Reynolds, C.S.I. (late Member of the Bengal Legislative Council)

(Loud applause)

PRACTICAL SCHEMES

Now, gentlemen, is there any cause which cannot be considered thoroughly well-established on its merits, which has been endorsed by names like these? Take only the names of the two Chief Justices of the Bombay High Court—Sir Richard Couch and Sir Charles Sargent—who were level-headed men, men not given to be impassioned in any of their views, and men who had acquiesced in a petition of this character only after they were convinced—dispassionately convinced that the reform was one which the condition of the country absolutely required. (Cheers) Gentlemen it has been urged by this Anglo-Indian Defence Association that no scheme has been put forward for the practical

working of this reform That, gentlemen, we have done from time to time. I remember my dear lamented friend, Mr. Romesh Chunder 'Dutt—(hear, hear),—had prepared an elaborate scheme in connection with the Presidency of Bengal I myself, in a humble way, had brought this matter before the Legislative Council of this Presidency in 1894, showing how the scheme could be worked in actual practice (Cheers.) I ventured to go further and point out that the only objection which had been taken to the carrying out of the reform by all the Secretaries of State and Under-Secretaries of State, that had dealt with it, although they had admitted it was a reform which was necessary to be carried out, was on the score of expense But I pointed out in the Memorandum, which I prepared, that the reform could, in this Presidency, be carried out without any additional expenditure—(hear, hear),—and still, gentlemen, we are time after time told that no practical scheme has been put forward

THE PRESTIGE ARGUMENT

I have told you already that at first the only objection which was put forward was that it would be an expensive scheme, but when schemes were brought forward which showed that they would not entail any heavy additional expenditure, then, gentlemen slowly and gradually came out another objection—(laughter),—that objection was the ground of prestige (Renewed laughter.) The Anglo-Indian officials would be deprived of their magisterial and criminal powers with which they have to rule India. (Laughter) Gentlemen, a more fatuous objection was never put forward, for there are comprehensive powers which every Revenue officer enjoys under numerous Codes There is the Revenue Code which gives him the power by which he can terrorise the whole population of every district in which he may be stationed, and yet they say, "Oh, if you take away our criminal powers, our prestige will be gone"—(laughter),—and they say, gentlemen, "If our prestige be gone, how can peace and tranquillity be preserved throughout the length and breadth of the land?" Gentlemen, we understand what they mean by raising the objection that their prestige will be gone; we know that once people have tasted power they never will like to give it up! (Laughter) And it is that which has prevented the Anglo-Indian

official from seriously entertaining any solution of this question But, gentlemen, a few years ago, Sir Harvey Adamson, in the Viceregal Legislative Council, solemnly promised that a tentative experiment would be made He admitted the full merit of the policy. Well, gentlemen, we have been waiting for that tentative measure (Laughter) Not only has that not yet come, but something wonderful has taken place At the last sitting of the Viceroy's Legislative Council, the Home Member, Sir Reginald Craddock, when pressed upon this question, shuffled and hesitated I am sorry to say that my friend from Madras, Mr. Vijayaragachariar, who heckled him upon this question, was absolutely unable to get a straightforward answer from him as to whether he accepted the policy or whether he did not accept the policy Gentlemen, the spectacle which was presented on that occasion was a unique one The proposition in the Council received the support of every non-official member, appointed or elected—(hear, hear),—a thing which had never taken place before Gentlemen, even those non-official appointed members, who, as a rule, think it a sacrilege to cast their vote against Government—(laughter)—on this occasion supported the proposition (Cheers) Gentlemen, it was a unique phenomenon that the proposition should be supported in the way it was, and still when we look at the attitude assumed by the Home Member, Sir Reginald Craddock, I for one am bound to confess that it fills me with dismay and consternation—that after a lapse of years the Home Member of the Viceroy's Council should be shuffling and doubting about the carrying out of this policy. Let us appeal to them, gentlemen, to exercise wise and prudent statesmanship with regard to this question, and to dispose of it in a wise and statesmanlike manner, when there is put forward a definite proposal for carrying out this policy so long delayed

"Hope deferred maketh the heart grow sick"

We are sick, gentlemen—(loud cheers),—of the delay that has taken place and must implore the Government of India to deal with the question in a wise and statesmanlike manner (Loud cheers)

INDIANS IN SOUTH AFRICA

Gentlemen, the other subject is one about which I for one am very

diffident about speaking, because I think it is impossible to speak of it with calmness and equanimity. It is a question which has stirred everywhere the human hearts and susceptibilities of every class, community and creed—(hear, hear)—of this country. Hearts are stirred all over India by the treatment which has been accorded to our fellow-countrymen in South Africa for so many years, and the practical solution of the question is still as far away from it as ever. Gentlemen, I am one of those who have always staunchly maintained that there can be no justification for any part of the great British Empire to deny to another part the equal rights of citizenship. (Cheers) I am not one of those who are apt to go and break their heads against stone walls, but I refuse to admit that there are any considerations—economical or political—which can justify such unequal treatment to the citizens of this country. There should be equal treatment in every part of the British Empire, in which all subjects are equal. But, gentlemen, while I refuse to make any such admission, I am not a man, as I said, to break my head against a stone wall. We would have accepted the small concessions, which our fellow-subjects in South Africa asked for, if they had been given to them honestly and conscientiously; but what has the Immigration Bill done? It has denied the small concessions and only done a few grudging things here and there. Gentlemen, it is said in vindication of the Colonial Department of the English Government, that they cannot coerce the self-governing Colonies by refusing them what they think is right in the interests of the Imperial Kingdom. Gentlemen, it is all very well to urge that argument now. I remember, though many people forget it, I remember that when the ordinance for the formation and consolidation of the South African Kingdom was issued by His Majesty's Government, it contained an explicit clause that the new Legislature, which would be established, would not be allowed to deal with the question of the status of what were called the Coloured Races. That was specifically contained in the first Charter. Unfortunately, when the Act came to be based upon it, somehow or other—(laughter)—it was urged that the Imperial Government could not coerce the self-governing Colonies into giving the equal rights of citizenship to the

other parts of the British Empire. Gentlemen, this is a very large question. Such an attitude, I venture to say, is neither morally right nor politically wise. It may be that the hand-to-mouth policy in this matter may succeed for some time, but wise men must remember that it is not safe to follow the policy of the open door in Asia and to adopt the policy of the closed door in other parts of the Empire. (Hear, hear) This is a subject upon which I have a very strong opinion. My feelings are very strong about it. Having made what observations I thought it right to place before you, I shall now not stand in the way of those who are to follow me and who are to deal with the Resolutions to the fullest extent. The first Resolution is printed and before you, and I will call upon the Hon. Mr. Gokaldas Kahandas Parukh—(hear, hear)—to move it. (Loud and continued applause)

THE HON. MR. PARUKH.

The Hon. Mr. G. K. Parukh, who was most heartily received, said.—Mr. President, ladies and gentlemen,—The resolution that has been put into my hand runs as follows:—"That this Public Meeting of the inhabitants of Bombay respectfully, but earnestly, implore His Excellency the Viceroy and Governor-General in Council not to delay any further the inauguration of the policy of the separation of Judicial and Executive functions as essential in the interests of the administration of Justice in the country, for the contentment of all classes, creeds and communities thereof, and as strengthening the affection and loyalty of the people towards the rule of His Most Gracious Majesty, the King-Emperor. Fully convinced as they are that the introduction of the measures to carry out this separation will not entail, as has been often shown, a disproportionately heavy cost, the meeting implore the Government of India to undertake the measures in the vital interests of the preservation of the safety and liberty of the Indian population, even if it led to some increase."

Ladies and gentlemen, the recommendations made by the resolution are of a most urgent character. The great thing that has endeared the British Government to our country-

mon—if there is nothing more than that—is the confidence that we have in the justice and the just administration of the country, and if there are any things that are likely to impair that confidence, then the Government would do well to make improvements in that direction. Some of the illustrious Judges of this land and some of the greatest Statesmen have supported the proposition of severing the Executive and Judicial branches of the administration. There are many judicaries in the country who have the power to send the most respectable men to jail. There are officers known as Mamlatdars and Aval Karkuns, whose business it is to look to the revenue interest of Government. It is impossible, taking into consideration human nature, to believe that these men, who stand between the revenue interests of Government and the interests of justice to the people, will ever neglect the revenue interests of Government. It is their duty to administer the Land Revenue Laws, the Abkari Laws, the Forest Laws and other laws in such a way as not to neglect the interests of Government, although it is their duty to deal with justice between Government and subjects.

A FEW INSTANCES.

I will give you a few instances to show the demoralizing effect produced by the peculiar administration of laws and justice by some of these officers. You are acquainted with the system of impressing carts for the use of big officers like the Collectors, Revenue Commissioners and others. The system is operative against the owners of carts. It is followed although the High Court has, from time to time, said that it is illegal and cannot be justified in law. Notwithstanding this verdict the system is now as prevalent as it was fifty years ago. The criminal work is in the hands of people who have to look also to the administration of Revenue work, and these people think they can do anything, although illegal, in the interests of Government. In spite of the High Court opinions things are going on illegally now in the same way as they were going on before, as if they were legalised by law. Another instance of the demoralizing effect produced by the bad administration of law is regarding the purchase of rations by the officers of Government from those people who

vend provisions. In this matter Government have, from time to time, said that the officers should pay proper prices to dealers. Notwithstanding this order of Government, things have been going on as usual. Any man, who is acquainted with the mofussil, will understand this. He knows how the shopkeepers combine themselves for the purpose of defraying the cost, or making up the losses, of those dealers who have been unjustly dealt with by Government officers. All these things would not have continued if the Judicial branch of the administration had been severed from the Executive. (Cheers.) Gentlemen, a lot of inconvenience is caused to suitors by the Executive officers being vested with Judicial duties. Parties, lawyers and other people have to travel from place to place with the Judicial officials, who cannot do better work on account of frequent travelling from one place to another. As they have to do much of the Executive work they cannot give more than an hour or two hours, at the most, to Judicial work, and, in that way, the cases, which would have been disposed of within a short time, take a considerable time for disposal and the parties are put to much unnecessary expense.

THE QUESTION OF COST

I could give you many more illustrations of the evil results following the combination of the Executive and Judicial functions in the same individual, but I do not want to take up any more of your time in doing so. One word as regards the additional expenditure which, it is alleged, would be entailed by the separation of the two functions. Owing to the application of the Agricultural Relief Act to the different parts of the presidency, we find that in a large number of Courts of Subordinate Judges there is not enough work and, consequently, you find the Subordinate Judges being deputed to do work in other places where there is a congestion of work. These Subordinate Judges may be asked to do Judicial and magisterial work. I am sure, then, that work will be more satisfactorily done than it is done by the Mamlatdars and Aval Karkuns. That experiment is not at all left untried. There have been in bigger cities City Magistrates who do only Judicial work. There have been Resident Magistrates who do nothing but Judicial work. During the

time of famines the Subordinate Judges are invested with criminal powers and in all these cases we find that the work done by these people is considerably better than the work done by the ordinary magisterial officers. Under these circumstances, it is no use saying that this matter requires a trial. You cannot say that this is a matter which would cause any considerable increase in expenditure. If a proper scheme be framed, I should think that there will be little increase in expenditure for separating the Executive duties from the Judicial. I, therefore, commend this resolution for your acceptance (Cheers)

MR N. V. GOKHALE.

Mr. N. V. Gokhale, in seconding the resolution, gave a full history of the movement for the separation of the Judicial and Executive functions and said—Opponents of the reform and the critics of the Congress complain that it was all very well to make a parade of principles and propositions in the abstract, but that the eloquent advocates of the proposed change had not worked out any practical scheme. The contention is obviously unfair. If there is a serious grievance affecting the whole country or large provinces, it is evidently the duty of the responsible administrators, who are in possession of all the necessary materials and all shades of opinion, to formulate a scheme that is required for the redress of the grievance in question. Further, the contention becomes all the more unjust when the most earnest and pressing representations addressed to Government by the Congress and other bodies to appoint Committees to consider the whole subject have resulted in nothing. All the same the challenge has not gone without a prompt response from influential quarters. In 1893 the Hon. Sir Pherozeshah outlined a scheme for the separation of the Judicial and Executive functions in this presidency. He pressed it upon the attention of the local Government in the course of a well-known debate in the Bombay Legislative Council and its outlines were embodied in the most admirable Memorandum he laid before the Public Service Commission. In the same year Mr. Romesh Chunder Dutt drew up a scheme for Bengal which attracted general attention at the time. The latest

attempt is by Mr. Provash Chunder Mitter, a well-known member of the Calcutta Bar. I understand that like schemes have been sketched for the other provinces. As far as one can see, they are not likely to entail any material addition to expenditure in case they are given effect to. But even if they did Government ought not to shrink from carrying out what is regarded as an urgent reform in the interests of the administration of justice and in those of the people and the Government (Applause). Should additional expenditure be found to be necessary in spite of all attempts to avoid it, it will have to be cheerfully borne by the people. Ladies and gentlemen, let me now refer to the latest phase of the controversy. In 1908, Sir Harvey Adamson made a speech in the Supreme Legislative Council on the subject and outlined a tentative scheme. This is the latest official pronouncement in favour of the separation of Judicial and Executive functions. "Criminal trials," he observed, "affecting the general peace of the district, are not always conducted in the atmosphere of cool impartiality which should pervade a Court of Justice." "It was not enough," he added, "that the administration of justice should be pure. It can never be the bedrock of our rule unless it is above suspicion." (Applause). He also pointed out that the separation of Judicial and Executive functions would not in any way weaken the power and prestige of the District Magistrate and that the combination of functions did not enhance the prestige of the Executive. Five years have elapsed since then and as yet nothing has been done in the desired direction.

MR BANERJEE'S MOTION

In the Viceroy's Legislative Council on the 7th March last, our distinguished countryman, Mr. Surendranath Banerjee—(applause)—moved the following resolution:—"That the Council recommends to the Governor-General in Council that the grants made to local Governments be increased by such allotments as the Government of India may think fit with a view to enable them to carry out the experiment of the separation of Judicial and Executive functions in the administration of criminal justice in areas to be selected by them with the approval of the Government of India." The resolution was supported by the

Hon Sir Ibrahim Rahimtulla who asked the mover of the resolution to press the motion to a division so as to convince the Government how strong the feeling in the country was. Rai Sita Nath Roy Bahadur said that no great blessing could be conferred upon the country than this reform. Sir Reginald Craddock's reply was, to say the least, highly unsatisfactory and the motion was rejected by 37 to 25. One noticeable feature of the debate was that all the elected and nominated Indian members of the Council supported the resolution. Now the question is how long that matter is to be allowed to remain in an unsettled condition? For the last fifty years and more the subject has been most ably and authoritatively discussed and yet to-day we are precisely where we were in 1860, when Sir Battle Frere expressed a hope in the Supreme Legislative Council that at no distant period the principle would be completely acted upon throughout the country.

MR. H. P. MODY.

Mr H P Mody, in supporting the resolution, said this question of the separation of the Judicial and Executive branch of His Majesty's Service had a long and chequered history. It first attracted attention, as then worthy Chairman had told them, in the days of Lord Cornwallis and during the last fifty years it had been more or less continuously before the Government and the public. Unlike many other principles they had fought in the past for, the mass of testimony in favour of the one for which they were now standing up was something overwhelming. Amongst its advocates were found Viceroys and Secretaries of State, some of the most eminent members of the legal profession both in England and in India, and lastly, almost to a man, the leaders of public opinion throughout the country. It was, therefore, altogether unnecessary to enter at this time of the day into the merits of a question upon which the best minds of the country may be said to have been practically unanimous for over half a century. But the promised reform appeared to have been shelved in an unaccountable manner by the Government and that coupled with an utterance of the Hon'ble the Home Member during the recent debates of

the Imperial Legislative Council and the attitude taken up, among others, by a body which had just been labelled by the President of the meeting as the "European Aggressive Association," compelled him to refer to the principle underlying the change which they had so long been urging for adoption (Applause)

AN INTOLERABLE THEORY

The principle shortly put, was that it was almost impossible for the same man first to catch the thief and then to try him impartially—(applause)—that the vesting of multifarious and conflicting duties in a single individual was anomalous in theory and dangerous in practice (Renewed applause). The idea of a Magistrate taking counsel in the first place with the heads of the police, then concerting measures for the apprehension of the offender and finally trying him, or sending him for trial to a subordinate, upon evidence which he himself had been instrumental in collecting, in any society which had advanced was one which ought not to be tolerated beyond the primitive stage and where order and good government prevailed (Applause). The system was anomalous, it violated the first principles of equity. It had been denounced in no uncertain voice by some of the ablest men in the Empire. For a comprehensive indictment, he would ask them to consult the very able and lucid memorial to which reference was twice made that afternoon and which was signed by persons whose authority and eminence lent exceptional weight to their arguments. A more convincing case could not have been made out and yet for a whole decade nothing was heard of the subject.

NECESSITY TO RENEW EFFORTS

The reply which the Hon Sir Reginald Craddock gave to a question which arose during the recent debate on the subject in the Imperial Council suggested that, as far as the Government was concerned, the stage of discussion had not yet been passed and the stage of action had not yet arrived. Under those circumstances, it was imperative that they should renew their efforts and press vigorously for the early introduction of a reform for which the unanimous voice of the country had been clamouring for more years than they cared to recall (Hear, hear)

They had been told, Mr. Mody continued, that the chief obstacles which stood in the way were considerations of cost and the loss of prestige which it was feared the District Magistrate would suffer if deprived of his magisterial functions. The "Pioneer," with its supreme indifference to facts and its contempt for any but its own point of view—(laughter)—had drawn for them a distressing picture of the dangers of weakening the Executive power and control and had worked up the cry of loss of prestige for all it was worth. But as their able and sympathetic Under-Secretary had said, England did not hold India by invoking this well-mouthed word, but by just institutions and more and more as time went on by the consent of the governed. (Loud applause). It was but a truism that it was British justice and the people's confidence in that justice which upheld British rule and not the possession by the Executive of plenary powers which were anomalous in theory, capable of abuse in practice, and liable to shake their unquestioning faith in the Englishman's sense of justice and fair play which lay at the very foundation of England's hold over India.

FINANCIAL CONSIDERATIONS OUTWEIGHED.

The question of cost stood on a different footing. It was an argument which they were bound to respect. But, if it was remembered that the matter was one which affected the liberties of millions of their fellow-men, he did not think that financial considerations ought to be allowed to stand in the way of a reform so urgently needed and so vehemently demanded. Was it not possible for economies to be practised and the monies to be diverted from other objects? The country, he was sure, would cheerfully bear the extra burden which might be imposed on its sources. After what they had been repeatedly told about India's rapidly growing prosperity, he hoped it would not be said that the country was too poor to allow itself to be reformed. (Applause). But, if financial difficulties were really formidable, what they at present demanded was not the wholesale introduction of a sweeping change, but a cautious and tentative advance in selected districts and a gradual extension to others as time and circumstances permitted. In asking for this, they were erring,

if at all, on the side of moderation and they would much like to know what possible objections could be held out against a proposal so eminently reasonable and workable in practice. (Hear, hear).

Then they had been told, Mr. Mody went on to say, by those who could not defend the present system on the broad grounds of equity that it was one which was unsuited to the peculiar conditions of India. They would, however, agree with him that this fashion of considering poor India as something vastly different from the rest of the civilised world, had been much overdone, and they would be the better able to respect their opponents if they talked less of them as altogether peculiar beings with altogether peculiar codes of manners, morals, customs and even feelings and susceptibilities, and whose requirements Western observers alone could understand and which by some curious ordinance of fate the Indians were precluded from knowing for themselves. (Loud laughter and cheers).

MR. LALUBHAI SAMALDASS.

The Hon. Mr. Lalubhai Samaldass, in further supporting the resolution, said the Chairman in opening the proceedings had said he would not take the wind out of the sails of the following speakers, but the speaker left it to the Meeting to decide whether he had kept his promise. Whatever was left had been taken away by his honourable friend, Mr. Parakh, who gave instances of the hardships under the present Union by his friend, Mr. Gokhale, who gave them a complete history of the movement for the separation, and by Mr. Mody who gave the principles underlying the movement. There was, therefore very little left for him to say. He therefore wished to refer to a personal matter. It was said it was the lawyer class only that wanted the separation. They knew well he (the speaker) was not a lawyer.

Sir Pherozeshah you are worse than a lawyer; you have been a Revenue officer. (Laughter).

Mr. Samaldass: Yes, I was coming to that. I have been a chief Revenue officer but in a State where there had been separation between the Executive and the Judicial. (Applause).

Continuing, the speaker said that in spite of this he had found no difficulty in collecting the revenue of the State, nor was there any difficulty in controlling disturbances or keeping the peace. If the Government of India took this opportunity in its hands and introduced this reform it would not find any difficulty in administering the country. In conclusion, the speaker said that there was an impression abroad that before the Services Commission, while Bengal was strong on the separation of these two functions, Bombay was strong on simultaneous examinations, and he was very glad that they had a representative gathering there to show that Bombay was equally strong on the separation of the Executive and the Judicial.

Mr. W. M. Samarth, who followed, said the reform was so urgently needed and was postponed so often that they would adopt the usual method of imploring the Government. He hoped they would pass the resolution with acclamation.

The Resolution was then put to the meeting and carried with enthusiasm.

INDIANS AND THE EMPIRE.

Sir Balchandra moved the first resolution which ran as follows.—

This Public Meeting of the inhabitants of Bombay beg to bring to the notice of the Secretary of State for India and His Excellency the Viceroy and Governor-General in Council how deeply and grievously the hearts and feelings of people of all classes and communities in this Presidency, in common with those of the whole country, have been stirred by the passing of the Indian Immigration Act by the South African Legislature. They regard it as an outrage, indignity and gross injustice to the Indian subjects of the British Crown, who are equal subjects in the British Empire. They recall the pronouncement by the mouth of Lord Lansdowne that any unjust or unequal treatment of British Indian subjects in what was then a foreign State would be an urgent cause of war. Now in the same territory under the British Crown, the Colonial Government is permitted to oppress and degrade British Indian subjects far more outrageously and arbitrarily than before. In spite of all promises

and hopes held out from time to time, not only are British Indian subjects arbitrarily excluded, but the measure retains the racial bar, disturbs existing rights in Natal and Cape Colony, pronounces ex-indentured Indians to be prohibited immigrants, repudiates Indian marriage laws, and places married Indian women in a most invidious position. Indignities thrust upon Indians in South Africa during past years have been borne with a patience now exhausted, and this harassment and denial of common rights of British citizenship must result in a new passive resistance movement in South Africa and widespread agitation and discontent in India. The Indian peoples in the last resort commend the protection of their fellow-countrymen to the august solicitude of their beloved King-Emperor, and therefore earnestly implore His Excellency's Government to urge upon the Imperial Government that the Government of South Africa should be informed that His Majesty's veto will be exercised unless the operation of the measure is postponed pending a joint Imperial, Indian, Colonial conference with the view to find a solution of the problem in such manner as will preserve the rights of His Majesty's subjects, as guaranteed in the gracious proclamation of Queen Victoria and confirmed solemnly by her successors.

That this Public Meeting also earnestly invites attention to the harassment to which British Indian subjects are exposed in Canada.

SIR BALCHANDRA'S SPEECH

In support of the resolution he said—

Mr. President and gentlemen,—The resolution which has been entrusted to me is full and comprehensive and therefore obviates the necessity of my dilating upon it at great length. The subject-matter has been before the public for many years and has been thoroughly threshed out in the Public Press and on public platforms. We in Bombay have had three meetings at which the subject was discussed in all its aspects and there were meetings addressed by Mr. Polak who has done yeoman service in this connection, and hence it is unnecessary for me to go into the question again. The patience with

which our countrymen in South Africa, led by that veteran and selfless leader, Mr. Gandhi, have borne the gross indignities and unjust humiliations, has elicited the admiration even of those who are no friends of Indian aspirations. To trace the present struggle, we have to go as far back as the Boer War, which, Lord Lansdowne stated in a memorable speech, was undertaken to secure redress of the grievances of our countrymen in the Transvaal. But what has been the outcome of that historic and bloody war? Our countrymen in South Africa have now been subjected to more gross and more humiliating treatment than they used to be before the war. The situation cannot be better expressed than in the words of Mr Vere Stent, the Editor of "Pretoria News" "Young India," says Mr. Stent, "seeking modern education and that mechanical progress which is characteristic of Western civilisation, finds itself rebuffed and learns to its astonishment and indignation that to be a British subject is not to be a British citizen; learns that in numbers of Colonies where the British flag is flying an Asiatic is a pariah and an outcast denied the meanest rights of citizenship, forbidden to hold land, not permitted to use the sidewalks of the city. Then Young India remembers the past Mutiny Proclamation of Queen Victoria, and wonders how the solemn assurances, promises and undertakings of their first Empress can be so lightly disregarded by those who follow her" (Applause).

AN ASTOUNDING ACT.

The result of the cruel treatment was that our brothers in South Africa were driven in absolute despair to resort to passive resistance, and to patiently submit to imprisonment and starvation, misery and suffering, unparalleled in the history of the people of India. The unequal struggle went on for some years, until at last the necessity for some remedial measure came to be recognised. In his memorable Despatch, dated 7th October 1910, Lord Crewe admitted: "I ought to add that any solution, which prejudiced or weakened the present position of Indians in the Cape Colony and Natal, would not be acceptable to His Majesty's Government." This was a clear statement of policy and just the policy for which our countrymen in South Africa had been carrying on

the noble but unequal struggle. This Despatch was followed in 1911 by the memorable Provisional Settlement arrived at between Mr Gandhi on the one hand and Mr Smutz, the Minister of the Interior, on the other, and passive resistance was suspended on condition that the racial bar should be removed, that the existing unequal rights should be abolished. Some remedial legislation was no doubt attempted, but it proved abortive. In the meantime the Hon'ble Mr Gokhale, in spite of failing health, paid his historic visit to South Africa to see for himself, and to try and bring about some amicable agreement. The warm and hospitable reception accorded by the authorities to Mr. Gokhale raised new hopes, and it was thought that the principles, for which our countrymen then were contending so nobly and courageously, were about to meet at least a partial recognition, and that a new and hopeful era was about to dawn. Mr. Gokhale returned to India in high hopes, though of course he came in for a good deal of short-sighted criticism for what was called "surrender." But the hopes were shortly afterwards dashed to the ground and in April last, the Union Government sprang upon the country a Bill most objectionable in its features, destroying vested rights and breaking nearly every promise that has been made. The gloom was further deepened by the shocking judgment of Mr. Justice Searle which reduces Indian wives to the status of concubines, and their children to the status of illegitimates. Fortunately, some of the outrageous features of the Bill got whittled down under the hammer of the Opposition in the Union Parliament, but the bulk of the objectionable clauses is still there and it is simply astounding to find that the Bill should have received the sanction of the Governor-General the very next day, and now becomes an Act known as the Immigration Regulation Act. (Applause).

OBNOXIOUS FEATURES OF THE ACT.

The Act breaks nearly every condition of the Provisional Settlement under which the passive resistance came to be suspended. The time at my disposal is very short and I shall only briefly allude to some of the clauses. The racial bar, on the removal of which our countrymen

were so keen, is still retained, as Asiatics on entering the Free State have to make a declaration grossly humiliating in nature. Further, Indians are forbidden to own land or engage in trade or farming in the Orange River Colony. Neither have the existing rights been maintained. South African Indians are deprived under the Act of the right of entering the Cape,—a right which they had hitherto enjoyed without question. Another right of which the Indians are deprived is the right of domicile after three years' residence without indenture. The Indians of the Cape Province had hitherto enjoyed the right of appeal on facts as well as on law, but that right is now restricted and reduced to that of appeal on law only. The £3 Poll Tax is still retained in spite of the clear promise definitely made to Mr Gokhale. The marriage question is still beset with difficulties. Marriages contracted in South Africa, even according to solemn rites and ceremonies of Hindu and Mahomedan religions, are invalid unless registered. But those that I have mentioned now are sufficient to give you an idea of the degrading and humiliating treatment to which our brothers in South Africa are subjected by a civilised Government. It is unfortunate that Lord Crewe, the author of that memorable Despatch, dated 7th October 1910, should have been so backward in the matter and that he should have allowed the Bill to be passed without a word of protest. But thanks to Lord Amthill for the bold stand that he has made in and out of Parliament and for what he has been doing to bring the question prominently before the British public, and to secure justice for the helpless Indians in South Africa. In to-day's papers, a telegram appears in which Lord Amthill condemns the new Act and declares that the real object is to drive free Indians back to indentures, and reside in locations,—conditions which in the case of the Chinese were described as slavery. All protests and appeals have been hitherto unavailing, and the last resort is now to appeal to His Majesty the King-Emperor. The Act came into force on the 1st of August last, but under the South Africa Act, section 65 (2), the King may disallow any law within one year after it has been assented to by the Governor-General. We pray to His Majesty to use his prerogative and disallow the law which has entailed so much

discontent and indignation not only in South Africa but also throughout the whole of India (Loud applause)

MR D. A. KHARE.

Mr. Daji Abaji Khare in seconding the resolution spoke as follows—
 Mr. President, ladies and gentlemen,—
 The proposition which is placed before you is of such a character that one who wants to speak on it must do so by making remarks which are brief and made under sufficient restraint. Therefore, it is my duty to speak under restraint lest I might be betrayed into expressions which might be susceptible of misconstruction. This is a question which is full of sentiment, of honour, of manhood and of womanhood (Hear, hear) If we are subjects of His Imperial Majesty King George V—(loud applause),—we are equally the members of the Empire over which His Majesty rules, and we do claim—we have every right to claim—as subjects of his Imperial Majesty perfect equality with his other subjects wherever they may be residing (Hear, hear) The circumstances which apply to us ought to be those that apply to the other subjects of His Majesty. The question of South African Indians has been agitated for a very long time and it should have been decided long ago, because in India, at all events, there is not a single individual who will have any sympathy with what is going on in South Africa at present—not even the European Defence Association, or any body of people who call themselves Indians. (Cheers) I can assure you, gentlemen, that we have the full sympathy of many Europeans in this country (Cheers) The whole rub comes from outside—from the inhabitants of South Africa. There is one thing very remarkable about this question. So long as South Africa was not a part of the British Empire, the grievances of British Indians were considered to be of such a wide character that they were taken to be one of the strongest reasons for England entering into a war with the Boers in South Africa (Laughter.) But as soon as South Africa became a part of the Empire the grievances of British Indians lost all force whatsoever (Laughter and cries of "Shame.") Well, some explanation for this is required. It is said by responsible Statesmen—if not in so many words—that they are

powerless to do anything to which the white population of South Africa does not agree. Remember, this question is not only of our people, it is the question of all the members of the British Empire as a whole. We must try to save our fellow-countrymen in South Africa from indignities and hardships. There are no doubt expressions of views put forward by some of our own people that we must make some concessions. I for one do not sympathise with a view of that character. (Hear, hear)

MR GOKHALE'S EFFORTS.

What concessions are you going to make? Although you are subjects of the British Empire you are not to be allowed to put your footsteps on the land in South Africa. You all know that the Hon Mr Gokhale is endeavouring, if he can, to bring about some settlement. We all know that the heart of Mr Gokhale is very tender, but tenderness is always susceptible to limitations. (Laughter) I do not know if it is a fact, but it is reported that Mr Gokhale once said to the South African white people, "Treat our Indians in this country better, and I promise, no more shall we—"

The Hon Mr Samaldass No, no, it was not so I protest.

Mr Khare. I am very glad it was not so, as Mr Lalubhai says. I am afraid I have got this impression—it may be an erroneous impression—from the report of the speeches which were reported from time to time and at great length in "Indian Opinion" of South Africa. I take my authority from those reports, but I am glad to see that those reports are false (Laughter.)

Mr Samaldass Thanks.

Mr. Khare. I may say, however, that Mr Lalubhai was not in South Africa (Roars of laughter)

Mr Samaldass I spoke with authority

Mr. Khare: However that may be, I say this that if anyone were to suggest any concessions I for one would never agree. I am quite sure if we make any concession now the result will be that while other Asiatics would get more privileges, our Indians would never get the same privileges. We may be quite sure of that. We should never give up our rights of an equal footing in all parts of the world.

It is proposed in this resolution that there should be a conference of Indian, English and Colonial members. I am afraid this conference will surely come to the end of similar conferences if Indian members are not properly chosen as the accredited members of India. With these remarks I have great pleasure in seconding the resolution. (Cheers)

Mr. N. T. Kaderbhoy, supported the resolution with all the spirit he possessed

The Chairman in putting it to the vote, asked the meeting to carry it in the spirit in which Mr. Kaderbhoy had supported the resolution

The resolution was unanimously carried

SIR VITHALDASS D. THACKERSEY.

Sir Vithaldass D. Thackersey then moved the third resolution which ran as follows. "That the President be authorised to communicate the two resolutions just passed to His Excellency the Viceroy and the Governor-General in Council"

In support of this proposition, Sir Vithaldass said it was not his intention to speak on this resolution but he thought he was bound to say a few words on one matter. He thought everyone would agree with him that no one was more conscientious than their esteemed friend, the Hon Mr Gokhale. No one had made more sacrifices for his country than he. He (the speaker) had worked with him for a number of years—sometimes for days together in Calcutta and Simla—and he asked the meeting to believe him that Mr Gokhale had worked at the sacrifice of his health and against medical advice to collect materials for his speeches. A man like him who had the good of the country at heart should not have been treated thus. He had gone to South Africa for the sake of their people. They might disagree with him but whatever he did was in the interests of their people in South Africa (Loud applause) He was very glad to have their assent to that Mr Gokhale did more than that. He knew that the question was coming up again before the Imperial Council and the question arose regarding his fees as a member of the Royal Commission and he at once gave them

up, thus sacrificing thirty thousand rupees, rather than give up his membership of Council. They knew Mr Gokhale was a poor man. Certainly he was not rich as some of them were; yet he sacrificed a very large amount for the sake of his brethren.

Regarding the resolution itself, Sir Vithaldass said he hoped the Imperial Government would consider it in its proper light. It was said that the Imperial Government was helpless. If the Government was helpless they were not helpless. The time was not distant when this question would have to be raised and they must be ready to say that India must be treated equally with other subjects of His Imperial Majesty, and if Government for the sake of policy refrained, the best thing for them to say was: "Leave Indians to do what they like, and they would show within fifteen days that they would break open the doors of South Africa" (Prolonged cheers). They had power—immense power—but they were prevented from using that power. He did not know why. But a day would come when this question would have to be raised and he thought that the people of the Dominions would be wise—it would be to their interests—to alter things as they stood at present rather than to allow this question to be raised (Cheers).

Dewan Bahadur Kaisaspi R. Dadachanji seconded the proposition.

The resolution was agreed to.

SIR IBRAHIM RAHIMTULLA.

The Hon. Sir Ibrahim Rahimtulla moved the last resolution which was one of thanks to the chair. In doing so he referred to the previous resolutions which had been discussed. Speaking on the separation of Executive from Judicial functions, Sir Ibrahim remarked that those who had read the reply which His Imperial Majesty gave to the members of the Imperial Legislative Council on the historic occasion of the Delhi Durbar, would have observed that he called the members of the Imperial Legislative Council the "chosen representatives of the people."

The President Hear, hear

Sir Ibrahim. These members had been chosen either by the constituencies set up by Government, or they had been nominated by Government, and in both cases were chosen representatives of the people. When the question of the separation of Judicial and Executive functions came up for consideration in the Imperial Council all the chosen representatives of the people unanimously demanded—(hear, hear)—that action should be taken in the matter—(hear, hear)—of separation of the Executive and Judicial functions, and all of them, without exception, felt that the time had arrived when the principle of the separation should be applied to the whole of India (Hear, hear).

The question of the status of Indians in the Empire had been discussed threadbare and the only question that required to be asked, and which they were entitled to ask Government to answer, was whether in reality the Indian people were the citizens of the British Empire or whether they were not? (Loud cheers). They were entitled to ask that a straightforward answer should be given to the question. (Renewed cheers). As the chosen representatives of the people, the members of the Council were entitled to ask in a most pointed manner whether in reality the people of India were citizens of the British Empire. In conclusion, he asked the meeting to pass a cordial vote of thanks to Sir Pherozeshah and to pass it by acclamation, for Sir Pherozeshah's most important services were rendered not only to the Bombay Presidency but to the whole of India (Loud applause).

SIR PHEROZESHAH'S REPLY

Sir Pherozeshah, in replying, said he emphatically endorsed Sir Ibrahim's view that the crux of the matter lay in the question whether the Indian people were or were not in reality citizens of the great British Empire. That was the question on which he had always taken his stand and that question would ultimately have to be decided by the British Empire some day or other. He thanked the audience for the kind way in which they had passed the vote of thanks to him, and dissolved the meeting.

THE LONG DELAYED REFORM.

(Reprinted from the "Bombay Chronicle," Monday, September 8, 1913.)

In 1908 Sir Harvey Adamson, the Home Member of the Viceroy's Executive Council, speaking in the Imperial Legislative Council, made what was regarded at the time as a momentous pronouncement on the question of the separation of Judicial and Executive functions. He said. "The Government have decided to advance cautiously and tentatively towards the separation of Judicial and Executive functions in those parts of India, where the local conditions render that change possible and appropriate." The promise was a very cautious one, but the qualifications with which it was given only made the fulfilment of it the easier. Yet now in 1913, five years afterwards, we find a public meeting of the citizens of Bombay assembled to pass a resolution appealing to the Governor-General in Council "not to delay any further the inauguration of the policy of the separation of Judicial and Executive functions." What has happened in the meanwhile to necessitate this reiteration of the demand for a reform, which is supported by the weighty opinions of the most eminent men who have ever adorned the higher judiciary of the country, most of the Secretaries and Under-Secretaries of State, nearly all the Viceroys from Lord Cornwallis downwards, and a vast number of others, official and non-official, having authority to speak on the subject,—a reform, moreover, for which the unanimous voice of the representatives of the people has insistently pleaded for years? So far as concerns any action on the part of Government in the direction indicated by Sir Harvey Adamson in 1908, we are in almost complete ignorance. We have been told that the matter is under discussion between the Government of India, the Local Governments and the Secretary of State. But the nature of that discus-

sion is deliberately withheld, and the present Home Member has even refused to state whether the discussion concerns merely the principle of the reform or the details of the manner in which it shall be carried out. The evasion of Sir Reginald Craddock, when he was asked in the Imperial Council in March last to give a definite answer to this question, showed that the Government had receded, or was in danger of receding, from the position it had taken up in 1908, when it solemnly adopted the principle of the separation of Judicial from Executive functions. It is this danger that has produced throughout the country the remarkable series of public meetings, which culminated in the meeting in Bombay on Saturday, to press the reform upon the Government. The latter now know that there is not a province in India where the prospect that they are not going to fulfil the pledge of 1908 is not regarded with dismay, and that public feeling as to the urgent necessity of this reform is stronger and more unanimous than it has ever been. It is hardly possible to contemplate the possibility that a statesmanlike Viceroy, such as Lord Hardinge, can hesitate now to reassure the public mind, and to give the country the information and the assurance which Sir Reginald Craddock refused to do.

What is this reform that is asked for? It is that the system of administration which, concisely put,—and leaving aside for the moment a host of subsidiary abuses,—combines in one and the same individual the duties first of catching the thief, and then trying him, should be abolished; that the Judicial officer, by being free from all executive initiation or responsibility, should be in a position to exercise his Judicial functions with complete impartiality. It is the demand for a principle, which

is so obviously sound, that its most insistent opponents have never been able to oppose to it anything better than an appeal to considerations of expediency, based upon superstitious fears which have failed to bear examination; a principle which should lie at the root of a sound and healthy administration. All the dangers and abuses of the existing system were once again demonstrated by the speakers at Saturday's meeting, the groundlessness of the fears expressed by those who would resist the reform, and the true inwardness of their opposition once again exposed. The plea that no scheme has been put forward for the practical working of the reform was answered by reference to the well-known scheme for Bengal, of the late Mr Romesh Chundra Dutt, the scheme of Sir Pherozeshah Mehta for the presidency of Bombay, and others. The plea that the cost of the carrying out of the reform would be prohibitive was well answered by Mr Mody in the expression of the hope that after all the talk about India's rapidly growing prosperity, it will not turn out that she "is too poor to be reformed," besides the fact that Sir Pherozeshah Mehta's scheme was not to cost anything! And the plea of loss of prestige by the official in the loss of his magisterial powers was again well-answered by the Chairman, who pointed out that the Revenue officer would still have the Revenue Code, which gives him a power by which he can terrorise the whole population of any district in which he may be stationed. This plea of prestige is the most unworthy that could be raised. Are we to believe that the prestige of the official in this country resides solely in his

power to punish? We prefer to believe, and we think we are right, that the head of a district who has to rely upon a separate and independent officer for the exercise of judicial functions is far more likely to command the respect and confidence of the population of the district which he administers, while the freedom from the prejudices and temptations, which cannot but assail the man who exercises these dual functions, would certainly leave him with a greater respect for himself.

There is, in fact, nothing in the past history of this question and the conditions to which it applies at the present day which is not an argument for a speedy inauguration of the reform. It has behind it the weight of innumerable eminent authorities, of nearly every man, in fact, who has given the matter impartial attention and whose opinion is worth listening to, and it is a question on which the most widely-differing leaders of Indian public opinion are notably united. But we ought not to have to go further back in history than the meeting of the Imperial Council in 1908, when the Government of India, through its responsible Minister, admitted the principle of the reform and gave the assurance that it had decided upon its inauguration. Whatever reactionary forces may have been at work behind the scenes since then, and however far they may have achieved success, it is clear now that the future preservation of the contentment of the country and the honour and prestige of the Government make it incumbent on Lord Hardinge to see that the promise given under his predecessor is not broken.

JUDICIAL AND EXECUTIVE.

A WORKABLE SCHEME.

SIR P. MEHTA'S PROPOSALS.

(Reprinted from the "Bombay Chronicle," Saturday, September 6, 1913.)

In view of to-day's public meeting to consider the question of the separation of Judicial and Executive functions, and the argument recently advanced by the Committee of the European Defence Association in a letter to Government, that it is unpracticable to deduce a working scheme for the separation of these functions, the following minute which was drawn up by Sir Pheroze Shah Mehta as far back as 1893 and is published in the proceedings of the Sixth Provincial Conference held at Ahmadabad in November of that year is of particular interest. In it the author has drawn up a simple workable and economical scheme, showing how the reform could be carried out in the Bombay Presidency. The following is the minute in question.—

1. Since Lord Dufferin admitted it in his famous speech in 1886, on the Congress proposals, to be a counsel of perfection, the proposal to separate Judicial from Executive functions in the District Officers has been pronounced by the present as well as past Secretaries of State for India to be a reform eminently desirable, and in his Budget speech for this year the present Under-Secretary of State has again repeated the official approval of the measure, provided that the change did not involve increased expenditure

2. It is needless, therefore, to say anything as to the reasons for advocating the separation—especially after the admirable manner in which Sir Richard Garth, late Chief Justice of Bengal, has discussed them in his letter on the subject in the columns of "India," particularly in connection with the Mymensing case.

3. The necessity for this reform is, however, more urgent than is

generally recognised, not for men of position and standing, but for the masses of people. Nobody, who is not intimately acquainted with the daily life in villages and small towns, can have an adequate conception of the intolerable hardship which the continuance of magisterial powers in Revenue officers entails upon the people. The great bulk of the masses are rendered unhappy enough by the way in which life is made a burden not to the rogues but the honest folk by the practical working of the Salt, Opium, Abkari, Forest, Arms and Land Revenue Acts with their infinite rules and regulations hedging the people round in all directions; but vexatious and harassing as these laws are, they would not be nearly so intolerable if all resistance to their unjust and oppressive enforcement and abuse were not practically rendered impossible by the ingenious device of combining the Prosecutor and the Magistrate in one and the same person. Under these Acts, everything is guarded by prosecutions at every step; and these prosecutions initiated and countenanced by Executive officers, are tried by Mamaltdars and Magistrates who are all again Executive officers. Those who have practical knowledge of the system are aware how naturally these prosecutions, however absurd and vexatious, end in convictions. Indeed, the general feeling about the matter is that no Mamaltdar or Magistrate, who valued his own interest and prospects, dare indulge, except rarely, in the luxury of an acquittal. Some of these cases sometimes reach the High Court where they are quashed or revised; occasioning a little mild surprise now and then that intelligent officers could be so wrong-headed. But these are not the hardest cases. The worst are

those in which the people yield themselves up in sheer and sullen helplessness and of which nothing is heard publicly. It is high time that a system under which irritation and discontent are engendered to no small extent should be reformed without loss of time.

THE REAL OBSTACLE

4. The real obstacle in the way of so urgent a reform lies in the fact that Executive officers are not willing to consent to a measure which would, they consider, materially diminish their importance and power. Unable to advance this reason openly, the plea is put forward that any alteration of the present system would entail a heavy increase of expenditure. But a little reflection is sufficient to show how hollow and unsustainable this plea is. The magisterial adjunct is admittedly worked by Mamlatdars and Assistant Collectors in a most intermittent fashion. It is common experience with legal practitioners to be told by these officers that they would not take up criminal cases till late in the day, and then only for an hour or so, in consequence of the necessity of doing a certain amount of measuring and Revenue work. A case is taken up for an hour or so at the end of the day and then adjourned, if the camp has to be removed to the next station, parties and witnesses have all to go on there. It can easily be conceived that a case which, if heard out without interruption, would be finished in a day, would require several times that same period when heard intermittently in bits, the process involving a considerable amount of repetition. The waste of power and time thus caused is simply incalculable, and cannot but involve, in the very nature of things, increased cost. Any scheme which relegates magisterial functions from officers who can only work them intermittently to officers who can exercise them continually and regularly cannot but result in both economy and efficiency, and such a scheme is the one I sketched in outline on the occasion of the discussion of the last Provincial Budget in the Legislative Council. It proposes to transfer these functions to Subordinate Judges as a part of their regular work, relieving Revenue officers entirely of all Judicial work. I claim for this scheme the merits of simplicity and economy.

HOW THE SCHEME WOULD WORK

5. The scheme can be best explained by showing how it would work in a particular District. Leaving Scinde alone there are three divisions in the Bombay Presidency—the Northern, the Southern and the Central. Each division is divided into a certain number of Districts or Collectorates. Each District has generally for its Executive Officers a Collector, who is also District Magistrate, two or more Assistant Collectors with magisterial powers of 1st or 2nd class, one Huzur and one District Deputy Collector and a number of Mamlatdars or Mabal-karies in charge of Talukas in which the district is subdivided. For its Judicial officers, it has a Judge who is both a Civil and Sessions Judge, and a certain number of Subordinate Judges doing civil work only with one or more S C C Judges. Taking the District of Poona, for example, my proposals would work thus. one Treasury Deputy Collector, besides nine Mamlatdars of different grades under the Collector, and six Subordinate Judges under the District and Sessions Judge. Now, at the meeting of the Legislative Council above referred to, I had ventured timidly to say that the Assistant Collector and Mamlatdars “certainly do not devote two full hours per day to criminal work,” though in the Budget half their salaries were transferred from the head of Law and Administration to Law and Justice. As a matter of fact I knew the time devoted was much less, but I thought it discreet to state the case against my proposals as strongly as possible. The Hon. Mr. Nugent thought that he was irretrievably condemning my scheme when he assured the Council that the time devoted by Mamlatdars to Judicial duties did not constitute one-eighth of his total work, and he was good enough further to inform me that in the case of Assistant Collectors it was still less. This fact, so authentically stated by an officer of such high knowledge and experience, blesses instead of cursing the scheme. Instead of demolishing, it only strengthens my argument and shows the extreme feasibility of the transfer. For it establishes that the work in its totality is not more than one whole-time officer can perform, working at it not intermittently but regularly. All that is necessary to do under these circumstances is to do away with only one Mamlatdar and

in his place create one Subordinate Judge. The criminal work, of which the Executive officers would be relieved, would be then distributed among the six old and one new Subordinate Judges. It must be carefully borne in mind that I do not propose to create the new Subordinate Judge for the purposes of entrusting him with the whole of the criminal work from which the Assistant Collectors and Mamlatdars are set free, but each Subordinate Judge of the District would be entrusted with the criminal work of his station. The number of Mamlatdars being only reduced by one could easily cope with the Talukas in the District, in some cases by a slight rearrangement and in others by assigning two of the smallest Talukas to one officer, all the rest of the Mamlatdars continuing in charge of one Taluka only.

SUBSIDIARY ADVANTAGES.

6 Independently of achieving the great object of separating Judicial and Executive functions, and thus removing the crying evils which the combination engenders, there are various subsidiary advantages secured by this scheme which I will now proceed to set forth briefly.

7. In the first place, there would be no increased expenditure, for the salary of a Mamlatdar saved would counter-balance the salary of the new Subordinate Judge created. But there would in many cases be economy. For the Assistant Collector and Deputy Collectors being relieved of criminal work, it would be often possible to do without the supernumeraries who has often to be given to the Collector in many Districts.

8 In the next place, the work would be done by officers with special legal

training instead of men whose legal education and training are at the best of a very superficial character. I don't mean to deny that several of the Mamlatdars are men of ability and intelligence; but without special training, we know that even able and intelligent men interpret law in a manner that is often little short of startling.

9 Both Civil and Criminal Justice would be brought nearer home both to parties and witnesses. A district divided into the increased number of Subordinate Judges' stations would have smaller areas for their jurisdiction, thus reducing sensibly the present maximum distance of villages from the head-quarters, which being fixed and thus within easy distance, would obviate a great deal of the hardship which people have to suffer from the conditions attendant on shifting camps.

10 There hardly would be any need for any fresh legislation to carry out the change. It would be in the power of the Local Government according to existing law to invest the Civil Judges with magisterial powers. The only difficulty would be in the case of jurisdiction vested in Mamlatdars under the Mamlatdars' Jurisdiction Act. But it may not be undesirable to leave to them the present summary jurisdiction in regard to possessory suits.

11 It would be very useful if the Conference deputed some of its members to work out this scheme with regard to each separate district in details with the help of the knowledge of local circumstances and wants possessed by members conversant with each particular district.

JUDICIAL AND EXECUTIVE DUTIES IN INDIA.

To the Right Honourable

LORD GEORGE FRANCIS HAMILTON, M.P.,

Her Majesty's Principal Secretary of State for India,
India Office, Whitehall S.W.

MY LORD,

We the undersigned beg leave to submit to you, in the interests of the administration of justice, the following considerations in favour of the separation of judicial from executive duties in India. The present system, under which the chief executive official of a District collects the revenue, controls the police, institutes prosecutions, and at the same time exercises large judicial powers, has been, and still is, condemned not only by the general voice of public opinion in India, but also by Anglo-Indian officers, and by high legal authorities. The state of Indian opinion with reference to the question is so well known as to require neither proof nor illustration. The separation of judicial and executive functions has been consistently urged throughout a long series of years alike by the Indian press and by public bodies and individuals well qualified to represent Indian public opinion. We propose, however, to refer briefly to some of the numerous occasions upon which the principle of separation has been approved by official authorities; next, to explain the nature of the existing grievance, and the proposed remedy; and, finally, to discuss objections which have been or may be advanced against alteration of the present system. This Memorial, therefore, consists of three sections, which it may be convenient to indicate as follows:

- (a) AN HISTORICAL RETROSPECT (paras. 2 to 10);
- (b) THE EXISTING GRIEVANCE, AND THE REMEDY (paras. 11 to 14);
- (c) ANSWERS TO POSSIBLE OBJECTIONS (paras. 15 to 18).

(a)—AN HISTORICAL RETROSPECT,

2. So long ago as 1793 the Government of India, under Lord Cornwallis, recognised the dangers arising from the combination, in one and the same officer, of revenue with judicial duties. Section 1 of Regulation II, 1793, contained the following passage:

“ All questions between Government and the landholders respecting the assessment and collection of the public revenue, and disputed claims between the latter and their rayats, or other persons concerned in the collection of their rents, have hitherto been cognizable in the Courts of *Maal Adawlut*, or Revenue Courts. The Collectors of the Revenue preside in these Courts as Judges, and an appeal lies from their decision to the Board of Revenue, and from the decrees of that Board to the Governor-General in Council in the Department of Revenue. The proprietors can never consider the privileges which have been conferred upon them as secure whilst the revenue officers are vested with these judicial powers. Exclusive of the objections arising to these Courts from their irregular, summary and often *ex parte* proceedings, and from the Collectors being obliged to suspend the exercise of their judicial functions whenever they interfere with their financial duties, it is obvious that, if the Regulation for assessing and collecting the public revenue are infringed, the revenue officers themselves must be the aggressors, and that individuals who have been wronged by them in one capacity can never hope to obtain redress from them in another. Their financial occupations equally disqualify them for administering the laws between the proprietors of land and their tenants. Other security, therefore,

must be given to landed property and to the rights attached to it before the desired improvements in agriculture can be expected to be effected. Government must divest itself of the power of infringing in its executive capacity the rights and privileges which, as exercising the legislative authority, it has conferred on the landholders. The revenue officers must be deprived of their judicial powers. All financial claims of the public, when disputed under the Regulations, must be subjected to the cognizance of the Courts of Judicature superintended by Judges who, from their official situations and the nature of their trusts, shall not only be wholly uninterested in the result of their decisions, but bound to decide impartially between the public and the proprietors of land, and also between the latter and their tenants. The Collectors of the Revenue must not only be divested of the power of deciding upon their own acts, but rendered amenable for them to the Courts of Judicature, and collect the public dues subject to a personal prosecution for every exaction exceeding the amount which they are authorised to demand on behalf of the public, and for every deviation from the Regulations prescribed for the collection of it. No power will then exist in the country by which the rights vested in the landholders by the Regulations can be infringed, or the value of landed property affected."

3. These observations aptly anticipated the basis of the criticisms which during the succeeding century have so often been passed, as well by individuals as by public bodies of the highest authority, upon the strange union of the functions of Constable and Magistrate, Public Prosecutor and Criminal Judge, Revenue Collector and Appeal Court in revenue cases. In 1838 a Committee, appointed by the Government of Bengal to prepare a scheme for the more efficient organisation of the Police, issued its report. As a member of that Committee Mr. F. J. Halliday (afterwards Sir Frederick Halliday, sometime Lieutenant-Governor of Bengal and Member of the Council of the Secretary of State) drew up an important Minute in which, after citing at length the considerations that had been urged in favour of separating police from judicial duties in London, he stated that they applied with double force to India. The passage quoted with ap-

proval by Mr. Halliday declared that there was no more important principle in jurisprudence than the separation of the judicial from the executive ministerial functions; that a scheme to combine the duties of Judge and Sheriff, of Justice of the Peace and Constable in the same individuals would be scouted as absurd as well as mischievous; that a Magistrate ought to have no previous knowledge of a matter with which he had to deal judicially; and that the whole executive duty of preventing and detecting crimes should be thrown upon the police. In support of the proposition that these remarks applied with double force to India, Mr. Halliday wrote:

"In England a large majority of offenders are, as here, tried and sentenced by the Magistrates: but in the former country the cases so tried are comparatively of a trivial and unimportant nature. In India the powers of the Magistrate, are much greater; their sentences extend to imprisonment for three years and their jurisdiction embraces offences which, both for frequency and importance, are by far the weightiest subjects of the criminal administration of the country. The evil which this system produces is twofold: it affects the fair distribution of justice and it impairs at the same time, the efficiency of the police. The union of Magistrate with Collector has been stigmatised as incompatible, but the junction of thief-catcher with Judge is surely more anomalous in theory, and more mischievous in practice. So long as it lasts, the public confidence in our criminal tribunals must always be liable to injury, and the authority of justice itself must often be abused and misapplied. For this evil which arises from a constant and unavoidable bias against all supposed offenders, the power of appeal is not a sufficient remedy—the danger to justice, under such circumstances, is not in a few cases, nor in any proportion of cases, but in every case. In all the Magistrate is Constable, Prosecutor and Judge. If the appeal be necessary to secure justice in any case, it must be so in all: and if—as will follow—all sentences by a Magistrate should properly be revised by another authority, it would manifestly be for the public benefit that the appellate tribunal should decide all cases in the first instance. It is well known, on the other hand, that the judicial labours of a Magistrate occupy nearly all his time, that which is devoted to matters strictly executive being only

the short space daily employed in hearing *thana* reports. But the effectual management of even a small police force, and the duties of a Public Prosecutor, ought to occupy the whole of one man's time, and the management of the police of a large district must necessarily be inefficient which, from press of other duties, is slurred over in two hasty hours of each day. I consider it then an indispensable preliminary to the improvement of our system that the duties of preventing crime and of apprehending and prosecuting offenders should, without delay, be separated from the judicial function."

4. Mr. Halliday's opinions on this subject were substantially approved by two other members of the Committee appointed by the Government of Bengal—Mr W. W. Bird and Mr J. Lewis. Mr. Bird, who was president of the Committee, stated that he had no objection to the disunion of executive from judicial functions. He added that he had invariably advocated the principle alike in the Revenue and the Judicial Departments, but as it was at that time pertinaciously disregarded in one department it could not very consistently be introduced into the other. Mr. Lewis characterized Mr. Halliday's proposals as "systematic in plan, complete in detail, and sound in principle." With reference to Mr. Bird's observation, just cited, Mr. Lewis said that it was fallacious "to aver that a departure from right principle in one branch of administration requires, for the sake of consistency, a departure from it in another." It is true that Mr. Halliday, eighteen years later, held a different view, and thought that British administration should conform to the Oriental idea of uniting all powers into one centre. But his personal change of opinion does not affect the force of his former arguments.

5. Again, in 1854, in the course of a letter to the Government of India, Mr. C. Beadon, Secretary to the Government of Bengal, wrote.

"The only separation of function which is really desirable is that of the executive and judicial, the one being a check upon the other; and if the office of Magistrate and Collector be reconstituted on its former footing I think it

will have to be considered whether . . . the Magistrates should not be required to make over the greater portion of their judicial duties to qualified subordinates, devoting their own attention chiefly to police matters and the general executive management of their districts."

In November of the same year, as a member of the Council of the Governor-General, the Hon. (afterwards Sir) J. P. Grant recorded a Minute in which he said that the combination of the duty of the Superintendent of Police and Public Prosecutor with the functions of a Criminal Judge was objectionable in principle, and the practical objections to it had been greatly aggravated by the course of legislation which had raised the judicial powers of a Magistrate six times higher than they were in the days of Lord Cornwallis "It ought," Mr. Grant continued, "to be the fixed intention of the Government to dis sever as soon as possible the functions of Criminal Judge from those of thief-catcher and Public Prosecutor, now combined in the office of Magistrate. That seems to me to be indispensable as a step towards any great improvement in our criminal jurisprudence."

6. Two years later—in September, 1856—a Despatch of the Court of Directors of the East India Company (No. 41, Judicial Department) on the reorganization of the police in India pointed out that "to remedy the evils of the existing system, the first step to be taken is, wherever the union at present exists, to separate the police from the administration of the land revenue . . . In the second place, the management of the police of each district should be taken out of the hands of the Magistrate."

7. In February, 1857, a further Minute was recorded by the Hon. J. P. Grant, Member of the Council of the Governor-General, upon the "Union of the functions of Superintendent of Police with those of a Criminal Judge." Mr. Grant, in whose opinions Mr. (afterwards Sir Barnes) Peacock generally concurred, wrote:

"The one point for decision, as it appears to me, on which alone the whole question turns, is this—in which way is crime more certainly discovered, proved and punished, and innocence

more certainly protected—when two men are occupied each as thief-catcher, prosecutor, and judge, or when one of them is occupied as thief-catcher and prosecutor, and the other as Judge? I have no doubt that the principle of division of labour has all its general advantages, and an immense preponderance of special and peculiar advantages, when applied to this particular case; and I have no doubt that if there is any real difference between India and Europe in relation to this question, the difference is all in favour of relieving the Judge in India from all connexion with the detective officer and prosecutor. The judicial ermine is, in my judgment, out of place in the bye-ways of the detective policeman in any country, and those bye-ways in India are unusually dirty. Indeed, so strongly does this feeling operate, perhaps unconsciously, upon the English minds of the honourable body of men from whom our Magistrates are chosen, that in practice the real evil of the combination is, not that a Judge, whose mind has been put out of balance by his antecedents in relation to the prisoner, tries that prisoner, but that the Superintendent of Police, whose nerve and honesty are indispensable to the keeping of the native police officers in order, abandons all real concern with the detection of crime, and the prosecution of criminals, in the mass of cases, and leaves this important and delicate duty almost wholly, in fact, to the native *darogahs*. . . . If the combination theory were acted upon in reality—if an officer, after bribing spies, endeavouring to corrupt accomplices, laying himself out to hear what every tell-tale has to say, and putting his wit to the utmost stretch, for weeks perhaps, in order to beat his adversary in the game of detection, were then to sit down gravely as a Judge, and were to profess to try dispassionately upon the evidence given in Court the question of whether he or his adversary had won the game, I am well convinced that one or two cases of this sort would excite as much indignation as would save me the necessity of all argument *a priori* against the combination theory.”

Unfortunately the theory has been acted upon in reality. Actual cases—more than one or two—have excited the vehement indignation against which Mr. Grant sought in 1857 to provide. Mr. Grant added that the objections to separation of judicial and police functions seemed to him, after the best attention he could give them, to be founded on imaginary

evils. He refused to anticipate “such extreme antagonism between the native public officer and the native Judge as would be materially inconvenient.” “Under a moderately sensible European Magistrate, controlled by an intelligent Commissioner, who would not talk or act as if police *peons* and *darogahs* were infallible, and dispassionate Judges were never, right, I cannot see why there should be any such consequences.”

8. These and similar expressions of opinion were not lost upon the Government of India, as the history of the legislation which was undertaken immediately after the suppression of the Mutiny shows. In 1860 a Commission was appointed to enquire into the organisation of the police. It consisted of representative officers from the North-West Provinces, Pegu, Bengal, Madras, the Punjab, and Oudh—“all,” in the words of Sir Bartle Frere, “men of ripe experience, especially in matters connected with police” The Instructions issued to the Commission contained the following propositions:

“The functions of a police are either protective and repressive or detective, to prevent crime and disorder, or to find out criminals and disturbers of the peace. These functions are in no respect judicial. This rule requires a complete severance of the police from the judicial authorities, whether those of higher grade or the inferior magistracy in their judicial capacity. When, as is often the case in India, various functions are combined in the hands of one Magistrate, it may sometimes be difficult to observe this restriction; but the rule should always be kept in sight that the official who collects and traces out the links in the chain of evidence in any case of importance should never be the same as the judicial officer, whether of high or inferior grade, who is to sit in judgment on the case. . . . It may sometimes be difficult to insist on this rule, but experience shows it is not nearly so difficult as would be supposed, and the advantages of insisting on it cannot be overstate-d.”

Again:

“The working police having its own officers exclusively engaged on their own duties in preventing or detecting crime, the question is, at what link in the chain of subordination between the highest and lowest officers in the executive administration is the police to be

attached, and so made responsible as well as subordinate to all above that link in the chain? The great object being to keep the judicial and police functions quite distinct, the most perfect organization is, no doubt, when the police is subordinate to none but that officer in the executive Government who is absolved from all judicial duty, or at least from all duty involving original jurisdiction, so that his judicial decisions can never be biased by his duties as a Superintendent of Police. . . . It is difficult to lay down any more definite rule as to the exact point where the subordination should commence than by saying that it should be so arranged that an officer should never be able to try judicially important cases got up under his own directions as a police officer. . . . This raises the question—Who is to be responsible for the peace of the district? Clearly that officer, whoever he may be, to whom the police are immediately responsible. Under him, it is the duty of every police officer and of every magisterial officer of whatever grade, in their several charges, to keep him informed of all matters affecting the public peace and the prevention and detection of crime. It is his duty to see that both classes of officers work together for this end; as both are subordinate to him, he ought to be able to ensure their combined action. The exact limits of the several duties of the two classes of officers it may be difficult to define in any general rule; but they will not be difficult to fix in practice if the leading principles are authoritatively laid down, and, above all, if the golden rule be borne in mind that the judicial and police functions are not to be mixed up or confounded, that the active work of preventing or detecting crime is to rest entirely with the police, and not to be interfered with by those who are to sit in judgment on the criminal.”

9. The Police Commission in their Report (dated September, 1860) expressly recognised and accepted this “golden rule.” Paragraph 27 of their Report was as follows

“That as a rule there should be complete severance of executive police from judicial authorities; that the official who collects and traces out the links of evidence—in other words, virtually prosecutes the offender—should never be the same as the officer, whether of high or inferior grade, who is to sit in judgment on the case, even with a view to committal for trial before a higher tribunal. As the detection and pro-

secution of criminals properly devolve on the police, no police officer should be permitted to have any judicial function.”

But although the Commission adopted without question the general principle that judicial and police functions ought not to be confounded, they proposed, as a matter of practical and temporary convenience, in view of “the constitution of the official agency” then existing in India, that an exception should be made in the case of the District Officer. The Commission did not maintain that the principle did not, in strictness, apply to him. On the contrary, they appear to have stated expressly that it did. But they recommended that in his case true principle should, for the time being, be sacrificed to expediency. They reported.

“That the same true principle, that the Judge and detective officer should not be one and the same, applies to officials having by law judicial functions, and should, as far as possible, be carefully observed in practice. But, with the constitution of the official agency now existing in India, an exception must be made in favour of the District Officer. The Magistrates have long been, in the eye of the law, executive officers, having a general supervising authority in matters of police, originally without extensive judicial powers. In some parts of India this original function of the Magistrates has not been widely departed from; in other parts extensive judicial powers have been superadded to their original and proper function. This circumstance has imported difficulties in regard to maintaining the leading principle enunciated above, for it is impracticable to relieve the Magistrates of their judicial duties; and, on the other hand, it is at present inexpedient to deprive the police and public of the valuable aid and supervision of the District Officer in the general management of police matters.”

The Commission recognised that this combination of judicial with police functions was open to objection, but looked forward to a time when improvements in organization would, in actual practice, bring it to an end:

“That this departure from principle will be less objectionable in practice when the executive police, though bound to obey the Magistrate’s orders *quoad*

the criminal administration, is kept departmentally distinct and subordinate to its own officers, and constitutes a special agency having no judicial function. As the organization becomes perfected and the force effective for the performance of its detective duties, any necessity for the Magistrate to take personal action in any case judicially before him ought to cease."

10. The recommendations of the Police Commission were adopted by the Government of India and, in accordance with them, Sir Bartle Frere introduced in the Legislative Council on September 29, 1860, a Bill for the Better Regulation of Police. The debate on the second reading of this measure, which afterwards became Act V of 1861, and is still in force, is important as showing that the Government of India regarded the exceptional union of judicial with police functions in the District Officer as a temporary compromise. Sir Barnes Peacock, the Vice-President of the Council, stated that he "had always been of opinion that a full and complete separation ought to be made between the two functions," while in reply to Mr. A. Sconce, who had argued that some passages in the Report of the Police Commission were at variance with the principle of separation, Sir Bartle Frere said.

"It was one thing to lay down a principle and another to act on it at once and entirely when it was opposed to the existing system, to all existing forms of procedure, and to prejudices of long standing. Under such circumstances, it was often necessary to come to a compromise. . . . He hoped that at no distant period the principle would be acted upon throughout India as completely as his hon. friend could desire. The hon. member had called the Bill a 'half-and-half' measure. He could assure the hon. gentleman that nobody was more inclined that it should be made a whole measure than he was, and he should be very glad if his hon. friend would only induce the Executive Governments to give it their support so as to effect a still more complete severance of the police and judicial functions than the Bill contemplated."

The hope expressed by Sir Bartle Frere in 1860 has yet to be fulfilled. It might have been realised in 1872,

when the second Code of Criminal Procedure was passed. But the Government and the Legislature of the day were still under the dominion of the fallacy that all power must be centred in the District Magistrate, and the opportunity of applying the sound principle for which Sir Bartle Frere had contended was unfortunately rejected. In 1882 the Code of Criminal Procedure was further revised and the Select Committee, in their report on the Criminal Procedure Bill, said

"At the suggestion of the Government of Bengal, we have omitted section 38, conferring police powers on Magistrates. We consider that it is inexpedient to invest Magistrates with such powers, or to make their connexion with the police more close than it is at present"

(b)—THE EXISTING GRIEVANCE, AND THE REMEDY.

11. The request which we have now the honour of urging is, therefore, that—in the words used by Sir J. P. Grant in 1854—the functions of criminal judge should be dis severed from those of thief-catcher and public prosecutor, or—in the words used by Sir Barnes Peacock in 1860—that a full and complete separation should be made between judicial and executive functions. At present these functions are to a great extent combined in India, especially in the case of the officers who in the Districts of Regulation Provinces are known as Collector-Magistrates, and in the non-Regulation Provinces are known as Deputy Commissioners. The duties of these officers are thus described by Sir W. W. Hunter *—"As the name of Collector-Magistrate implies, his main functions are twofold. He is a fiscal officer, charged with the collection of the revenue from the land and other sources; he also is a revenue and criminal judge, both of first instance and in appeal. But his title by no means exhausts his multifarious duties. He does in his smaller local sphere all that the Home Secretary superintends in England, and a great deal more; for he is the representative of a paternal and not a constitutional government. Police, jails, education, muni-

* "The Indian Empire," p. 513 (3rd Edition).

cipalities, roads, sanitation, dispensaries, the local taxation, and the Imperial revenues of his District, are to him matters of daily concern." It is submitted that, just as Lord Cornwallis's Government held a century ago that the proprietors of land could never consider the privileges which had been conferred upon them as secure while the revenue officers were vested with judicial powers, so also the administration of justice is brought into suspicion while judicial powers remain in the hands of the detective and public prosecutor.

12. The grounds upon which the request for full separation is made are sufficiently obvious. They have been anticipated in the official opinions already cited. It may, however, be convenient to summarize the arguments which have been advanced of late years by independent public opinion in India. These are to the effect (i) that the combination of judicial with executive duties in the same officer violates the first principles of equity; (ii) that while a judicial officer ought to be thoroughly impartial and approach the consideration of any case without previous knowledge of the facts, an executive officer does not adequately discharge his duties unless his ears are open to all reports and information which he can in any degree employ for the benefit of his District, (iii) that executive officers in India, being responsible for a large amount of miscellaneous business, have not time satisfactorily to dispose of judicial work in addition, (iv) that, being keenly interested in carrying out particular measures, they are apt to be brought more or less into conflict with individuals, and, therefore, that that it is inexpedient that they should also be invested with judicial powers; (v) that under the existing system Collector-Magistrates do, in fact, neglect judicial for executive work; (vi) that appeals from revenue assessments are apt to be futile when they are heard by revenue officers; (vii) that great inconvenience, expense, and suffering are imposed upon suitors required to follow the camp of a judicial officer who, in the discharge of executive duties, is making a tour of

his District, and (viii) that the existing system not only involves all whom it concerns in hardship and inconvenience but also, by associating the judicial tribunal with the work of the police and of detectives, and by diminishing the safeguards afforded by the rules of evidence, produces actual miscarriages of justice and creates, although justice be done, opportunities of suspicion, distrust and discontent which are greatly to be deplored. There is, too, a further argument for the separation, which arises out of the very nature of the work incidental to the judicial office, and which of itself might well be regarded as conclusive in the matter. It is no longer open to us to content ourselves with the pleasant belief that to an Englishman of good sense and education, with his unyielding integrity and quick apprehension of the just and the equitable, nothing is easier than the patriarchal administration of justice among Oriental populations. The trial in Indian courts of justice of every grade must be carried out in the English method, and the Judge or Magistrate must proceed to his decision upon the basis of facts to be ascertained only through the examination and cross-examination before him of eye-witnesses testifying each to the relevant facts observed by him, and nothing more. It is not necessary for us to dwell on the importance of this procedure, nor is it too much to say that with this system of trial no judicial officer can efficiently perform his work otherwise than by close adherence to the methods and rules which the long experience of English lawyers has dictated, and of which he cannot hope to acquire a practical mastery, unless he makes the study and practice of them his serious business. In other words, it is essential to the proper and efficient—and we might add impartial—administration of justice that the judicial officer should be an expert specially educated and trained for the work of the court.

13. In Appendix B to this Memorial summaries are given of various cases which, it is thought, illustrate in a striking way some of the dangers that arise from the present system. These

cases of themselves might well remove—to adopt Sir J. P. Grant's words—“the necessity of argument *a priori* against the combination theory.” But the present system is not merely objectionable on the ground that from time to time it is, and is clearly proved to be, responsible for a particular case of actual injustice. It is also objectionable on the ground that, so long as it exists, the general administration of justice is subjected to suspicion, and the strength and authority of the Government are seriously impaired. For this reason it is submitted that nothing short of complete separation of judicial from executive functions by legislation will remove the danger. Something, perhaps, might be accomplished by purely executive measures. Much, no doubt, might be accomplished by granting to accused persons, in important cases, the option of standing their trial before a Sessions Court. But these palliatives fall short of the only complete and satisfactory remedy, which is, by means of legislation, to make a clear line of division between the judicial and the executive duties now often combined in one and the same officer. So long as Collector-Magistrates have the power themselves to try, or to delegate to subordinates within their control, cases as to which they have taken action or received information in an executive capacity, the administration of justice in India is not likely to command complete confidence and respect.

14. It would be easy to multiply expressions of authoritative opinion in support of the proposed reform. But, in view of the opinions already cited, it may be enough to add that, in a debate on the subject which took place in the House of Lords on May 8th, 1893, Lord Kimberley, then Secretary of State for India, and his predecessor, Lord Cross, showed their approval of the principle of separation in no ambiguous terms. Lord Cross said, on that occasion, that it would be, in his judgment, an “excellent plan” to separate judicial from executive functions, and that it would “result in vast good to the Government of India.” It was in the same spirit that Lord Dufferin, as Viceroy

of India, referring to the proposal for separation put forward by the Indian National Congress, characterised it as a “counsel of perfection.” Appendix A to the present Memorial contains, *inter alia*, the favourable opinions of the Right Hon. Sir Richard Garth, late Chief Justice of Bengal, the Right Hon. Lord Hobhouse, Legal Member of the Viceroy's Council, 1872-77, the Right Hon. Sir Richard Couch, late Chief Justice of Bengal, Sir J. B. Phear, late Chief Justice of Ceylon, Sir R. T. Reid, Q.C., M.P., Attorney-General, 1894-5, Sir William Markby, late Judge of the High Court, Calcutta, and Sir Raymond West, late Judge of the High Court, Bombay. These opinions were collected and compiled by the British Committee of the Indian National Congress, and, among other important indications of opinions prevalent in India, we beg to refer you to the series of resolutions adopted by the Indian National Congress—which Lord Lansdowne, as Viceroy, referred to in 1891 as a “perfectly legitimate movement” representing in India “what in Europe would be called the more advanced Liberal party.” In 1886 the Congress adopted a resolution recording “an expression of the universal conviction that a complete separation of executive and judicial functions has become an urgent necessity,” and urging the Government of India “to effect this separation without further delay.” Similar resolutions were carried in 1887 and 1888, and the proposal formed in 1889, 1890, and 1891 the first section of an “omnibus” resolution affirming the resolutions of previous Congresses. In 1892 the Congress again carried a separate resolution on the question, adding to its original resolution a reference to “the serious mischief arising to the country from the combination of judicial and executive functions.” In 1893 the resolution carried by the Congress was as follows:—

“That this Congress having now for many successive years vainly appealed to the Government of India to remove one of the gravest stigmas on British rule in India, one fraught with incalculable oppression to all classes of the community throughout the country, now hopeless of any other redress, humbly

entreats the Secretary of State for India to order the immediate appointment, in each province, of a Committee (one-half at least of whose members shall be non-official natives of India, qualified by education and experience in the workings of the various courts to deal with the question) to prepare each a scheme for the complete separation of all judicial and executive functions in their own provinces with as little additional cost to the State as may be practicable and the submission of such schemes with the comments of the several Indian Governments thereon, to himself, at some early date which he may be pleased to fix "

A similar resolution was carried in 1894, 1895, and 1896. During recent years, also, practical schemes for separation have been laid before the Congress.

• (c) ANSWERS TO POSSIBLE OBJECTIONS.

15. The objections which, during the course of a century, have been urged against the separation of judicial and executive functions are reducible, on analysis, to three only: (i) that the system of combination works well, and is not responsible for miscarriage of justice, (ii) that the system of combination, however indefensible it may seem to Western ideas, is necessary to the position, the authority, and, in a word, to the "prestige" of an Oriental officer; and (iii) that separation of the two functions, though excellent in principle, would involve an additional expenditure which is, in fact, prohibitive in the present condition of the Indian finances.

16. It is obvious that the first objection is incompatible with the other two objections. It is one thing to defend the existing system on its merits: it is another thing to say that, although it is bad, it would be too dangerous or too costly to reform it. The first objection is an allegation of fact. The answer—and, it is submitted, the irresistible answer—is to be found in the cases which are set forth in Appendix B to this Memorial. These cases are but typical examples taken from a large number. It may be added that, among the leading advocates of separation in India,

are Indian barristers of long and varied experience in the Courts who are able to testify, from personal knowledge, to the mischievous results of the present system. Their evidence is confirmed, also from personal knowledge, by many Anglo-Indian Judges of long experience.

17. The second objection—that the combination of judicial and executive functions is necessary to the "prestige" of an Oriental officer—is perhaps more difficult to handle. For reasons which are easy to understand it is not often put forward in public and authoritative statements. But it is common in the Anglo-Indian press, it finds its way into magazine articles written by returned officers, and in India it is believed, rightly or wrongly, to lie at the root of all the apologies for the present system. It has been said that Oriental ideas require in an officer entrusted with large executive duties the further power of inflicting punishment on individuals. If the proposition were true, it would be natural to expect that the existing system would be supported and defended by independent public opinion in India instead of being—as it is—deplored and condemned. It is not reasonable to assume that the Indian of to-day demands in the responsible officers of a civilised Government a combination of functions which at an earlier time an arbitrary despot may have enforced. The further contention that a District Magistrate ought to have the power of inflicting punishment because he is the local representative of the Sovereign appears to be based upon a fallacy and a misapprehension. The power of inflicting punishment is, indeed, part of the attributes of Sovereignty. But it is not, on that ground, any more necessary that the power should be exercised by a Collector-Magistrate, who is head of the police and the revenue system, than that it should be exercised by the Sovereign in person. The same reasoning, if it were accepted, would require that the Viceroy should be invested with the powers of a Criminal Judge. But it is not suggested that the Viceroy's "prestige" is lower than the "prestige" of a District Judge because the Judge passes sen-

tences upon guilty persons and the Viceroy does not. It is equally a misapprehension to assume that those who urge the separation of judicial from executive duties desire the suppression or extinction of legitimate authority. They ask merely for a division of labour. The truth seems to be that the somewhat vague considerations which are put forward in defence of the existing system on the ground that it is necessary to the due authority of a District Magistrate had their origin in the prejudices and the customs of earlier times, revived, to some extent, in the unsettled period which followed the Indian Mutiny. We venture to submit that these considerations are not only groundless and misplaced, but that the authority of Government, far from being weakened by the equitable division of judicial and executive duties, would be incalculably strengthened by the reform of a system which is at present responsible for many judicial scandals.

18. The financial objection alone remains, and it is upon this objection that responsible authorities appear to rely. When Lord Dufferin described the proposal for separation as a "counsel of perfection," he added that the condition of Indian finance prevented it, at that time, from being adopted. Similarly, in the debate in the House of Lords on May 8th, 1893, to which reference has already been made, Lord Kimberley, then Secretary of State, said:

"The difficulty is simply this, that if you were to alter the present system in India you would have to double the staff throughout the country";

and his predecessor, Lord Cross, said:

"It [the main principle raised in the discussion] is a matter of the gravest possible importance, but I can only agree with what my noble friend has stated, that in the present state of the finances of India it is absolutely impossible to carry out that plan, which to my mind would be an excellent one, resulting in vast good to the Government of India."

The best answer to this objection is to be found in the scheme for separation drawn up in 1893 by Mr.

Romesh Chunder Dutt, C.I.E., late Commissioner of the Orissa Division (at that time District Magistrate of Midnapur), and printed in Appendix A to this Memorial. In these circumstances it is not necessary to argue either (i) that any expense which the separation of judicial from executive duties might involve would be borne, and borne cheerfully, by the people of India; or (ii) that it might well be met by economies in certain other directions: Mr. Dutt shows that the separation might be effected by a simple rearrangement of the existing staff, without any additional expense whatsoever. Mr Dutt's scheme refers specially to Bengal, the Presidency, that is, for which the reform had been described as impracticable on the ground of cost. Similar schemes for other Presidencies and Provinces have been framed, but it was understood that the most serious financial difficulty was apprehended in Bengal.

19. In view of the foregoing considerations, we earnestly trust that you will direct the Government of India to prepare a scheme for the complete separation of judicial and executive functions, and to report upon this urgently pressing question at an early date.

We have the honour to be,

Sir,

Your obedient Servants,

HOBHOUSE,
 RICHARD GARTH,
 RICHARD COUCH,
 CHARLES SARGENT,
 WILLIAM MARKBY,
 JOHN BUDD PHEAR,
 J. SCOTT,
 W. WEDDERBURN,
 ROLAND K. WILSON,
 HERBERT J. REYNOLDS.

July 1, 1899.

PROCEEDINGS
OF A
PUBLIC MEETING
OF THE
INHABITANTS OF BOMBAY
HELD ON
Wednesday, the 12th April, at the Novelty Theatre
UNDER THE AUSPICES OF
THE BOMBAY PRESIDENCY ASSOCIATION.

A PROTEST against
LORD CURZON'S ATTACK
ON INDIAN CHARACTER AND LITERATURE
*In the Council Chamber
and the Convocation Hall
of the Calcutta University.*

Printed at
THE INDU-PRAKASH PRESS
434, Thakurdwar, Bombay.

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INTRODUCTION.

The significance of the Public Meeting of which the proceedings are given in detail in this pamphlet cannot possibly be mistaken. The Meeting was convened by the Presidency Association, which has more than 500 members on its rolls, embracing the leading gentlemen of each and every community in Bombay, which is an Association working with an unbroken continuity for twenty years and which has guided and focussed the public opinion of this Presidency on every important question, local and Imperial. Its right to speak with authority on behalf of the public has been unquestioned. It has no rival in Bombay—perhaps in India. And the Public Meeting that responded to its call was as successful, as enthusiastic and as representative as any gathering held in this City. The Association is generally chary of holding too many Public Meetings trusting more to appeals to reason by means of sober memorials and well-thought representations, than to agitations from the public-platform. And credit must be given to the leaders of Bombay public opinion for showing no undue haste in this matter and for not taking any precipitate action on the spur of the moment. They waited because they had fondly hoped that His Excellency in cooler moments might make some amends for the universal pain his utterances had caused amongst the millions whom Providence called him to govern on behalf and in the name of their beloved Sovereign the King Emperor. They were, however, sadly disappointed and with regret and with pain they had to follow their brethren of Calcutta, Madras and Allahabad in publicly protesting against such unworthy and unfounded charges as no self-respecting nation could possibly bear with patience. Let us hope however that this action even of sober Bombay will have a beneficent effect, if not upon our present, our future rulers.

BOMBAY'S PROTEST

AGAINST LORD CURZON'S ATTACK

ON

INDIAN CHARACTER AND LITERATURE.

A public meeting of the inhabitants of Bombay was held at the Novelty Theatre under the auspices of the Bombay Presidency Association, on Wednesday the 12th April 1905, at 5 p.m., to protest against the attack made on Indian character and literature by His Excellency Lord Curzon, the Viceroy of India, in the Council Chamber on the occasion of the debate on the Universities Validation Act and in his Convocation Address at the Senate Hall of the Calcutta University. The capacious theatre was packed up to the full. The dais, the stalls, and the back seats, were all filled up to their utmost capacity and a large number had to take refuge in the open corridors on the sides and in the galleries above. The audience consisted of grown up, grave looking men, representing every profession and every community of Bombay. The "school boy element" which is said to usually constitute the major portion of audiences at ordinary public meetings, was almost totally absent. The day was not a holiday, the time was inconvenient for men of business and a number of the inhabitants of Bombay have camped out in distant suburbs, and yet, the gathering was strikingly large and representative.

Amongst those present were:—The Hon. Sir P. M. Mehta, K.C.I.E., Sir Bhalchandra Krishna, Kt., the Hon. Mr. Gokuldas K. Parekh, the Hon. Mr. D.A. Khare, Mr. Amiruddin Tyebji, Mr. D. E. Wacha, Rao Bahadur Vassanji Kimji, Mr. Ruttonsey Moolji, Mr. Narottam Morarji Goculdas, Mr. Shamrao Vithal, Mr. Jehangir B. Petit, Mr. Mahomed Ali Jinah, Mr. Joseph Baptista, Dr. K.E. Dadachauji, Mr. Jafferbhoy Rahimtoola, Mr. Dhanjibhai Bomanji Petit, Mr. Gulamhusen Rahimtoola Khairaj, Dr. R. N. Ranina, Mr. Aliwahamad Blimji, Mr. D. G. Padhye, Mr. Vishwanath Prabhuram Vaidya, Mr. Lallubhai Samaldas, Mr. N. N. Saher, Mr. N. M. Samarth, Mr. Jehangir E. Davar, Mr. Rustomji K. Tarachand, Dr. Cama, Mr. N. V. Gokhale, Mr. N. V. Mandlik, Mr. K. N. Wadia, Mr. R.S. Rustomji, Mr. A.P. Mistry, Mr. Bhagvandas M. Raghunathdas, Mr. Girdharlal Jethabhai, Mr. Ratilal B. Majumdar, Mr. Dayaldas Haridas, Mr. Dosabhoj Bamji, Mr. Markand N. Mehta, Mr. Tribhuvandas Padamji, Mr. Vrajlal Bhagwandas, Mr. Lukhmidas Bhimji Rawji, Mr. Lallubhai A. Shah, Dr. Chunilal D. Sarais, Mr. Kaikhusuro Edalji Ghamat, Mr. Barjorji F. Dastur, Mr. Dorabji Bamji, Mr. Motilal Kanji, Mr. Chandulal V. Diwan, the Reverend Messrs. G. R. Navalkar and Nikambe, Mr. S. Y. Dalvi, Mr. B. N. Bhajekar, Mr. N. G. Desai, Mr. M. V. Bhat, Mr. P. P. Khare, Mr. Nandwadan, K. Mehta, Mr. Manubhai Nanabhai Haridas, Mr. M. R. Bodas, Mr. T. R. Desai, Mr. D. G. Date.

Precisely at 5 p. m. the Hon. Mr. Gokuldas Kahandas Parekh, accompanied by the Hon. Sir Pherozshah Mehta and Sir Bhalchandra Krishna and other leading gentlemen, entered the hall and were accorded a most enthusiastic and hearty reception. The ringing cheers which began with their appearance at the door continued for several minutes after they had taken their seats. An enterprising European photographer having taken a flash light photograph of the

memorable scene the proceedings began with Mr. Dinsha Edalji Wacha, one of the Secretaries of the Presidency Association, reading the following requisition:—

BOMBAY PRESIDENCY ASSOCIATION.

NOTICE.

A Public Meeting of the Inhabitants of Bombay will be held at the Novelty Theatre, on Wednesday the 12th April, at 5 o'clock p.m., to adopt a resolution of respectful remonstrance in regard to the recent utterances of His Excellency Lord Curzon in the Council Chamber and the Convocation Hall of the Calcutta University.

D. E. WACHA,
AMIRUDIN TYEBJI,
CHIMANLAL H. SETALVAD;
*Honorary Secretaries,
Bombay Presidency,
Association.*

BOMBAY,
7th April 1905.

The Hon. Sir Pherozshah M Mehta proposed that the Hon. Mr. Gokuldas Kahandas Parekh be requested to take the chair. Sir Bhalchandra Krishna Kt., seconded the proposition, which was carried unanimously. The President-elect having taken the chair in the midst of loud and prolonged cheers announced that messages of sympathy had been received from several public bodies in the Mofussil, such as the Broach Association, the Sholapur Peoples' Association and the District Associations of Dharwar and Bijapur. Telegraphic Messages had also been received from individual gentlemen, such as the Hon'ble Mr. Chimanlal H. Setalwad and the Hon'ble Mr. H. S. Dikshit regretting their inability to attend

The Chairman then addressed the meeting.

THE HON. MR. G. K. PAREKH'S SPEECH.

GENTLEMEN,—You are all aware that I am a plain blunt man, only able to place before you a plain, unvarnished story as to the reasons why it has been found necessary to call you here to-day. I must at once say that I have not at my command the power or the graces of eloquence, neither can I hope to move you by any display of sentiment or emotion. I am totally incapable of delivering before you any philosophical disquisition really worth listening to on the character or traditions of the East or even of this country; and I am free to confess that it would be ridiculous in me to attempt any such disquisition without any accurate or scholarly study of these subjects. I can only tell you in plain terms how such devoted and loyal subjects of the King as we are, accustomed to speak in only the most respectful terms—some people may even call it flattery—of the high dignitaries of the State—how it is that we have felt ourselves constrained to meet here to-day to enter our solemn remonstrance against the utterances of one who occupies the proud position of the highest representative of our beloved Sovereign in this land. The "warmth of heart" on which Lord Curzon himself once complimented us in this city, as animating our appreciation of the services which high officials may render to the cause of the country's progress, reconciles us to much that would exhaust the patience and sorely try the feelings of less warm-hearted races, but even our warmth of heart cannot stand unfounded aspersions on the character of our public men or an offensive and undeserved depreciation of our philosophies and faiths, our literature and our lives. Gentlemen, it is not necessary for me to point out at a meeting like this, that for some time past the whole country has been deeply concerned to find that the Administration, however fruitful in seeds of material progress which, sown

as they are hurriedly, may or may not fructify, has been permeated by principles of the most retrograde character, calculated to substitute for trust, confidence and increasing equality, doubt, distrust and the tightening assertion of racial domination. The verdict on the Administration has been pronounced with the voice of the whole country by the only representative body that the country possesses—the Indian National Congress. (cheers) It is superfluous to refer to the many measures which have led the country to form this estimate of the present Administration. I will only refer to one thing as showing how correct and well founded that estimate really is. Only as recently as the last Budget debate, his Excellency Lord Curzon openly and publicly contended that the solemn pledges that have been embodied in what is fondly cherished by us as the great Charter of the liberties of the people of India are not promises which actually and substantially promise equal treatment to all the subjects of the British Crown in this country, but are such promises only to the ear; that they only lay down propositions which have no special significance and which were only superfluously embodied in the great document. Now if His Lordship is right, if the propositions in question were really meant to convey nothing more than what would have been done in the ordinary course of administration, there was surely no need to give solemn utterance to them in a great proclamation. This single attempt to explain away the solemn and beneficent purpose of a great and historic document is sufficiently illustrative of the spirit of Lord Curzon's administration, and it is no wonder therefore that the whole country has been filled with alarm and anxiety as to the principles underlying the activity of the present Government of India. It is no answer to such fears to say that the Head of the administration is devoting himself with unexampled assiduity and industry to the work which he has taken upon himself. Industry and assiduity do not justify or palliate wrong principles. On the contrary, they rather give greater scope to their mischievous operation. It is no answer, again, to these fears that the heart of the ruler is consumed with love and affection for the millions of the Indian population. In the first place, it is difficult to accept a systematic attempt to repress the educated classes as any evidence of love for the people, even when the attempt is accompanied by a loud and incessant claim to the people's gratitude on the score of 'gifts' and 'beneficences' bestowed, as certain measures of financial relief, rendered unavoidable by the over-flowing Treasury, have been somewhat unnecessarily described. Moreover there is love and love. There is love for the people whom you consider your equals; there is also love for the people whom you consider as your inferiors. There is love not mainly for the sake of those that are loved but because they are instruments of your own greatness and proofs of your own superiority. (cheers) The people of India have felt that the love and affection that has recently been poured upon them is of the latter character, and they must therefore be forgiven if they attach to it its proper value. Gentlemen, the great statesmen of the last century were never slow to acknowledge that the people of this country were a race endowed with a great and ancient civilization. And they thought it both just and wise to proclaim, assure, and treat them as in no way inferior in consequence of their race, religion or colour. They strove hard to thrust these differences in the back-ground, which the present administration has unwisely sought to bring again to the fore-front. Lord Curzon has recently told us that he has allowed himself no rest or respite in his labours for the Indian people, that he has devoted his whole life to preaching the lessons of the East, its history and tradition, that he has often been rallied by his own countrymen for his enthusiasm for the religious monuments and literature of the East, that he has, while in India, given abundant proof of his reverence for faiths and feelings that were not his own. We are quite ready to accept what His Lordship has said about his action and feelings, but in that case we will ask him,

why it is that with all this love and reverence he has deliberately chosen on a solemn occasion to "kick us all downstairs," if I may take the liberty of borrowing a line from a well-worn couplet—why we may ask, possessing such love and reverence, he has declaimed against the character of the people, not only of this country but of the whole East, and against the sacred books and traditions on which it is founded. I think, however, we must do His Excellency the justice of admitting that his declamation in the University Hall was not seriously meant for a real disquisition on these matters, which after all require a deeper study than Lord Curzon seems to have given them, and a more laborious training and scholarly capacity than even he with all his accomplishments appears to be possessed of. The attempt to trail a red herring across the path cannot blind us to what is an obvious fact, namely that this philosophical declamation was only a peg on which Lord Curzon wanted to hang what was nearest his heart, namely, the story of what he regarded as the wicked and ungrateful behaviour of the public men of this country in not accepting the work of his administration at such value as he himself chose to put upon it and in such guise as he chose to present it in. Gentlemen, you are aware that among the many retrograde measures of His Excellency's administration, none was more strenuously opposed by the people and none more vehemently defended by the Government than the Universities Act of last year. The methods by which it was heralded,—with the Secret Simla Conference without never an Indian on it; the hurried University Commission packed with officials and grudgingly admitting a solitary Indian of character—were calculated to raise serious misgivings. But what alarmed the public mind was that while the anxious desire of Government to exalt high education was proclaimed from the house-tops, no attempt was made to meet the argument that all that was anxiously coveted for strengthening and improving high education could have been effected without a single alteration in the different Universities Acts as they existed. On the contrary, what the public saw was that the new Act was contrived most conspicuously to make the Universities Departments of Government and place them under European domination. Having carried the measure in the teeth of universal opposition from the country, it was surely a plain duty resting on the authorities to see that every subsequent step taken under the new Act was taken with due care and deliberation and was dictated by a wise and liberal spirit of conciliation. A constant atmosphere of antagonistic feeling between the rulers and the ruled is bound to prove harmful to the efficiency of any administration, however able and well-intentioned the rulers, or, however docile and law-abiding the governed may be. The University authorities, however, failed to perceive so elementary a proposition, and notifications about the formation of Faculties and the constitution of syndicates were issued, which at once revived all the fears and alarm of the old controversy, to which a fresh and serious aggravation was added by the fact that eminent counsel pronounced the notifications to be clearly illegal. What followed is so well-known that only a few words ought to suffice to recall to your minds the main facts and incidents of the situation. Those who perceived the illegal character of the notification in Bombay at once temperately and respectfully forwarded the opinions of counsel in the matter to the Chancellor, so as to give him an opportunity to try and set matters right before it was too late. They did not rush into Court, but addressed a quiet letter to the Registrar. Unfortunately, Lord Lamington, our popular, liberal and highminded Governor, (cheers) was not then in Bombay, and the authorities on the spot took it on themselves to ignore the objections raised and proceed with the elections. This angry high-handedness left no option to those, who declined to be parties to illegal proceedings, but to resort to the High Court as the only means of bringing back to a sense of responsibility those who, clothed with a brief authority, wanted to defy

the plain requirements of the Law. The suit in the High Court did indeed open the eyes of these men, but then it was perhaps too late, and they induced the Government to help them out of their difficulty by means of a Validating Bill. Now a measure of this kind, after all the feeling that had been roused in the matter, was bound to call forth the most vigorous protest, and any man, less self-absorbed than Lord Curzon, would have seen this, and any one less intolerant of criticism than he would have recognized the necessity of meeting it in the same spirit of moderation in which it was made. But Lord Curzon had long since ceased to have any regard for Indian public opinion; so it mattered nothing to him what the people thought of his Validating Bill and it mattered nothing how derogatory it was to the prestige of both the High Court and the Legislature. And when a sharp but perfectly natural and dignified protest was entered in the Legislative Council by the Bombay member (cheers) against the measure and the proceedings that had led to it, the Viceroy betrayed complete loss of temper and permitted himself to use language about the motives of his critics hitherto happily unknown in our Council debates. He characterized some of the observations of the honourable member as fit only to come from the mouth of an enemy of the Government, (hisses) and openly declared that there were friends behind him, who were actuated by anything but a disinterested love of education, whose sole desire was to discredit the new Universities and to bring their work to a standstill. "This" he said, "is the scheme, that has been devised in certain quarters and it is now about to fail." Gentlemen, it is difficult to speak in restrained terms of an attack so acrimonious and so undeserved on men, whose only offence was that they had striven honestly to discharge a public duty according to such light as they possessed. The speech of the Viceroy caused deep pain throughout the country, and as the *Planters' Gazette* of Calcutta said, the pain was felt by no one more keenly than by some of the most devoted admirers of His Excellency among his own countrymen. I think, however, that if matters had gone no further, even this pain would have been borne by our countrymen with characteristic patience, because of our traditional and instinctive reverence for the divinity which surrounds the Viceregal office in this country. Unfortunately this serious lapse from propriety, good taste, dignified feeling and a sense of responsibility, deplorable as it was, was followed by a further lapse still more serious and still more painful. Lord Curzon evidently under the impression that he had not inflicted sufficient chastisement on his presumptuous critics, returned again to the attack the next day and immeasurably embittered and aggravated it by the very choice of the place and occasion. The place was the Senate House of the Calcutta University—the occasion was the annual Convocation—a solemn and memorable day in the lives of young men. Here in the form of an hortatory address and in the guise of a homily on the virtues which young men ought to cultivate, Lord Curzon delivered himself of a denunciation of our public men—the elders of the young men, whom he was addressing, the most sweeping, the most unkind, the most uncalled for, and the most unjustifiable (hisses). He told the young men in effect that their elders were men given in an unusual degree to untruth in language, to the habit of flattery, to the vice of slander, to the discovery of mare's nests and to the vilification of political opponents. The cruel humour of the thing was that Lord Curzon was unconscious that he was using a double-edged knife. And to add, as much point to his observations as possible, he pressed into the service even his slight and immature and superficial acquaintance—it cannot be more than slight at best—with the ancient history, the literature and sacred books not only of this country but of the whole East, and he told his hearers that the classics of their literature generally presented truth attended by some qualification, that the highest ideal of truth was to a large extent a Western conception, that undoubtedly

truth took a high place, in the moral codes of the West—before it had been similarly honoured in the East—the East that has for centuries bowed before the teachings of Buddha and of Christ, of Mahomet and of Zoroaster, and has supplied the West with its faith and religion. Now, gentlemen, the people of India are very patient—it is sometimes urged as a reproach against us that our patience is not easily exhausted. And certain it is that from so exalted a personage, as the Sovereign's representative in this land we are prepared to hear almost anything. But even our patience has limits and not even the Viceroy of India can be permitted without protest to touch ignorantly or irreverently the ideals and sacred books of our race, (hear, hear) which we cherish as a precious heritage, when so much else has been lost, (cheers) Gentlemen, one would like to believe that Lord Curzon himself is regretting in his calmer moments what he allowed himself to utter under the stress of excitement and resentment. In that case, I think, His Lordship should have taken an early opportunity frankly to say so, and thereby soothe feelings that have been so justly pained. But great as he is, perhaps he is not great enough to recognize an obligation of that kind towards a people, situated as we are. (loud cheers) We thus find ourselves compelled to follow the example of our brethren of Calcutta, Madras and Allahabad and give expression to our sense of the injury that Lord Curzon has done us and the pain he has inflicted. Our self-respect commands it; our duty and our conscience renders it imperative. The pain caused by his utterances has been intensified by the fact that the aspersions on our public men were cast on an occasion which is a solemn moment in the lives of young men, and that in doing so he spared neither the ideals and traditions nor the literature and sacred books of the people, over whom he has been set to rule or of the East for which he assures us he feels such profound love and reverence.

(LOUD AND PROLONGED APPLAUSE.)

Mr Amiruddin Tyebji then proposed the following Resolution:—

That while deploring, as loyal and devoted subjects of His Imperial Majesty the King-Emperor, the necessity of such action as they are taking to-day, the Citizens of Bombay, in Public Meeting assembled, deem it their duty to give expression to the deep pain with which they have observed that H. E. Lord Curzon, who is not only the Head of the Indian Administration but also the Representative of our beloved Sovereign, has thought it right and proper, both in the Council Chamber and in the Convocation Hall of an Indian University, to cast undeserved and unfounded reflections on the character and motives of the public men of this country who have honestly striven to do their duty by subjecting to legitimate criticism the retrograde principles upon which the whole country considers that the policy of the present Administration is based; That in the opinion of this Meeting, the serious nature of H. E.'s aspersions has been aggravated by the fact that the Convocation speech was addressed to the rising youth of India; and that further the country feels deeply injured that these aspersions were conveyed through the medium of a depreciative estimate of the ideals, the literature, the Sacred Books and the traditional standards of life and conduct of the people of this country and of the East generally.

Mr Jehangir Bomanji Petit seconded and Mr. Narottam Morarji Gokuldas supported the Resolution, which was carried unanimously and with acclamation. On the motion of Mr. D. E. Wacha, seconded by Mr. Mahamed Alli Jinh Barrister-at-Law a vote of thanks was accorded to the President for his able conduct in the Chair. The Chairman briefly replied, and after thanking the proprietors of the Novelty Theatre for its loan declared the proceedings to be over. (Three ringing cheers were then given to the King-Emperor.)

THE GREAT SOPHIST EXPOSED

A REPLY

TO

**LORD CURZON'S ATTACK ON INDIAN
CHARACTER AND LITERATURE**

AT

THE CALCUTTA UNIVERSITY CONVOCATION.

REPRINTED

FROM THE

DAILY "INDU-PRAKASH"

Bombay.

12th April 1905.

into the clearest light. "The Church holds" he writes, "that it were better for Sun and Moon to drop from heaven, for the earth to fail, and for all the many millions who are upon it to die of starvation in extremest agony, so far as temporal affliction goes, than that one soul, I will not say, should be lost, but should commit one single venial sin, should tell one wilful untruth though it harmed no one, or steal one poor farthing without excuse."

"It is certainly no exaggeration to say, that such a doctrine would lead to consequences, absolutely incompatible with any life outside a hermitage or a monastery. It would strike at the root of all civilization, and although many may be prepared to give it their formal assent, no human being actually believes it, with the kind of belief that becomes a guiding influence in life."

Map of Life, Chap. VIII, pp 88-89.

THE SPIRITUAL SUPERIORITY OF INDIA.

It is impossible that a man of Lord Curzon's scholarship should not have read these books, or, at any rate, heard of these limitations. Have not the questionable acts of the Jesuits been traced to the limiting doctrine of the justification of means which they carried to excess? Nor is the assertion of the rigidity of the doctrine of truth confined to the West. It was because the doctrine was conceived in its rigidity, that we have our Epics taking delight in the story of Harischandra, who to maintain his promise given in sleep gave up his kingdom, sold himself, his wife and son, took service under a Chandala, and offered to kill his wife as a common Chandala. The tale may not be all history, and the details may have been invented: but it was intended to point a moral which was in this case the rigidity of acting up to one's promise. Who does not know of Rama's going into exile to keep true his word given to his father? But these rigid observances are rare in practical life in the West as well as in the East. But that many more men like to observe these rigid rules in the East than in the West, will appear from the fact that more men retire from the world in the East than in the West—a fact compatible with what Mr. Lecky says in the extract given above, and compatible with another fact asserted by all who have travelled from the East to the West, i. e., that there is less attachment to this world in the East than in the West, that, in fact, there is more spirituality in this land than in the land which is given up to the worship of Mammon and Power.

AN INDIAN EXHORTATION TO LORD CURZON.

We will not presume to decide as to what nation is superior in point of morality. We do think an individual's powers of observation are limited, and however great they may be, his generalizations at the best must be founded on a comparatively few instances. Lord Curzon is no exception to this rule, and as we do not presume to force upon him our generalizations, his Lordship will not be angry with us if we do not accept his. Even if our generalizations be not wide of the mark, as they are likely, we had in such cases best follow the rule laid down by Manu:

न वृथात् सत्यमप्रियम्—

Let us keep to ourselves the truth, that is likely to sound harsh in others' ears, particularly when it is not likely to bring them to our views. How we wish Lord Curzon had followed this rule!

"Behold how the unrighteous and the bad come to grief sooner or later. Unrighteousness does not indeed yield its fruit all at once. It visits the offender slowly but when it does, it tears him by the roots. If it does not visit the person himself, it visits the sons, if not the sons, the grandsons; but it does not cease to yield its (bitter) fruit. (For a time) an unrighteous person may seem to prosper, see good days, and even to lord it over his enemies, but rest assured in the end he is wholly ruined". Here we have no qualifications. Truth as we have said above forms one of the elements of high character, and is designated as वाक्यं तपः "austerity consisting of speech." Mild as an Indian is he never goes for harsh truth. Hence we have Manu IV, 138; which the contemporary we have referred to above has mistranslated, but which we render as follows:—

"Speak the truth, speak what will please others, but do not speak harsh truth; or for the matter of that speak a falsehood because it will please." The exceptions to speaking the truth arise from the fact that truth has been identified in the Mahābhārat with benevolence (सत्यं भूतहितं श्रेयम्), and a commentator on truth (सत्य) in the Bhagavadgita XVI, 2, defines it as (अनर्थो ननुदासि यथासुतार्थवचनम्) a true assertion, which is not likely to cause a calamity. Evidently the old sages rose higher than technicality, when they thus included truth in a higher good which is no less than benevolence. This explains some of the exceptions laid down, which we need not enter into. These exceptions have their counterpart in Western civilized life. Who has not heard of everything being fair in love and war? Who has not heard of the right of prestige? If in ancient days the cow and the sacrificial fire and the Brahmin received special honours, in these days, you hear of gaming laws and arming acts, and special privileges claimed by the modern whites. It will not be out of place to state here that all moralists, Western as well as Eastern, have recognised and made allowances for these exceptions. Here is what Mr. Sidgwick says:—

"We no doubt admire the exhibition of these virtues [candour and sincerity]; but few will maintain that they ought to be exhibited under all circumstances. And it seems to be admitted by Common Sense, though vaguely and reluctantly, that the principle, however defined, is not of universal application, at any rate it is not thought to be clearly wrong to tell untruths to children, or madmen, or invalids, or by advocates or to enemies or robbers, or even to persons, which they know they have no right to ask, *** When we consider the limitations generally admitted it seems ** they are very commonly determined by utilitarian reasonings, implicit or explicit." *Methods of Ethics*, p. 355.

Again Mr. Lecky in his "Map of Life," which is commended by President Roosevelt, who only objects to the queer title of the book says:—

"The phrase, 'moral compromise' has an evil sound, and it opens out questions of practical ethics, which are very different and very dangerous, but they are questions with which consciously or unconsciously, every one is obliged to deal. The contrasts between the rigidity of theological formula and actual life are on this subject very great, though in practice, and by the many ingenious subtleties that constitute the science of casuistry, many theologians have attempted to evade them. A striking passage from the pen of Cardinal Newman will bring these contrasts

is the time when they can, if they will, direct it and guide it along a safe channel. Are we asking too much if British statesmanship will be found equal to the occasion? As yet however darkness covers the plain. Who knows but that the darkest moment is but the harbinger of the rising dawn.

TRUTH UNQUALIFIED IS INDIA'S IDEAL.

We have however travelled far from our point. Let us come back to it. We have said above that some try to explain away the Viceroy's allusion as being meant for the immediate forefathers of the generation that saw the establishment of British Power. But the reference to our Epics by his Lordship does not countenance this explanation. When it is remembered that again and again Lord Curzon dwells upon the natural superiority of the British race and makes it the ground for reserving all higher posts and all posts of responsibility for the British, his argument can only be meant to prove the inherent inferiority of the people of this soil. His arguments may be summarized thus :—“You have been descended from a long line of ancestors, who did not prize truth as highly as the Westerns did, for even in the Epics, you honour so much, only conditional Truth is respected.” It is no wonder if his Lordship's subtle eye, that dwells on the words “as far as may be” in the beloved Queen Empress' Proclamation so intently as to lose total cognisance of the general drift of that document, should be caught by the exceptions to the general rule, which a local contemporary has hastened to produce for the edification of his Lordship, whose humble apologist he has been, in column after column. These exceptions cannot indeed be ignored. If they are noted down in writing, they only mark the inherent frankness of the ancient authors. In the west, they manage things better. The exceptions are not written down, but practised not the less. But is it a fact that in the East absolute Truth is not respected? We demur to the charge. The Rigveda says again and again that even the Earth and the Heavens are upheld by Truth, which is identified with the eternal, with the never-changing course of things. Truth lasts for all time. Time and space may disappear but truth will be found to be living. In one of the Upanishads the first lesson taught to a disciple by his guru is “speak the Truth.” Here Truth is not qualified. Indeed, the precepts “do your duty: respect your mother as God” follow this, the preceptor evidently acknowledging the Sovereignty of Truth over all these minor precepts. The Apastambha Dharma sutras exhort “speak the truth and discard falsehood and thus by truth shalt thou attain Heaven.” सत्यं ब्रह्मवृत्तं त्यक्त्वा सत्येन स्वर्गमेक्यसि And the Ujwala commentary explains truth to be unconditional truth (यथा वृष्टाद्यैवादित्रं). Manu who is often quoted dwells upon the importance of a high character—“as the foundation of all duty” (IV 155) “धर्मो मूलं निषेवेत सदाचार मतान्द्रितः” In another place, he identifies high character with duty itself (आचारः परमो धर्मः) Duty, he enumerates as ten-fold (VII. 92), in which Truth finds a special mention. That duty is not ordinarily conditional appears from the verse (IV. 171), where he says “even in a difficulty brought on by a life of high principles, one should not have recourse to unrighteousness” नसीदन्नपि धर्मेण मनोऽधर्मं निवेशयेत् And he assigns the reason why, in that and the following three verses where he says—

the benevolent intentions of the British Government received support from the view of the Liberal leaders who dwelt upon the philanthropic mission entrusted to Great Britain, and talked that as soon as that mission of raising the Indian nation to their level was fulfilled, the conquering nation would hand over the reins of government to the children of the soil, and return over the sea to their island home. We believe they were not altogether insincere in these professions; the great Liberal party had their views centred on the land of their birth,—they regarded the Colonies as an unnecessary burden, which they would gladly throw off, if they could, and looked upon Indian possessions with still greater disfavour as they absorbed the nation's highest talents, which otherwise should have benefited the mother country. Those Liberals were true liberals,—they prized liberty not for themselves alone, but held it out to those who according to their opinion unfortunately came under their power. This view, however, gradually fell into disrepute. The success of Imperial France for a time, followed by the success of Imperial Germany and its unification, the apparent success that attended the flight of the Russian eagles across Siberian steppes and Central Asian Khanates, roused the spirit of the new Imperialism in Great Britain, which dubbed the views of the old liberal party as that of "little Englanders." The voice of the new siren could not fail to catch the ears of a section of the Liberal party, which threw its mite into the scale of the Conservatives and made the latter overwhelmingly strong. The federation of the American-British Colonies and the federation of the Australian Colonies strengthened and nourished the spirits. The attempts of the South African Colonies to subdue the Boer Republics inflamed the slumbering jealousies into a great war, which itself served still more to bring Imperialism into popular favour. While this spirit became rampant, Indian youths rubbed their eyes. Side by side with the spread of Imperialism in Great Britain, the spirit of a love for the past was roused and spread among the younger generation. It began to be seen that the fathers who fought and lost were not fools as they were called, that the old literature was not altogether a tissue of lies and fables fit for fools and children. The very admiration expressed by a Shopenhaur and a Max Muller for ancient writing, the work of the Congress and the Social Conference, the free intercourse between the people of different provinces by means of railways and telegraphs, the spread of western ideas through schools and Colleges, the work of the Theosophical Society, the revival of ancient learning, and lastly the phenomenal rise of Japan, have all tended to put into the heads of the rising generation an idea of nationality, which promises to grow and develop in the course of time. The result is that self assertion has replaced the self-abasement that characterised an older generation, that self-reliance has almost thrown into shade the gratitude for impersonal British power—though gratitude for personal devotion to the cause of the fallen nation still beats as high now as of old. The phenomenon is new and is not understood. Some would stifle it by derision and contempt and some by ignoring it. But it has outlived both. It is yet to be seen whether it would not succumb to flattery. That danger is, however still far ahead. In the meanwhile, it behoves the rulers to recognise rightly the inherent strength in the advocates of the new cause, and to put themselves at the the head of the movement. Now

fiction, the existence of which may be explained but cannot be denied. It must, however, be granted that the effect of Western Education in this direction, during the last thirty years, has been immense. There is ample testimony to show that educated natives are now more careful and precise in their statements and more guarded in their expression than they used to be. If some are occasionally found still to indulge in what is called, "tall talk," it may be explained by the fact that the reform in this direction is always slow, and that it has not yet thoroughly established itself even in the West. And small wonder is there for this. Real scientific methods have been the discovery and invention of the last century and a half, and will take time to filter from the upper strata of scientific men to the lower strata of common people. Persons brought up in scientific methods like Lord Curzon have little patience with what they think the stupidity or malevolence of common people; but a true philosopher, who weighs all the circumstances, and takes care to put himself in imagination in ordinary environments, will make large allowances. In spite however of the historical imagination on which his Lordship prides himself, and justly too, it must be confessed that he lacks the saving grace of sympathy for his critics, without the aid of which that imagination is sure to waste itself in "desert air".

BRITISH IMPERIALISM vs. INDIAN NATIONALISM.

We wished his Lordship had stopped short at the mention of want of intellectual veracity, but he coupled it with want of moral veracity too. He did not blame only the existing society, but included the ancient progenitors of the race. An Indian will meekly bear an insult given to him personally, but will be roused if his "forefathers" are dragged with him. His Lordship, in fact, said, "you are liars yourself, and your forefathers, too, equally with you were liars." It has been sought to explain that the forefathers meant by his Lordship were the forefathers of the generation that saw the establishment of British power in India, when the Indians lost, it is alleged, their power, because of their moral inferiority and their love of chicanery and when their admiration for successful wile could not hold its own when matched with the downright honesty and straightforwardness of the British officers with whom they came into conflict. That such was the view imparted to or formed by the sons of the generation who lost is evident from the writings of the Indians, who early came within the ring of western influence. The fathers took one view of the situation (which was not very complimentary to the British nation), while the sons held a diametrically opposite one. The sons believed in the benevolent intentions of the British Government, while the fathers considered their defect as due, not to the moral superiority of the conquering nation, but to its superiority in military discipline and armament, added as that was to unity of counsel and unity of action. That the fathers' view was correct is amply shown by the fact dwelt upon by Prof. Seely that England did not conquer India in the sense in which, for instance, William the First conquered England, but in the sense that England made use of one part of India to fight against another part, and to win it; and that the machine supplied its own oil to keep it agoing. But the fathers' view did not commend itself to the young enthusiasts of the early part of the nineteenth century, while

its breath on the attempt to convince the other of its sincerity—an attempt which, in the existing state of things, is sure to fail. It has however the merit of disburdening the pent up hearts of its heat, and as such we welcome it:

PERSONAL ALLEGATIONS.

Let us now take the assertions and allegations of Lord Curzon, which have given umbrage to Indian society. We will leave aside the direct attacks made by His Lordship on the present leaders of Indian society. They are too personal, and it would be waste of energy for us to declare over and over again that we confide in and highly respect these leaders, whatever disfavour they may have earned in high quarters by the opposition they have honestly thought it their duty to offer. We can, however, deal with the other charges in the Convocation address with greater benefit, for they can be brought within the area of impassioned discussion and tested by references to the facts of history, and are not likely to create undue friction and irritation.

THE INTELLECTUAL VERACITY OF INDIA.

Let us take the first statement that the East indulges in exaggeration and invention, which are but forms of want of intellectual honesty. It must be conceded that there is a good deal of truth in it. The Epics and the Puranas abound in both of them. What are they due to? They are born of the spirit of wonder and vastness and fear, which stupendous Nature in tropical India, too powerful to be subdued by man, has roused in him. That spirit received accession from a spirit of non-attachment to this world, which Indian sages from time to time inspired among their followers. The whole outward world was to them the work of *Maya*—an illusion, ever shifting and ever transforming itself. There was little use in deducing laws which governed the operations of such an unsubstantial series of phenomena. Everything there was possible. What man should do was to turn away from this outer world to the inner world within him, of which he could be a master. Here the Indian Sage was found at his best. Here he did not indulge in exaggeration; here he was subtle in his arguments—a subtlety in which he was more than a match to his compeer in the West. In Logic, in Grammar, in Rhetoric, in Philosophy, which the Indian was the first to cultivate, he was not found tripping and his work here compares favourably with the work of the Western scholar, poet and philosopher. But in dealing with the laws of outward Nature, he was a child gaping with wonder, and like a child he believed in everything. Like a child, too, he tenanted darkness and night with ghosts and mysterious powers, and credited Yogis who mastered themselves with mystic powers. This belief is not yet extinct and even scientists, trained in the rigid School of Modern Science, have not been able to shake it off. We cannot shut our eyes to the existence of this spirit of wonderment in many of us, and this is, we believe, at the bottom of exaggeration and fiction indulged in. The spirit is not confined to operations of Nature, but naturally spreads itself beyond that sphere. It is only training by scientific methods, which is very different from the teaching of science now in vogue—for science may be taught unscientifically, as it has been taught in many Indian schools and colleges—which can correct and limit this spirit, which gives rise to the national defects of exaggeration and

playing the grand Emperor's part at the Delhi Durbar. We ask him to think whether his marked discourtesy to his opponents at the Council Chamber, followed by his savage attack upon the people he rules over, only two days later, make up a picture of that balanced dignity, which is the *sine quo non* of an aspirant for greatness? We are sure that when cooled down Lord Curzen will repent at least of these speeches. When he will cool down, we cannot possibly say. We had thought that the Grace of God which restored to him his all but lost wife, would make him tender towards the millions Providence had again placed under him for two years. We are sorry we have been disappointed. But we do believe that when Lord Curzon returns to England and essays there to play a great man's part, he will repent that whilst in India, he did not cultivate the ideal of truthfulness of act as well as word, as also of generous regard for the people's hopes, feelings and aspirations, as it has been depicted in the immortal literature of ancient India



THE MAIN ISSUES OF THE CONVOCATION SPEECH CONTROVERSY.

THE REAL STING OF THE ATTACK.

(*Daily Indu-Prakash 11th April 1905.*)

Now that the political atmosphere, charged with the electricity of discontent and mistrust, is disburdening itself, and Bombay is preparing to have her say to-morrow, let us examine with the aid of the dry light of impassioned criticism such of the statements in Lord Curzon's Convocation Address as have given rise to that discontent and mistrust. To begin with, we will concede that, if the address had preceded the Viceroy's closing speech at the University Validating Act debate, in which His lordship questioned the sincerity of the Hon. Mr. Gokhale's "Friends", who fought against official odds, in the matter of "University Reform", and attributed motives to them, it should not have provoked such indignation throughout the Indian world. But following as it did that speech of bitter attack, the Convocation address only added fuel to fire. Not content with taking to task the present critics of Government for want of intellectual veracity, the enraged Viceroy, in the course of the said address, charged them with want of moral veracity too, and added that the standard of Truth was not only higher in the West than in the East but was earlier developed there. The address, therefore, virtually tried to denigrate the leaders of Indian Society in the eyes of the young graduates and wean them from their influence. The speech at the closing of the debate on the Validating Act was made from a political platform, and the sting in it could have been borne with patience: but when it was seen that, even the refrigerating atmosphere of the University Hall could not cool down the heat generated by political irritation, it was thought that it must have deeper sources for its origin. In his reply to the Municipal address at Bombay in November last, Lord Curzon asked the people of India to trust in the generosity and good-will of Englishmen; and Sir P. M. Mehta, replying to that speech from the Congress platform, appealed to the Viceroy and his subordinates to equally keep trust in the good motives of the national patriots. Both these appeals, it would seem, fell on idle ears, and each party has been spending

one's word and keeping one's *Dharma*, as it is taught in our literature. The ideals were practised thus also and are even now adored and practised in a large number of families, even amongst the poorest, many of whom never cross the threshold of Courts or come in any contact with the European Civilians, on whose estimates and inferences from their Khansamas and butlers and the sycophants that hang upon them are built up such verdicts of national denigration as Lord Curzon presumptuously indulged in at the recent Calcutta Convocation.

What a sorry, what a poor figure Lord Curzon has cut, he probably has no conception of. He challenges a close examination and a comparison and we accept the challenge. We ask him whether as ruler he can approach the high kingly ideal we have shown to be the ideal of India's literature of the past. How many promises he made, and in how many ways has he given us the slip? When he came to India first, how eager was he for our applause, what speeches did he make, what promises did he give about respecting public opinion, and particularly responding to the demands of the educated section of the people? And how has he redeemed himself? Under Lord Curzon's regime it is, that the Municipal liberties of Calcutta have been snatched away, that aggressive acquisitions have been made in the direction of Tibet, that even aided primary and secondary education has been deprived of the autonomy it had, that in spite of declarations and specific promises to the contrary, Europeans and Eurasians have begun to be systematically substituted in the State service for Natives, that wanton wastes of public money like on the Delhi Durbar have been sanctioned, that attempts are made to misrepresent facts by jugglery of arguments and figures, as in the case of the questions of the Delhi Durbar expenses and the appointments for Natives and Europeans, that the status of the Native Chiefs and Princes has been effectively lowered, that the press has been gagged by means of the Official Secret's Act, and lastly, Universities converted into departments of the State—effectually so, after the University Validation Act.

How far all this approaches, rather, fails to approach the kingly ideal of our ancient literature—an ideal not unknown even in the dark days of the desperate struggle of the Rajputs and the Marathas against the Mahomedans—we leave it for Lord Curzon himself to judge. To please the people was the watchword of our rulers, to listen to their voice as given expression to by their natural leaders and to pursue a policy of generous concessions and of progressive achievements of peace was Lord Curzon's specific promise in more speeches than one. Lord Curzon has proved that according to his conception, truthfulness does not include carrying out in act promises made by word of mouth and that not only is it no part of a ruler's functions to please the subjects, but that it is his high privilege to impute motives to opponents, to misrepresent them in a speech in the Legislative Council and to denigrate them and their entire nation in so sacred a place as a Temple of Learning itself.

There are moments when a man loses all powers of reasoning and does things of which he repents in cooler moments. Lord Curzon has always been a lover of pomp and show and did all that was possible for his

Validation Act. In the name of truthfulness, we ask Lord Curzon, whether the dead-lock was produced by Government action, or as he alleged gratuitously, by that of the party whose only sin was to ask the Courts of Justice to say whether Government or they were in the right ?

If even in the matter of speaking exactly what one believes to be true, Lord Curzon is found so sadly wanting, when fairly weighed, what wonder if he should be found utterly in-capable of approaching those higher ideals of truthfulness in an extended sense, which are to be found, not in the West, as Lord Curzon vaunted, but in the East, of the spirit of the literature and national ideals of which he showed himself to be so profoundly ignorant in his notorious Convocation Address ? Truthfulness in India has always meant not only speaking the truth, but acting the truth, breathing the truth, keeping one's word at all hazard, faithfully fulfilling expectations and promises, and remaining through act, word and intent, true and faithful to one's duty. Dasaratha had promised to Kaikaye one boon and rather than refuse it, he decrees the banishment of Rama, which brings death to himself. Rama obeys and his younger brother Bharata refuses to become ruler in his stead, because both they are true to their *Dharma*. Bhishma gives up his right to the throne at his father's bidding and rather than swerve from it refuses to marry. Inclined towards the Pandawas, he yet fights for the Kauravas against them because the latter were his *de-facto* and legal kings. Yudhistir, the senior Pandava is truth incarnate. Once alone he is induced to tell a white lie, but the penalty he pays is that a toe of his drops down as he is translated in human form to the Heavens, King Harischandra gave away his kingdom in dream only to Viswamitra. He kept his word even of a dream and gave over his kingdom to Viswamitra. King Shriyala promised a boon to Siva, come in disguise as a Brahmin beggar, and the Brahmin, asked for food, the flesh of the king's son Chilaya, cooked by the parents themselves without shedding a tear. Without a tear was the boon given and the word kept. Of such stuff were the heroes of our great epics and Puranas. They have characters of a lower kind painted, but never were causists and sophists given by them a high rank or an envied place in heaven. Shri Krishna is represented as having had throughout his life a double capacity—that of an incarnation of God and that of a diplomat and common mortal. In his latter capacity he often is machiavellian, but in that capacity his fate too is far from enviable. The ideals held up in our epics and Puranas are always high, high for the king as well as the people. But the ideals for kings are even more lofty than those for common people. The very word *Raja* means "who pleases the people." Rama when he abandons his dearest Sita, does so in order to carry on that vow of pleasing his subjects, which had been scrupulously followed by the entire race of the descendants of God Surya and the Raghus. Lofty ideals of kingly duties were placed before and followed even by demon-kings. King Bali vowed to give three paces of earth to Vaman, the sixth incarnation of God Vishnu. Warned against being taken in by the boy, in which form Vaman appeared before him, Bali yet gives him the boon. Then Vaman grew up and with two paces occupied the entire earth and the sky. In lieu of the earth required for the third pace promised, King Bali gives his own head!!! Such was the truthfulness, such was the value of keeping

luable and commonplace whereof is saying exactly what one believes to be true. Even in regard to this minimum essence of truthfulness, Lord Curzon stands condemned in his own words as a serious defaulter. Thanks are due to the *Amrit Bazar Patrika* for the vigilance, with which, from Lord Curzon's own "Problems of the Far East," it has unearthed and published an unblushing confession that his Lordship "unhesitatingly responded forty" when the President of the Korean Foreign Office enquired his age, whilst his Lordship was only 33, the cause of the lie being that his Lordship had been warned that no one below forty was respected in Korea. Next, his Lordship was guilty of a *suggested falsi* in insinuating that he was likely to become related to the Royal Family by marriage. The *Patrika* also pertinently points out that this passage has been omitted from later editions of the "Problems of the Far East." We may well ask Lord Curzon where was his truthfulness gone when he thus violated it in more ways than one for the paltry advantage of posing forth in a third class *Durbar* as a man of importance?

Where was that truthfulness gone, we further ask Lord Curzon, when during the Debate on the University Validation Bill, Lord Curzon roundly charged the Hon'ble Mr. Gokhale with "speaking for his friends out-side," when he charged Mr. Gokhale and his friends for being "no disinterested friends of education," and lastly, by way of giving a finishing stroke to this wanton attributing of motives and unscrupulous allegation-making, his Lordship said that the object of Mr. Gokhale and his friends was to discredit the Act, manipulate the Syndicate and through its adverse-working bring on such a dead-lock as would defeat the intentions of the Legislators of that measure? Has his Lordship any evidence to support these charges? It has been the fate of India to accept the inevitable and try as far as possible to minimize the evils resulting from harmful legislative and executive measures. She accepted the Universities Act in this spirit and accepted everything coming under it legally. But surely, making a manly protest against an illegal infringement of even that retrograde Act is neither to obstruct nor to attempt to defeat its operation.

Moreover, we do ask his Lordship whether there was truthfulness in what he said as regards a dead-lock produced by the action of the Bombay protesting Fellows in the University work? In the Act there is provision that so long as new rules are not made the old rules and regulations stand good. The new Senate could have been asked to follow them and make the necessary elections. The argument about dead-lock and obstruction is, in fact, absolutely flimsy.

The truth is that the charge of an attempt to defeat the intentions of the Act is to be laid against Government itself, not against the popular party. The Act gave the power of electing the Syndicate to the Senate. The executive wanted to have it practically in their hands. They also thought that they should take in their hands the division of the Fellows into different Faculties. Hence came the *ultra vires* and illegal notifications. But the danger seemed to be that the Courts of Law would not allow this assumption of power to be digested. Thus came forth th.

gossip, lying advertisements, deceiving speculators and crooked and entire, ly perverted diplomacy perfected as a science since the days of Machiavelli, It was all very well for Lord Curzon to tell the graduates assembled before him to abstain from abuse, and misrepresentation in controversy and to believe in the good intentions of others and to shun platform eloquence, May we however ask His Lordship how it was that he forgot all these homely truths when, speaking on the University Validation Bill, he was uncourteous enough to tell Mr. Gokhale that he was speaking for his friends outside, and to further allege that Mr. Gokhale and his friends were no disinterested lovers of education and that the object of all the opponents of the Validation Bill was nothing else but to bring education to a standstill. A nice object-lesson indeed !!

II.

PHYSICIAN ; HEAL THYSELF !

LORD CURZON AND INDIA'S KINGLY IDEALS

(*Daily Indu Prakash 20th Feb. 1905*).

It is related in the Maha-bharata that Karna, the main pillar of the Kaurava strength and the trusted confidant, ally and evil genius of Duryodhan, was installed by him with great faith as the Commander-in-Chief of the reduced Kuru forces, and it was expected that he would do what his predecessors Bhishma and Drona had failed to do. Karna was a great warrior and fought bravely, but the Pandavas brought him to bay on the third day of his command, and the cup of his iniquities being by that time filled, the fates ordained that he should have the wheels of his chariot immovably sunk underground. Arjuna was on him, ready to give the death blow ; Karna then appeals to him in the name of *Dharma* (truth and religion) not to strike whilst he was rescuing his chariot. It was then that Shri Krishna recounts, one after another, the numerous iniquitous acts of Karna, and after each indictment asks " Where O Karna was gone your *Dharma* then" ? The case of Lord Curzon seems to us to be exactly on par with that of Karna. His Lordship has the same pride, the same self-sufficiency, the same supreme love of fame, the same indomitable natural instinct for meddlesomeness and mischief, the same precocious glammer which gave him opportunities for harm which he was equally ready to utilize to the best. And like Karna, with the cup of iniquities fully filled to the brim by the University Validation Act, Lord Curzon comes forth at the Calcutta Convocation to appeal to truth, and by one stroke raise himself and his race to the skies and insult and blacken not only his opponents, but the entire nation on whose behalf they fought, and fought in the name of truth, justice and righteousness.

And as Shri Krishna enumerated iniquity after iniquity of Karna and asked him where had gone away his *Dharma*, when he practised it, we too are tempted to ask Lord Curzon, whether even he, with his conveniently pliant conscience, can lay his hand on his heart and seriously say that he has endeavoured to act up to the high ideal of truthfulness, which he claimed as belonging peculiarly to the West ? His Excellency is, at least claims to be a scholar and knows well that truthfulness has different phases, the least va-

LORD CURZON AT THE CALCUTTA CONVOCATION.

(Daily Indu Prakash 14th Feb. 1905).

X.

There was a time when Lord Curzon made it a point to at least dazzle people by his eloquence and express sentiments and feelings, which for the moment at least carried the audience away and created a momentary impression that here was a ruler who was actuated by the most lofty sentiments and generous desire to do good to the country placed by Providence in his charge. His Lordship seems to have cast off all such weakness, and it seems to be his determination now to lose no opportunity whatsoever to discredit and to abuse those natural leaders of educated Indian public opinion, who have now seen through him and who are no longer deluded by the legerdemain of sophistry, which Lord Curzon seems to have studied and mastered as an art. We think that the speech of His Lordship on the Validation Bill gave ample evidences of that, and by way of complement comes the address delivered at the Calcutta Convocation. *The Statesman* was certainly right in regretting "that His Excellency should, in the guise of a hortatory address, have chosen to distress, to wound and to denigrate the people over whose Government it is his high destiny to preside." There are no doubt a number of platitudes as regards truthfulness and independence of judgment, abuse of controversy, uselessness of platform eloquence, fairness to an opponent and such other common-place things—commonplace even in a Convocation address to young graduates : but the point to be noted most is that Lord Curzon did not make his speech merely a pulpit homily but he abused the opportunity he obtained by vilifying a great party and a great country. "Imagine what it must mean" says the *Statesman* "to an educated Indian to have put before him a comprehensive indictment of his countrymen, as men given in an unusual degree to untruth in language, to habits of flattery, of vice, of slander and vilification, the discovery of mare's nest and the denigration of political opponents." Indeed, this speech will be one more feather in the cap of Lord Curzon, one more glory, which with his perverted notions he is sure to prize, one more newly—developed or rather newly—discovered trait of character, both as man and ruler.

We are unwilling to enter into controversy with a Viceroy whom we cannot possibly accept as a candid friend and as a genuine well-wisher. India, we are sure, will survive wholesale condemnation like the one she has been subjected to. From times immemorial, she has been trained in the maxim of नहिं स्यात्परमं (There is no religion higher than truth). Her national ideals are men like Rama, Dharma and Bhishma; and if in the days of the crushing burden of foreign subjugation, the lower classes have cultivated the habits of *Suggestio Falsi* or *Suppressio Veri* in regard to their dealings with their actual or potential oppressors, in dealings between themselves even they have not given up the higher ideal altogether. We know also that in the West, where Lord Curzon boasts that there is decidedly greater attachment to truth, there are what they call society

SIMULTANEOUS CIVIL SERVICE EXAMINATIONS AND HOME MILITARY CHARGES OF INDIA.

MASS MEETING IN BOMBAY, JULY 15th, 1893.

A PUBLIC meeting of the inhabitants of Bombay was held on Saturday, July 15, in the hall of the Framjee Cowasjee Institute, under the auspices of the Bombay Presidency Association. There was a very large attendance, and the capacity of the hall was strained to its utmost. The supporters began to arrive about four o'clock, and large numbers who came late were unable to secure seats, or gain admittance to the hall, every available inch of space, including the staircases, having been thickly occupied. There was a large number of influential and leading native gentlemen of the different community on the platform. One interesting feature of the meeting was the presence of several Parsee ladies, who were also accommodated on the platform. Amongst those present were—The Hon'ble Mr. Pherozsha Merwanjee Mehta, the Hon'ble Mr. C. H. Setalvad, Messrs. D. Gostling, C. Chambers, D. E. Wacha, Hormusji Ardeshir Wadia (of Rajkote), C. M. Cursetji, R. M. Sayani, N. G. Chandavarkar, Sorabji Framji Patel, Jamietram Ganabhojy Haridas, Cursondas C. Lalooobhojy, Mohlal M. Moonsee, Ratram D. Dave, Daji Abaji Khare, Javerlal U. Yajnik, G. R. Gokhle, N. Gokhle, Damoder Thakersee Moolji, Vandravandas Purshotumdas, Eduljee Rustomjee Reporter, Jagmohundas Vandravandas, A. Tyabji, Drs. Bhalchandra C. Bhata-vadekar, K. N. Bahadurji, Atmaram Pandurang, M. G. Deshmookh, Ardersir Dadabhojy Mody, Messrs. Vajrishanker Gowrishanker, Fazulbhojy Joomabhojy Lalji, Eknath R. Khote, Soondernath D. Khote, Rustom K. R. Kama, Ebrahim Rahimtoola, Mrs. C. M. Cursetji, Miss Sheerin Maneckji Cursetji, &c.

On the motion of Mr. Sorabjee Framjee Patel, seconded by Mr. Vandravandas Purshotumdas, the Hon. Mr. Pherozshah M. Mehta was called to the chair.

The Chairman, who was received with loud applause, said: Gentlemen,—You will see from the notice convening this meeting that you are called together to give expression to the public opinion and public feeling on two of the most important questions affecting Indian interests, which have been brought into the domain of practical hopefulness by the growing Parliamentary activity of recent times in Indian affairs. Our Anglo-Indian friends, it is true, gentlemen, deprecate the interference of Parliament as ignorant and mischievous, and warn us against a Frankenstein, which only destroys those who raise it. Now, I am prepared to admit, gentlemen, that it is a dark and difficult and

thorny path, full of pit-falls and stumbles. But so, unfortunately, are all paths to salvation, and we cannot forget that all experience has proved to us that whatever hopes and chances we possess are to be found sooner or later only in Parliament, and nowhere else. In asking you to proceed to deliberate upon the two questions before you, it is impossible not to pause for a moment to recognize the deep debt of gratitude, which we owe to those great men who pioneered the growth of this Parliamentary activity as a constant duty and systematic occupation, I mean the late Prof. Fawcett—(cheers)—and Mr. Charles Bradlaugh. (Renewed cheers) It may be truly said of them that not only did they serve as living, but they still serve as dead. (Applause) For it is in no small measure owing to the impulse of the noble example set by

“These dead but sceptred sovereigns,
Who still rule our spirits from their urns.”

that we have at the present day in the present House of Commons the earnest and increasing body of members who, under the leadership of Mr. Paul—(cheers)—have achieved so signal a triumph in the adoption of the Resolution for Simultaneous Examinations under circumstances, which at one time seemed forlorn and desperate. I think we shall now always picture to ourselves Mr. Paul as we figure to ourselves the familiar hero of many a medieval tournament, who suddenly appears on the scene, rushes to the succour of the hard-pressed champions of right and justice, turns the tide of battle, and leads them on to victory. (Cheers) But we are told, gentlemen, that our triumph is a barren one, and our exultation will be short-lived. We are told that a resolution passed in a small House by a small majority can be disregarded with impunity. Now, gentlemen, it would be idle to deny, that there is considerable cogency in this caution, especially when we remember that all the weight and fury of the great body of Anglo-Indian opinion and bias, focussed in the India Office, and led and countenanced alas! by every living Indian Secretary of State, past and present, will be strenuously cast against it. But there is hope in this, gentlemen, that though the Government were first opposed to it, the Prime Minister, and that Prime Minister, Mr. Gladstone—(cheers)—who owes his own greatness to his firm belief in moral duty, has, after taking time for consideration and consultation, decided to accept the resolution, to recognize that a vote of the House is a vote of the House, and has forwarded a despatch to the Government of India to devise means to carry it out. (Cheers) There is also hope in this that the despatch has been disapproved by the majority of the India Council, just as it is said that a cause is won when the *Times* begins to write against it. And there is hope in this, if I write against it. And there is hope in this, if I write nothing else, that even the Earl of Kimberley, with

his scarcely disguised aversion to the proposal, has been compelled ruefully to declare in the House of Lords that the question of Simultaneous Examinations, which had been fondly supposed to have been throttled and to have received its quietus at the hands of the Public Service Commission, must be re-opened and re-examined in all its entirety. This is no small gain, and it seems to me, gentlemen, that it now rests with us, the people of India, to get this hope transformed into an accomplished fact. If we will be only true to ourselves, if we will only do our own duty, then Simultaneous Examinations are soon bound to be a fact and a reality (Cheers.) When I say this, I am not unmindful of the circumstance that the capacity of the Government of India for delay and procrastination is as boundless as its promptitude on such matters as the Gaggling and the Currency Acts is as great as lightning (Shame.) But the inherent strength of our case is bound to prevail in the end, now that the question has been re-opened and the attention of Parliament fully drawn to it. I see, gentlemen, that the speakers in charge of the resolutions on this subject are looking at me in uneasy alarm—(laughter)—but I may assure them that I am not going to take the wind out of their sails. I should like, however, to point out that the real question at issue is being cleverly obscured by our opponents. The present situation is this. The halting, inconsistent, and illogical scheme adopted at the suggestion of the Public Service Commission has brought things to this pass. Under the scheme for the Imperial and Provincial Services, a certain number of posts, for which Indians are said to be not qualified by want of residence in England are set apart for Indians who have never competed, and who have never gone to England, and to which they should be appointed by the now-discredited agency of Government selection and patronage (Laughter.) What we ask for in its place is that these posts should be filled by Indians who have won them in fair competition with the best of Englishmen—(cheers)—and who should qualify themselves, as it is most essential they should, by passing two years in England after the successful competition. Can there be a doubt, gentlemen, which is the more reasonable, the more self-guarding, the more beneficial scheme in the best interests of the country and of British rule? (Cheers.) There is only one argument which may be plausibly urged against it, or rather a fear that Englishmen might be largely ousted from the Service in this way. Now, gentlemen, we would readily and cheerfully admit that it is essential and indispensable that there must be a large admixture of Englishmen in the Service to ensure the proper carrying out of English rule on English principles. Now, surely, it is an unworthy and exaggerated fear that the intellectual qualifications of Englishmen are not sufficiently superior even to the Bengalis—(loud cheers)—to ensure to them a largely preponderating share for many a long year to come. We should, however, be quite ready to allay their fear and alarm on this point, unfounded as it is, by accepting some reasonable limit of proportion which should secure the necessary share to Englishmen in the Service (Hear, hear.) With that provision, it seems to me that the case for Simultaneous Examinations is unassailable. The second subject before you, gentlemen, is not one of any lesser importance. The question no longer depends on our unformed speculations and suspicions. We have it now on unquestionable authority, no less than that of Lord Northbrook—(loud cheers)—confirmed by the past and present Indian Secretaries of State, that a grave injustice is being perpetrated in this country in the apportionment of the Military Charges. In his book on "Imperial Defence," Sir Charles Dike pointed out some time ago that the contribution of £750,000 a year for effective charges is simply indefensible, and it will

be shown to you later on that India is despoiled of about another £750,000 in connection with stores and other military charges (Cries of "Shame.") We have it now on the dispassionate and well-informed authority of Lord Northbrook that, during the last fourteen years, India has been mulcted of something like four million pounds for charges for which she is in no way liable. Indeed, gentlemen, this question of financial apportionment has become a grave scandal. It is only owing to our deep reverence for the Queen-Empress that we refrain from characterising as it deserves the decision to charge on India the cost of the Indian Cavalry that attended the opening of the Imperial Institute (Applause.) Now we hear that India is to be forced to pay a sum of £10,000 a year for twenty years towards the costs of a telegraph line from Mauritius to Zanzibar (Cries of "Shame.") The iniquity and intensity of this scandal is aggravated when it is remembered that all this is done to a country whose financial state is so critical that the Government of India has thought it fit to subject it to a currency operation of the most desperate character, in the interests of the Services and the import merchants (Hear, hear.) Whatever may be the ultimate outcome of the new Currency Legislation, it is certain that the people are for the present indirectly and in an automatic fashion heavily taxed by it, and that the mill industry of this city has been seriously dislocated. (Hear, hear.) It is necessary, gentlemen, that the country should cry out from one end to the other against so grave a scandal, and I trust you will not separate without passing a vote of the most grateful thanks to Lord Northbrook for his noble and sustained exertions to put an end to it. (Loud applause and cheers.)

The Chairman then called upon Mr R. M. Sayam to propose the adoption of the memorial to the House of Commons regarding the Simultaneous Civil Service Examinations, which ran as follows—

The Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled. The humble petition of Pherozshah M. Menta, the Chairman of the Public Meeting of the Inhabitants of Bombay, held in Bombay, on 15th July, 1893, Respectfully Sheweth,—That in accordance with a Resolution adopted by the Inhabitants of Bombay in Public Meeting assembled, your Petitioner respectfully begs to convey to your Honourable House their sense of deep gratitude and satisfaction at the righteousness of the decision arrived at, on the motion of the Honourable Member for South Edinburgh, seconded by the Honourable Member for Central Finsbury, for holding examinations in connection with the Indian Civil Service simultaneously in England and India—gratitude for the magnanimity displayed in adhering to those liberal principles of policy laid down by more than two generations of far-sighted British statesmen in the conduct of the government of India, and satisfaction at the removal of a grave disability, the result of rules and regulations as artificial and unnatural in their character as they are opposed to the letter and spirit of the Charter Act of 1833 and the Queen's gracious Proclamation of 1858, since twice re-affirmed.

2 That in declaring that simultaneous examinations should be held in England and India, your Honourable House has nobly rendered to India that justice which was long her due but which was persistently denied to her for fully forty years. By means of a succession of stringent regulations, from the very date (1853) of the institution of the Indian Civil Service, it was made almost prohibitory for Indian youths to compete on terms of equality with English candidates. The very fact of not more than a score of them having hitherto been able to enter the service compared with

over 1,300 Englishmen, is a sufficient proof of the hardship from which the Native candidates are made to suffer. It was no small grievance that the Natives of India, ambitious to serve their country, were required to qualify themselves for the service, by travelling for the purpose to London, thousands of miles away from their homes, and prosecuting their studies there amidst perfect strangers and under climatic and other conditions of an entirely different character from those prevailing in their own country, let alone the heavy pecuniary sacrifices entailed on them.

3. That the disability was fully brought to the notice of the Honourable House as far back as 1868. The late Professor Fawcett specially dwelt on it and even brought forward a motion to institute simultaneous examinations which, however, was withdrawn on assurance being given by the Government of the day that means would be taken to offer facilities to Natives of India to enter the Civil Service. In the following year, His Grace the Duke of Argyll, then Secretary of State for India, introduced into the House of Lords a Bill to that effect, which has since been known as the Statute of 1870. Speaking on its principal provision on 11th March 1869, His Lordship not only admitted the disability to which Natives of India were subjected but characterised as a "farce" the way in which the solemn pledges of 1833 and 1853 were treated so far as they related to the entry of Indians into the higher offices of the administration. His Lordship observed:—"With regard, however, to the employment of Natives in the Government of this country in the Covenanted Service, formerly of the Company, and now of the Crown, I must say that we have not fulfilled our duty or the promises and engagements which we have made * * * Now I well remember that in the debates in this House in 1853, when the renewal of the Charter was under the consideration of Lord Aberdeen's government, my late noble friend, Lord Montagu complained, and I think with great force, that while professing to open every office of profit of employment under the Company or the Crown to the Natives of India we practically excluded them by laying down regulations as to fitness which we knew Natives never fulfil. If the only door of admission to the Civil Service of India is a competitive examination carried on in London, what chance or what possibility is there of Natives of India acquiring that fair share in the administration of their own country which their education and abilities would enable them to fulfil, and therefore entitle them to possess? I have always felt that the regulations laid down for the competitive examination rendered nugatory the declaration of the Act of 1833, and so strongly has this been felt of late years by the Government of India that various suggestions have been made to remedy the evil." One of the suggestions was the establishment of nine scholarships of 200£ each. "The palliative which he (Lord Lawrence) proposes is that nine scholarships—nine scholarships for a Government of upwards of 180,000,000 of people—should be annually at the disposal of certain Natives . . . and that these nine scholars should be sent home with a salary of £200 each to compete with the whole force of the British population seeking admission through the competitive examinations. Now, in the first place, I would point out the utter inadequacy of the scheme to the ends of the case. To speak of nine scholarships distributed to the whole of India as any fulfilment of our pledges or obligations to the Natives would be a farce."

4. That though the object of Section 6 of that Statute was to provide "additional facilities" . . . for the employment of natives of India of proved merit and ability in the Civil Service of Her Majesty in India, "subject to such rules as may be from time to time pre-

scribed by the Governor General in Council and sanctioned by the Secretary of State in Council with the concurrence of a majority of members present," Indians were dissatisfied with the enactment from the very first for the following reasons.—(1) it created a sort of inferior service; (2) it allowed them to enter the service by a back door instead of by the door of open competition, and (3) that it reopened the way to patronage and jobbery the prevention of which was one of the fundamental reasons that led to the Statute of 1853 instituting the Competitive Examination for the Civil Service. They asked only for fair field and no favour. They observed that they were prepared to pass whatever tests the Civil Service Commissioners may from time to time prescribe, if only they were not compelled for the purpose to leave their homes and present themselves for examination in London.

5. That your Honourable House will thus clearly see how the Statute of 1870 came to be disapproved on principle from the very outset. Moreover the rules that had to be framed under it by the Government of India and the Secretary of State for India were not framed in a final form and adopted, until nine long years had elapsed after the passing of the Act. No sooner were the rules put into force than the anticipations originally formed regarding the Statute came to be realised all the dissatisfaction arising therefrom began to acquire great volume and force. Eventually it found public vent during the course of the investigations of the Public Service Commission instituted by the Government of India in 1886, in order to inquire not only into the system under which natives of India were admitted to "the Competitive and Statutory Civil Services but also to devise a scheme which may reasonably be hoped to possess the necessary elements of finality and to do full justice to the claims of Natives of India to higher and more extensive employment in the Public Service." Your Honourable House may be aware that the volume of evidence submitted to that Commission from all parts of the country conclusively pointed in favour of holding simultaneous examinations. And it is a matter of deep regret that the Commission recorded its judgment against the weight of that evidence. It is, therefore, with no small satisfaction that your Petitioner has learnt that your Honourable House has by your Resolution substantially recognised the justice of the grievance of the Indian people and removed the long-standing anomaly which was not only a reproach to the national instinct of Englishmen for justice and fair play but a source of universal discontent in India.

6. That your Petitioner is prepared to admit the force of the proposition that the exigencies of British administration require that the Indian entering the Civil Service should familiarise himself with the principles of English administration and English modes of government by a stay of two years in England. What, however, is objectionable is the unreasonableness of the demand which would make such a condition ancillary to the examination rather than subsequent to it. It is more in the natural order of things that this condition should be insisted upon after the candidate has passed the examination. The principal difficulty, at present, in the path of Indian youth going to England to compete for entrance into the Civil Service is the necessity incurring a very large expenditure on the mere chance of passing a very stiff examination. The risk involved in failure in such cases is very great and this risk practically operates as a deterrent in this case of many promising youths. Your Petitioner respectfully submits that by making residence compulsory in England after the examination instead of before it this risk will be avoided and thus the chief difficulty in the path of Natives will be removed.

7. That objections should be raised to the Resolution of your Honourable House, so reasonable in itself, is indeed surprising. The fear is entertained in some quarters, where indeed a broader and more enlightened view of the question might have been expected that the holding of simultaneous examinations may have the effect of ultimately filling the Service with an overwhelming number of Natives of India, while the maintenance of British supremacy demanded the Service should be to a certain extent manned by Englishmen. This fear, however, appears to your Petitioner to be groundless. Though many Indians have proceeded to England in years past at considerable trouble and sacrifice to study and qualify themselves, it is well known that not more than a score have hitherto successfully entered the Service. Neither is there any doubt in the minds of the Natives of India that for many long years to come, they will be unable to enter the Service in any large number under the Resolution of your Honourable House, having regard to the fact that they will have to compete with the flower of English youth in a language, again, which is not their own. If, however, your Honourable House entertains any such apprehension, your Petitioner is humbly of opinion that it rests with your Honourable House to fix such a limit to the annual recruitment of the Service by Natives of India, as shall appear to your Honourable House to be most fair and reasonable. The Indian people have not the remotest desire to impair British Supremacy. Indeed, the Government of India in their Despatch of 8th June 1880, to the Secretary of State for India in reply to the separate Report on the condition of India by the late Sir James Caird observe "To the minds of at least the educated among the people of India—and the number is rapidly increasing—any idea of the subversion of the British Power is abhorrent, from the consciousness that it must result in wilder anarchy and confusion." What they ask for is only justice and fair play.

8. That another objection urged against the institution of simultaneous examinations, which deserves to be noticed, is that thereby the efficiency of the Service would be impaired. But your Petitioner submits that the admission of Natives to one-sixth of the total number of posts reserved for Covenanted Civilians under the rules of 1879, the proposals of the Public Service Commission to set apart for Indians ninety-three posts of all kinds out of the reserved number, and the acceptance, by the Government of India and the Secretary of State, of the Commission's recommendation in a slightly modified form, are all so many indirect admissions that Natives could be entrusted with the work to which Covenanted Civilians are generally appointed without fear of efficiency being impaired. And when it is remembered that all these schemes contemplated the appointment of Natives to reserved posts without their passing any test, which can, in any way, be compared with the London examination, surely it cannot, your Petitioner submits, be logically argued that the addition of the very important guarantee that Indian candidates should pass an examination, in every respect identical with the London Examination, would render these candidates less fit for the Service or that the efficiency of the Service would, in any way, be impaired owing to their admission.

9. That Indians of all classes and creeds attach the highest importance to the Resolution of your Honourable House, far reaching as it will be in its beneficent effects on the Indian Empire, and conducive to their permanent welfare. It is impossible to overestimate the powerful and healthy stimulus which it may give to their moral, and material progress while the practical turn it may give to national enterprise by laying broader and deeper the foundations of higher education from which, it is a matter of regret to have to

observe, the State has of late unwisely resolved to withdraw itself, will not be inconsiderable.

10. That having regard to the circumstances above stated and to the fact that the Public Service Commission having recorded its opinion on simultaneous examinations against the weight of evidence, and in spite of solemn pledges of the Crown affirmed and re-affirmed, your Petitioner prays on behalf of the Inhabitants of Bombay that your Honourable House will be pleased to direct such further steps to be taken as may be necessary with a view to giving full effect to the Resolution of 2nd June last which based as it is on justice would, in the words of the late Sir Stafford Northcote (afterward Lord Iddlesleigh) "have a most beneficial effect upon public opinion throughout the Indian territory."

Mr. R. M. Sayani, in proposing the adoption of the above petition, said. It is stated that the British Rule over India is based upon three things—(1) the goodwill of the Indian peoples themselves, (2) the efficiency of the Covenanted Civil Service, and (3) the superiority of the British Army; and it is contended that the Covenanted Civil Service would lose its efficiency if the recent Resolution of the House of Commons was put in force inasmuch as Bengali students would exclude all other competitors and the Covenanted Civil Service would accordingly be entirely recruited from the Bengali students. (Laughter) That the Service so recruited must necessarily be an inefficient Service, and that, moreover, the other races in India and specially the backward classes who happen to be more warlike than Bengalis who happen to be effeminate, would resent their own exclusion from the Service, and would not brook to be ruled over by the Bengalis whom they despise as an effeminate race. Before sifting this contention, it must be observed in passing, that the recent Resolution is not the outcome of the agitation of "faddists and fanatics," as is alleged, but is the result of long and disinterested labours of patriotic individuals, and is founded on the opinion of the majority of persons who were examined by the Public Service Commission. (Hear, hear) In fact it is the result of the patience and determination of a noble band of Britons, true to their own country, and just to India—men of sober heads and ripe judgment having no selfish motives to gratify nor personal gain to acquire. (Applause.) It is the result of a long and sustained agitation and the success thus obtained cannot be called "unexpected or undeserved." It is not "a barren victory." It will bear fruit in this that it will gratify the just aspirations of our youth to serve their own country, which they have an inherent right to do. In fact so far back as the Christian year 1868 the East India Association had presented a memorial to the Secretary of State for India, praying for the holding of Simultaneous Examinations and the late lamented Professor Fawcett had in the same year placed on the motion book of the House of Commons a notice to the same effect. Indeed, the British Government has been pledged to the principle of the Resolution both by its promises and by the declaration of its enlightened and liberal-minded statesmen for more than half a century from the days of Peel and Mackintosh, of Macaulay and Lansdowne, to those of Bright and Fawcett. (Cheers.) Coming now to the merits of the contention, it will be observed that those who put forward the contention have probably not considered the matter carefully, for if their contention is correct it will land them into this absurd conclusion that the Bengalis are intellectually superior not only to all the other races of India, but also to the British, for a moment's thought ought to make it clear to them that in order to exclude all the other competitors the Bengali students must be intellectually superior to them all. I need not say that

even the strongest supporters of the contention will not for a moment admit that Bengali students are intellectually superior to British students, for if they once admit it, the British intellectual prestige must cease to exist. It may, however, be contended that the Bengalis would not oust the British students but all the other races of India. I am sure the other races of India will not acquiesce in this contention, but assuming for argument's sake that this contention is correct, then, by the very hypothesis there will be British members of the Service, and arrangements can be easily made so as to avoid all possible inconveniences. All the other races, however, will not be ousted. (Hear, hear) Experience has shown us that in the examinations for the Covenanted Service itself, our Bombay students have come up very high and have not been beaten by Bengalis, and is not all unlikely that the students from this Presidency will be able to hold their own against students from Bengal. It may, however, be still contended that the backward races, such as the Mussalmans, will have no chance whatever in such competition. The reply to this contention is, that if this contention is correct, the backward races will not be worse off under the new system than they are under the present system. It may be observed here that the backward races are backward, not because they are inferior to the other races either in intellect or in physique but because they are poor, sullen, and apathetic, and the proper remedy for it is education. It is plain, therefore, that this contention, namely, of Bengali students excluding other competitors, is not sound. Assuming, however, that this contention is correct, it must not be forgotten that it would take about twenty-five years' time to accomplish the feat of making the Service exclusively Bengali, and that both the Government and the people themselves, will have ample time to take adequate measures to prevent the same being done (Hear, hear.) As to the contention that in the event of the Bengalis ousting all other races the administration will suffer, (1) on account of their effeminacy, and (2) on account of the resentment of the other races, it must not be forgotten that the selected candidates will have to stay in England for at least two or three years, and by their stay in England they will be qualified to manfully perform their functions and the history of the past few years has completely shown, if it had shown any thing, that owing to the facility of communication and the progress of education the old race antipathies are fast dying out and all the races understand each other better than they did before, and are every day more and more getting into better and better harmony and even in Municipal and Political matters acting in unison. (Loud cheers) In conclusion, therefore, the resolution is both just and expedient. It will make the people more contented and more loyal. It will give permanent impetus to high education generally, it will stimulate even backward classes. There are, of course, difficulties of detail, but these difficulties can easily admit of adjustment. I am sure the leaders of native society will gladly meet Government half-way regarding residence in England and even in questions of race and the ties between Great Britain and India will be strengthened to the mutual advantage of both countries. (Loud applause)

Mr. N. G. Chandavarkar, who was received with loud cheers, in seconding the resolution, said: Mr. Chairman, Ladies, and Gentlemen,—I have great pleasure in seconding the resolution, which has been moved for your adoption by my friend, Mr. Sayani. It cannot but encourage us in the performance of the duty, which we have met here to discharge to know that from one end of the country to the other the

resolution which the House of Commons has been pleased to adopt on Mr. Paul's motion has been hailed by the people of India with grateful enthusiasm. At the same time we do not lose sight of the fact that that resolution has been in some quarters subjected to very searching criticism. All that could possibly be urged against the introduction of the system of Simultaneous Examinations has been said, some of our critics have spoken and written both of the House of Commons and its resolution, as if, had they but a free hand, they would have torn the resolution to pieces, cast the House into the English Channel,—(laughter)—taken this vast empire into their charge and burned it round their little fingers. (Laughter and cheers) We bow unto their profound wisdom but let us hope that their kingdom may never come. (Laughter and cheers) Our critics, I notice, tell us that we are rather prematurely jubilant over the resolution adopted by the House. They say that it has passed with the help of a mere snatch-vote at a House, which was not full, and that it cannot be taken as a deliberate expression of its well-formed opinion. The House of Commons is, of course, competent to review its own decision; and it may, if it chooses, run its pen through the resolution which now stands on its records stamped with the seal of its sanction. But we may well feel sure that the House will not lightly undo what it has done. The more it examines this subject the more will it become clear to it that in adopting Mr. Paul's motion it has pursued a manly and statesmanlike course, thoroughly in keeping with the most honorable traditions of the House and dictated both by its honor and by what it has from of old avowed as the right policy and principle to follow in the government of this country. (Loud cheers) That sense of fair-play, which forms the strength of the British character, must ultimately prevail in this matter as it has prevailed in other matters. The question of removing all the unjust obstacles, which lie in the path of natives wishing to enter the Civil Service, has formed the subject of controversy for now many years; it has passed through various stages; and if we carefully mark and examine the different stages through which it has gradually passed and is passing we shall find that in spite of the failure of the Government and the Parliament to solve the question in accordance with the dictates of justice, both the Government and the Parliament have always acknowledged that they are anxious to do justice and that something ought to be done for the natives of this country. The Parliamentary Statute of 1870, the action taken in 1879, and the action that has been taken on the Report of the Public Service Commission have proved but weak attempts to redress our grievance, but they all indicate that the British conscience is awake and amidst powerful prejudices has been, though feebly yet slowly, struggling and striving to assert itself on the side of justice. (Loud cheers.) The history of this question of Simultaneous Examinations shows that the question has been slowly emerging into importance, and that it has now reached a stage which augurs well for the future. That question, I may say, has grown with the growth of that premier politician of India, who seconded Mr. Paul's motion—(loud cheers)—and it would not have grown to its present shape if the sense of fair-play of the British Government had altogether vanished. We derive our hope and faith from that distinguishing feature of the British character. We may, therefore, safely rely on that genius, and rest assured that it will not fail to adhere to the resolution which the House of Commons has been pleased to adopt. Our critics are condemning that resolution as short-sighted, because, they say, if effect be given to the principle of Simultaneous Examinations, the power of the British in this country will be endangered, as native youth will swamp the British youth in the matter of securing

appointments in the Indian Civil Service. I venture to think that there is not any slightest justification for taking so low and desponding a view of the capacity and intelligence of the British youth. They will be able to hold their own as they have done hitherto. But what basis is there for the fear that British power will be endangered if a few more Natives enter the Civil Service? During the debate in the House of Commons on Mr. Paul's motion, some of those who opposed that motion remarked that the Indian administration had been practically in the hands of Natives; and I notice that the distinguished gentleman, who writes every week for the *Times* on Indian affairs, endorses that remark with his approval. Well, if it is true that the Indian administration has practically been in the hands of Natives and if the British power has not thereby been endangered, what justification is there for the fear that the admission of a few more Natives into the Civil Service will endanger it? This argument of danger to the British power is what the late Jeremy Bentham called the *hobgoblin* argument—(laughter)—started by the advocates of anomalies and unjust measures whenever the Government is asked to be righteous and just in its policy. So far from weakening England's hold on this country, the measure of fair field and no favour which we claim will strengthen it with the strength that comes of large and liberal ways of administration. (Hear, hear, and applause.) It is said of Emperor Akbar that he adopted as the motto of his seal the wise maxim, which says: "No man is lost upon a straight road." And the British Government need never fear that its power will be jeopardised so long as it follows the straight path of manly justice and abhors devious ways in dealing with those committed to its care. (Loud cheers.) Then we are told by our critics that the appointments in the Civil Service should be held by men who are imbued with English principles and who have rubbed shoulders with Englishmen in their own country. We also perceive the force of this observation, and do not demur to it. But we maintain that it is a hardship to compel an Indian youth to go all the way to England, incur a great deal of expense, and reside there, for the purpose of appearing for the competitive test, and run the risk of failure. By all means make it obligatory on a candidate who has been successful in the competition to spend some years in England. But we are told that it is the residence in England previous to the competition which enables a youth to imbue himself with the principles of English life and thought. With due deference to those who hold this view I may venture to say that an Indian youth who lives in England previous to the competition sees during that period more of English cram than of English life; he is constantly at his books, and book studies, and has hardly sufficient time then to acquaint himself with the working of English political and social institutions. It is when he has passed the competition that he is able to raise the level of his vision, expand its scope, and see the glories and beauties of all that is worth seeing and studying in English life and in English institutions. (Hear, hear, and cheers.) Our critics oppose the introduction of Simultaneous Examinations also on another ground. They are perpetually haunted by two spectres of their own imagination—the Bengali Babu and the Brahmin—(loud laughter)—and they say that one result of these Simultaneous Examinations will be that these two spectres of theirs will monopolise the Civil Service and leave the other classes of India in the lurch. This is a most amusing objection to urge; it is an objection which is made to do duty whenever we ask a good thing of Government. But does it ever occur to these critics that it is under the present system that the Bengali Babu and the

youth of the other classes, and that if the system of Simultaneous Examinations is introduced, the classes that now fear to go to England will have their prejudices lessened and be encouraged to compete with the Bengali Babu and the Brahmin? One more objection remains to be noticed. We are told that during any riot an Indian Civil Servant will prove either partial to one or other of the parties concerned or unequal to the emergency, and in proof of this a writer in the columns of a newspaper has gone the length of asserting that native Civil Surgeons have either taken leave when a war was declared, or have asked to be transferred to the Civil List. Have these Natives who have entered the Service been guilty of any such dereliction of duty as is apprehended by those who urge this objection? And as to the Native Civil Surgeons, the assertion, I must say, is a downright falsehood. It is a libel on a class of officers who have been weighed and never found wanting. (Cries of "Shame.") We can name Native Civil Surgeons who have braved the field and whose satisfactory services rendered in times of danger have been acknowledged by Government. (Hear, hear, and cheers.) I have noticed, gentlemen, most of the principal objections that have been urged against the cause which we are met to-day to plead; and I need hardly say that from whatever point of view you look at this question, the conviction must gain ground in a dispassionate mind that we are pleading for a cause based on the rock of justice. "We ask for no favour; we say to Government Exact from us the highest moral, physical, and intellectual qualifications. We do not want any indulgence, but give us fair field, and if then we fail we shall not complain (Loud cheers.) And I have no misgiving that we shall succeed in the claim we urge. It sounds all very well for Lord Salisbury that the Radicals are thrusting their heads on the Indian administration, and that but for them this question would not come to the front; but the question which is now to the front is a great question, affecting the very principle and policy of the British power in India, and, as my Lord Bacon has with the singular power of his philosophical insight said, great questions never fail of being agitated sooner or later. (Cheers.) And this great question will constantly recur even if the Radicals disappear from off the face of the earth. It will perpetually recur; it will constantly knock at the doors of Parliament. It will always cry for a satisfactory settlement, and Government will be able to solve it satisfactorily only by keeping on the high road of straightforwardness and justice, and giving the by-ways of short-sighted, narrow-minded, and quibbling statesmanship. (Loud and prolonged cheers.)

Mr. Narayan Vishnu Gokhle, who supported the resolution, said: Mr. President and Gentlemen,—I feel very great pleasure in supporting the resolution which has been placed before you for your acceptance. No Indian politician has devoted more attention to the question of holding Simultaneous Examinations and none has advocated them with greater pertinacity than has Mr. Dadaboy,—(cheers)—and he may well congratulate himself on the partial success that has after years of weary waiting attended his life-long labours. The people of India are deservedly proud of the first instalment of his services in Parliament, and whether Mr. Paul's motion proves *fractious* or otherwise in the immediate future Mr. Dadaboy and his English friends have, it must be admitted, laid India under a deep debt of gratitude. (Applause.) The history of the last sixty years is a sad and humiliating record of broken pledges, pledges solemnly made and re-affirmed from time to time. "I would sacrifice Gwalior, or any frontier of India ten times over," said the Duke of Wellington in 1802, "in order to preserve our character for scrupulous good faith." But these words of wisdom have since been forgotten. The resolution of the House

of Commons in favour of holding Simultaneous Examinations may be said to be the first deliberate and straightforward attempt to redeem the unfulfilled pledges. The memorial that you have been asked to adopt gives expression to our feelings of gratitude towards Parliament in such eloquent terms that I need scarcely refer to the generosity the Commons of England have displayed in accepting Mr. Paul's motion. The Civil Service question has now assumed such an important phase that I think it necessary to pass briefly under review the evidence in favour of holding Simultaneous Examinations and to meet, as dispassionately as I can, some of the main objections urged against them. As far back as 1853 Lord Stanley appealed to Englishmen to consider how many of them would go out to India if an examination was held in Calcutta instead of in London. In 1860 a committee of the India office, consisting of Sir Evershew Pelly and four other distinguished Anglo-Indians, declared "were this inequality removed, we should no longer be exposed to the charge of keeping promise to the ear and breaking it to the hope." In 1868, the late Professor Fawcett brought a motion before Parliament in favour of Simultaneous Examinations, but it was withdrawn on the distinct understanding that additional facilities would be offered to Natives to enter the Civil Service. Professor Newman has observed in his "Dangerous Glory of India" "To require Indians to come to England on the chance of being elected is not to treat them on fair and equal terms. What would our youths think of the boon of going to Calcutta in order to be examined with a total uncertainty of being chosen." According to Lord Lytton, "the application to Natives of the competitive examination system as conducted in England and the recent reduction in age. . . . are all so many deliberate and transparent subterfuges for stultifying the Act and reducing it to a dead letter." The Civil Service Commission had before it overwhelmingly strong evidence of distinguished European and Native witnesses, and yet in the face of that testimony it declared itself against Simultaneous Examinations. Sir Raymond West, Professor Wordworth, Mr. Grattan Geary, the Hon. H. J. Reynolds, Mr. H. J. S. Cotton, Sir A. W. Croft, Director of Public Instruction for Bengal, and Mr. C. H. Tawney, Principal of the Presidency College, Calcutta, were amongst the forty-nine European witnesses who were in favour of Simultaneous Examinations. Our neighbours in Ceylon are not required to send their sons to England to compete for the Ceylon Civil Service. Batavia is a Dutch Colony, but the Dutch do not compel their Batavian subjects to travel all the way to Holland to qualify themselves for the Civil Service of their own country (Hear, hear.) I will now proceed, gentlemen, to examine some of the objections that have been urged against the establishment of Simultaneous Examinations. One that is often put forward is that an open competition would operate with inequality on some of the backward classes which have started late in the educational stakes. In the first place, this is by no means a correct forecast of the consequences of holding contemporaneous examinations in India. Those who have lagged behind in the race are gradually advancing in intellectual progress, and there can be no doubt that they will ultimately share in the advantages flowing from the introduction of Simultaneous Examinations. Secondly, the fundamental principle of open competitions having once been courageously accepted for the recruitment of the Civil Service, it is neither fair nor straightforward nor consistent with the Statute of 1833 to import extraneous and irrelevant considerations into the discussion. Thirdly, have the Indian Schools and Colleges been closed against the intellectual classes, because others are less progressive? Fourthly, if this argument against Simultaneous Examinations is valid and sound as between the advanced and the backward classes, and if it is fair to interpose artificial

barriers in the path of the former in the supposed interests of the latter, are the objectors prepared to carry their argument to its logical consequences, and apply it as between Englishmen and Natives? In connection with this point I may quote the opinion of James Mill. In his evidence before the Select Committee in 1832 he said: "It appears to me ten thousand times more important, with respect to the good of the population in general, that the business of the Government should be well done, than that it should be done by any particular class of persons." The present objection has been stated in another and stronger form. It is urged that the Mahomedans, Sikhs, Rajputs, and such other martial races would never like to be governed by the Bengalee Baboos, Brahmins, and Parsees, and hence would arise political danger. Gentlemen, nearly half the Mahomedan population in India is located in the very land of the Baboos. There fourteen Mahomedan witnesses were examined by the Civil Service Commission, of whom ten gentlemen of influence and position were for and only four against Simultaneous Examinations. Besides, the objection to which I have referred emanates not from the parties directly concerned, but from those disinterested friends of theirs who would like to see this country administered on the principle of "Divide and Govern." Measures can, however, be easily devised to meet the alleged objection. At the Cooper's Hill College candidates, preparing for the Public Works and Telegraph Departments, are required to go through a course of exercise in the gymnasium, and of military exercises, including the use of the rifle and to furnish evidence of their competency in riding. If such a rule were strictly enforced in the case of the Indians who present themselves for the Civil Service Examination, the State ought to be able to secure such officers as will command the respect of the martial races. The Public Service Commission has urged that the existing educational institutions do not supply an education and training of the high and liberal kind considered to be a necessary qualification for admission to the Indian Civil Service. But the principle of demand and supply applies as much in the department of education as in the sphere of economics. The New York State Commission say in their report.—"Nor does there seem to be any reason to doubt that the opening of the public service to competition will give to education here, as it did in Great Britain, a marvellous impulse." It is difficult to see how the effect of unqualified competition will be disastrous to the development of education in this country. The French, German, and Italian languages, and other subjects of liberal culture are included in the course prescribed for the Civil Service Examination. If the institution of Simultaneous Examinations led to the cultivation of those languages on a large scale, that would bring the Eastern mind more closely in touch with the best thought of Europe, and the study of German especially would react powerfully on the study of the ancient Aryan literature and philosophy. There is one more objection that is now being repeated ad nauseam, and that is that Natives are not capable enough to be entrusted with high administrative posts. This objection reminds me of a striking passage in Macaulay's History of England. After denouncing the usual assumption against the Irish he says "But he (the Englishman) complacently inferred that he was naturally a being of a higher order than the Irishman; for it is thus that a dominant race always explains its ascendancy and excuses its tyranny" (Cheers). Gentlemen, Sir Charles Turner, late Chief Justice of Madras, declared before the Madras University in 1881: "Modern India has proved by examples that are known to and honoured by all in this assembly that her sons can qualify themselves to hold their own with the

best of European talent in the Council Chamber, on the Bench, in the Bar, and in the Mart." (Cheers.) What is there inherent in their character which prevents Indians from *shining* as administrators? The Public Service Commission itself declared that Natives had no sufficient opportunity of showing their capacity in the higher executive administration, and that the generality of the assumption regarding their unfitness was not warranted by experience in departments in which Natives had already been tried. When India has produced in the latter half of this century such brilliant administrators of statesmanlike genius and sagacity, as the late Sir Salar Jung, Sir T. Madhavrao, and Gaorishanker Udayshanker, is it fair to contend that Natives are unfit for district or other executive charges? Our enlightened rulers may well learn something from the much-abused Mogul conquerors and the Romans. According to Orme the administration of justice was almost universally entrusted by the Mogul emperors to the Hindus. The whole detail of administration, with the exception of the army and a few of the more prominent situations, remained invariably in the hands of Native officers. When Baber arrived in India the revenue officers were all Hindus. There are also instances of Hindus who were appointed Commanders of the Army, Masters of Ordnance, and Superintendents of Artillery, Finance Ministers, Dewans, and Governors of important provinces. The Romans successfully endeavoured to conciliate the conquered races by Romanising them. The Provincials of Italy, Spain, Africa, and Gaul, "having no ambition except to emulate the Romans and share their privileges," remained to the last staunch friends to the Empire till they were all swallowed up in one common ruin. The Romans so completely won over the hearts of the Britons that the latter became deeply attached to the very conquerors whom they had once stoutly resisted. Great Britain has undertaken to fulfil a high and noble mission in India, and that is the moral, intellectual, and political emancipation of our people. Let us all fervently hope that this mission will be honourably fulfilled, and that the civilized world will not have to declare in after ages that while "the groans of the Britons" were elicited by the dissolution of the Roman Empire, the groans of millions of Indians were extorted by the debasing exclusion under British rule of the best indigenous talent from the administration of their own country. (Applause.)

Mr. W. A. Chambers, who supported the resolution, and was cordially received, said that there were certain Englishmen, who imagined that it displayed political knowledge to abuse their fellow-subjects. In England the activity of these politicians was confined to the Irish. Here the same class seemed as energetically engaged in abusing the Natives of this country. (Hear, hear) "Unfitted for governmental duties; unable to administer the affairs of even a town council," were the least offensive remarks that were made. Fortunately however, the Irish people had learnt to treat such opinions with contempt and instead of entering into barren controversies with barren minds they had relied upon their own power and had won. The people of India must do the same, and although these libellers were very noisy, after all they were harmless if treated with indifference and a good cause need not fear them. (Cheers.) Persistent agitation was the thing which appealed to the English nation, which after all had to decide the questions which concerned the British Empire. To take a recent example of the power of agitation. They must have noticed that, by persistency, a few merchants and officials had been able to dislocate the currency of India, because they had wives and children in England. In 1833 it was enacted that no person should be debarred entrance to the Indian Civil Service because of race or religion, and

again in 1858 similar sentiments were uttered, but in 1893 they were still asking that the most effective barrier to the youth of this country should be removed, namely, a journey of 6,000 miles. It was said that the motion which had been recently passed in the House of Commons was done by a snatch-vote. He, the speaker, thought on the contrary that it was one of the few occasions in the House in which the friends of India were not out-numbered by the official members of that body. It would be as well if the general public understood what they really wanted, and he thought he was right in stating that they wished, the examination to be held here as well as in London, the successful candidates to be classed in one list, and a probationary period to be spent in England. It was a matter of common knowledge that a solution of the kind was once proposed, so long ago as 1880, but it had been pigeon-holed in the India Office. The Under-Secretary mentioned that proposal in his recent speech in Parliament, but added that it was unofficial. Unfortunately, nothing was official that favoured the popular cause. There were two ways of governing India, the one as a Crown colony and the other as a free country. Either of these he could understand, but the policy of the British Government was neither the one nor the other. (Hear, hear) It was inexplicable. One thing was said, and the contrary done. The people of India were educated, and told that all appointments were open to them, but a barrier was erected which prevented this promise being executed. As the Duke of Argyll said, when Secretary of State for India, what chance had the Natives of this country when the only door of admission to the Civil Service was a competitive examination in London. Fair-play and gentlemanly conduct were supposed to be treasured by Englishmen, but, he, the speaker, thought that nothing more mean than the present policy of the English Government in this matter could be imagined. It was worthy of the basest type of American political life. (Applause)

The proposition was put to the vote, and carried unanimously.

Mr. Javerlal U. Yajnik moved that "This meeting accords its best thanks to the Hon. members for South Edinburgh, the Hon. member for South Finsbury, and other Hon. members of the House of Commons, who voted in favour of the resolution, regarding the holding of Simultaneous examinations for the Indian Civil Service, as well as to the British Committee of Congress, and other friends, who actively exerted themselves in the matter.

In support of his resolution, Mr. Javerlal said: This proposition refers to what I may call the personal aspect of the resolution of the House of Commons on simultaneous examinations. That resolution was moved, as you all know, by Mr. Herbert Paul. The hon. member for South Edinburgh seems so far to be hiding his light under the bushel but he bids fair to take a distinguished place among the small minority of Indian reformers in the house. (Hear, hear). These friends of India have to work against many disadvantages. Indian questions are, in the first place, a hard study and make great demands upon their time and attention. The house generally takes languid interest in them. The only reward of our friends is the approval of their own conscience and the thanks of a grateful people for any service they do in the interest of a just and sympathetic policy. The present house has surpassed its predecessors, whether we look to the number of Indian questions brought to the front, or the sense of responsibility shown in their discussion. I dare say the honorable member for Central Finsbury (Mr. Dadabhai), who seconded Mr. Paul's resolution, regards it as a piece of singular good fortune that he should be able during his first session in Parliament to

achieve an object so nearest his heart. (Applause). It was an object which he had been striving to attain for the last twenty-five years. But Mr. Dadabhai and Mr. Paul would have been able to do little, had not those eighty-two sturdy members of the House chivalrously stood by them in the hour of need. These supporters, gentlemen, who showed the courage of their convictions, have the strongest claims upon our gratitude. Each of them has in his own person given proof of that trait in the national character of a Briton, namely, a love of justice and fair play. (Cheers.) But it was not simply a question of justice or fair play, or of good policy either. It was a question of England's word. (Hear, hear.) It was a question of what is the loss to Europeans of a few places in the Civil Service of India, compared to the honour and reputation of the British Government for good faith. 'I would sacrifice Gwalior,' said the Duke of Wellington in 1802, 'and any frontier of India ten times over in order to preserve our character for scrupulous good faith.' That character for scrupulous good faith which the Duke held as above all price has been vindicated by this resolution. And it is no exaggeration to say that British statesmanship and British honour are made to stand on a far higher pedestal in the eyes of all India to day than at any period in recent Indian history. (Cheers.) The Queen's Proclamation held out solemn pledges. The resolution of the house is a noble fulfilment of a noble pledge. (Applause.) But, gentlemen, we must not be jubilant. There are difficulties in the path of the carrying out of this resolution which we cannot afford to disregard. One such difficulty is to be found in the reactionary and illiberal counsels of a small body of powerful men who dominate and mould the policy of the Indian Government. It seems as if their wish is that the Indian people should get what they want, not as a matter of right, even though that right is unquestionable, but as a matter of favour. Some such notion as this seems to underlie the whole of the opposition shown to the resolution, whether in the House of Commons or in the House of Lords, whether by the English press generally in England, or by the Anglo-Indian press in this country. There is evidently a struggle between duty on the one hand and interest on the other. In such a conflict we all know how interest prevails. The objections against simultaneous examinations deserving of notice are chiefly two. One is that competition is not the best test of fitness in a ruler of India. The other is that open competition in India would overwhelm the service with Indians. Such objections would be intelligible enough if made by Englishmen insufficiently familiar with the progress of India in education and civilization, but coming from statesmen of the highest reputation, such as ex-Viceroy and ex-Secretaries of State, they seem not a little strange. (Hear, hear.) It is surprising that these great men should forget the past history of this question, forget what they themselves had said or placed on record when in office, and when acting under a full sense of responsibility. (Hear, hear.) To take only one instance. The Duke of Argyll, referring to the resolution, remarked that he could conceive nothing more fatal than the system of open competition for the civil service in India. It would flood the service largely with Natives. Now, gentlemen, no one can speak of the Duke without high respect for his character and learning. But one is at a loss to reconcile this opinion of his with the statement made by him in the House of Lords when holding the responsible office of Secretary of State for India. The Duke was in charge of the bill, known as the Governor General of India bill, in 1869. In moving in the House of Lords, on the 11th March 1869, the second reading of this bill, which subsequently became the sta-

tute of 1870, his Grace was pleased to say that while professing to open every office of profit and employment under the company or the crown to the natives of India, we practically excluded them by laying down regulations which we knew natives could never fulfil. If the only door of admission to the Civil Service of India is a competitive examination in London, what chance or what possibility is there of natives of India acquiring that fair share of the administration of their own country which their education and their abilities would enable them to fulfil, and therefore entitle them to possess? The Duke ridiculed as 'a farce' the idea of nine Government of India scholarships placed at the disposal of natives of India for competitive examinations in England fulfilling in any way the pledges of the Crown and Parliament. And he stated his belief that 'by competitive examinations conducted at Calcutta or even by pure selections, it will be quite possible for the Indian Government to secure able, excellent and efficient administrators.' Competitive examination, according to the Duke, is not perhaps the best method of getting the best men for the public service, but it is an escape from many difficulties, and when you have only a choice of difficulties, competitive examination gives on the whole a much better chance of success than the pure nepotism of the old Court of Directors. This was the Duke's view in 1869. The Duke, however, thought that there would be no political jobbery at the hands of the Government of India and for this reason preferred a system of selections without examination to open competition in India. The statute was passed in 1870. It was not, however, until nine long years after that the rules framed under the statute received the sanction of the Secretary of State and were put to work by the creation of a statutory service. This statutory service proved a failure and no wonder. It was looked down upon from the moment it was created, the men who got into it being generally nominated more by favour than by proved merit and ability. (Hear, hear.) With the abolition of the statutory service, however, the educated classes have lost one-sixth of the appointments annually made in India for the recruitment of the Civil Service. True, the statutory service has given place to the provincial service, consisting of some 93 appointments taken from the schedule of appointments under the Act of 1861 and amalgamated with posts in the higher executive and judicial grades of the subordinate service. But it is a fact that no appointment of a native of India has to this day been made to this provincial service. (Hear, hear.) We have thus a series of steps taken to admit natives of Indian to the Civil Service without examination. There is, first, the statute of 1870, followed nine years later by a set of rules under that statute, then the creation of a statutory service, and lastly, on the abolition of the statutory service, the organization of a provincial service. All these steps are so many admissions on the part of Government that natives of India are fit to hold offices in the Covenanted Service without examination in their own country. If, then, they are fit to enter the Civil Service without any competitive examination in India as to their intellectual or moral or physical fitness, it follows logically that they are much more fit when they have passed in open competition in India, tests, identical with those in England. (Cheers.) Again, in any consideration of the merits of competition versus selection, it is to be borne in mind that for a selection to turn out good it is essential that you should thoroughly know the men you select. But you cannot possibly know the men, far less know them thoroughly, where the area of selection is large, as it must be in a country like India. There is very great scope for favouritism if not for political jobbery which the Duke of Argyll so much

dreaded. (Hear, Hear) In open competition there is no scope for a breath of this suspicion, however wide the area of selection may be. Competition comes to help where pure selection fails. It is said that the gift of ruling and the art of answering questions on paper are not always found united in the same person. But surely England cannot claim a monopoly in this respect. As my friend, Mr. Gokbalé, has just said, India can show many capable administrators. As to the racial difficulty, it is a sufficient answer to say that nearly the whole of the judicial service is filled with natives. I now come to the second objection urged by the Duke, namely, that open competition in India will overwhelm the service with Indians. This fear would seem to be groundless when we remember that there are not at present the requisite facilities for training and educating candidates so as to qualify them for the service, and that, moreover, the candidates have to pass stiff examinations in a foreign tongue. But if there is a well-grounded belief that these defects in the proper equipment of candidates will be supplied under the stimulus of demand for higher education, it is surely possible to arrive at a solution of the question by assigning for open competition in India a reasonable number of appointments out of those available for annual recruitment for the civil service. (Hear, hear) Again, as to the necessity of candidates successful in India being imbued with the spirit of English institutions, and of the English methods of administration, this is admitted. And it can be met by a provision requiring the successful candidate to reside for two years at any of the Universities in England during the most impressionable period of his life. Thus, all that the educated classes claim is fair play. They seek no favour. They disdain to have the hall-mark of inferiority stamped upon them by their admission to the Civil Service by the backdoor (Hear, hear.) They wish to be placed on a footing of equality with other classes of Her Majesty's subjects,—an equality which has been pledged to them by the British Government. Let the bases of England's policy towards India be those of justice and trust, and she will find that this justice, this trust is repaid a hundredfold in their loyalty and goodwill, and that her supremacy over the Indian Empire will be assured for ever. (Cheers) It is in this spirit that we hope Lord Lansdowne will approach the examination of this subject. We are sure his Excellency will be true to the people of India, remembering that

He's true to God who's true to man, wherever wrong is done,
To the humblest and the weakest, 'neath the all beholding sun,
That wrong is also done to us; and they are slaves most base,
Whose love of right is for themselves and not for all their race,
(Loud applause.)

Mr. Daji Abajee Khare, in seconding the proposition said:—Mr. President and gentlemen, I rise to second this proposition so ably and eloquently proposed by my friend Mr. Javerlal. There can be no question as to the immense obligations which Mr. Paul and those who voted with him on that memorable occasion have laid us under. I call, gentlemen, the occasion on which this resolution about simultaneous examinations was passed, a memorable one, and I do so advisedly, because that resolution of the House of Commons has redeemed the name of British Justice and freed it from the aspersions which have been thrown against it, not always without good reasons (Hear, hear) Not that this was due to the dull sense of honesty of the British nation. The British nation I am happy and proud to say is quite sound at the core. But it takes a good deal to rouse the British lion. But when once aroused there is no beguiling it by smooth phrases and oily and unctuous words. This is exactly what has happened in the present instance. For long time past the promises of England

to the natives of this country about equal treatment have continued to be broken, and the British Public never knew about them. There was a wail raised in this country chiefly by our illustrious townsman, Mr. Dadabhai Naoroji—(cheers)—but good care was taken not to allow that pitious voice reaching their ears. But now at last they have heard the sound, they have been awakened and they have acted, and I have no doubt this present action is but an earnest of their future vigilance. But it is not Mr. Dadabhai alone whose voice has effected this marvellous change. There is that noble band of our champions in England both in the House and out of it, without whose hearty co-operation Mr. Dadabhai's voice would have been a voice in the wilderness. There are Sir W. Wedderburn, Mr. Caine, Mr. Sheppard, Mr. Paul, Mr. McLaren and a host of those who take a just pride in seeing that this country is accorded a fair treatment and to all these gentlemen our heartfelt thanks are due, and we must not understand that it is only one of the two great parties in the House that concerns itself with our welfare. We have friends in both parties and it is a matter of the greatest joy to me that, as far as this resolution is concerned, some of those who voted for it are Conservatives. I hope and trust that will not be a solitary instance of sympathy towards us from both the sides of the House. The more the knowledge about our rights and grievances is disseminated in England, the greater will be the desire of all parties to take up our cause (Hear, hear) But, gentlemen, do not suppose that you will have done your duty by passing this proposition and your champions will not appreciate your thanks if you will confine your actions to the activity of to-night only. The real thanks which I am sure they expect at your hands is energetic action in this country by yourselves. They are doing their best to assist you from afar but they cannot help you unless you help yourselves. Do not therefore sit idle. Meet the work of your friends in England by energetic work here, and let voice and action rebound from one country to the other, and by action bring forth a consummation which will be honourable to England as well as honourable to yourselves. (Cheers)

Dr. Bhalohandra K. Bhatwadekar, who was cordially received, said:—I have great pleasure in supporting the Resolution so ably proposed and seconded by my esteemed friends Messrs. Javerlal and Khare. The previous speakers have one and all fully dwelt on the various points bearing on the holding of Simultaneous Examinations in England and India; and I will not further trespass on your time by traversing the same ground over again. Suffice it to say the measure has my full sympathy. I will however beg leave to say this much, that Mr. Paul is the latest acquisition to the small band of India's friends in Parliament and his success in almost his first attempt on behalf of India is an earnest of the fruitful service we may expect to get from him hereafter. We are met here to express our gratitude to Mr. Paul and others, and I feel I am echoing the sentiment of all of you when I say Mr. Paul and his supporters have eminently deserved it. Gratitude is a feeling in which we Indians are acknowledged to excel. (Cheers) We are deeply sensible of any services that our friends do to us, and we are always ready to acknowledge our obligations. In Mr. Paul's case we feel gratitude not only in the customary meaning of being thankful for service done, but also in that comic definition of it, that is "a lively sense of favours to come." There is a further duty we owe to ourselves and to our friends like Mr. Paul which you will permit me to mention. As we have met here to thank Mr. Paul. I wish to remind you that our duty does not end with expressing verbal thanks. It is a true saying that God helps those who

help themselves. We must learn to help ourselves. The help we are getting from our English friends is invaluable and we cannot be too thankful to them for it. But if that help is to be effective we must strive here to strengthen their hands. We must supply them with facts and authentic information on those subjects on which we desire them to work. We must above all supply them with the news of war. Nothing in English public life is to be accomplished without funds. We must learn to put our hands deep into our pocket. We have recently heard of an India Party being formed in Parliament. Our friends like Sir William Wedderburn and Mr. Dadabhai Navroji (cheers) will, we may be sure, never fail to work incessantly and unwearily for us. But in order that they may be cheered in their labours, we must assure them of our own co-operation and self-sacrifice. Gentlemen, let me hope this occasion of thanking Mr. Paul will serve to remind us of our duty in this respect. Let us assure Mr. Paul and his co-workers that ours are not mere empty thanks, that we shall deserve their services by work and sacrifice on our own part. (Loud Applause)

Mr. Amurudin Tyebji said. Mr. Chairman and Gentlemen,—I have great pleasure in supporting the proposition which has been put before you so well by my friend Mr. Javerial. After the elaborate speeches to which we have already listened, it would be unpardonable in me if I were to take up your time with any lengthy remarks. There are however, one or two points to which I wish briefly to refer before I resume my seat. I think the pledges which our rulers here, from time to time, given to the people of this country in the past require that the competitive examination for the Indian Civil Service should be held simultaneously in England and India. (Hear, hear.) At present although the examination is in theory open to the natives of this country, practically it is closed against us,—(shame)—because Indian parents naturally hesitate to send their sons at a tender age and at enormous cost, thousands of miles away from their homes on the mere chance of passing a very difficult examination. But although I think the examination should be held simultaneously in England and India, I am strongly of opinion that the candidates who pass in India should be compulsorily required to stay for two years in England. Gentlemen, I have myself spent many years in England and I can assure you that a two years' stay there will have a very healthy influence on our young men. I am very glad, therefore, that this point has been prominently insisted upon in the memorial which has been submitted for your approval. (Applause)

Mr. Vandravandas Puroshotumdas said: It gives me great pleasure to support this resolution. I feel convinced that the simultaneous examinations will eventually prove most beneficial to our moral and material progress, (applause). It will stimulate our spirit of enterprise, and promote self-help in the direction of high education to a larger extent than hitherto. Again, the impetus to matters social will be considerable. So that on all hands the advantages will be overwhelming both to the ruled and the ruler. (Applause.) There is nothing so much wanted in the good Government of the country as broader sympathy towards the people and greater contentment among them. The simultaneous Examinations will be one important means towards that end. (Hear, hear.) With these observations I cordially support the resolution. (Cheers.)

The proposition, was carried by acclamation.

Professor G. K. Gokhale then proposed the adoption of the memorial to the House of Commons regarding

Home Military Charges of India. The memorial ran as follows—

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble petition of Pherozsha M. Mehta, Chairman of the Public Meeting of the Inhabitants of Bombay, in the Bombay Presidency, in India, held on 15th July, 1893,

Respectfully Sheweth,

That your petitioner, on behalf of the Inhabitants of Bombay in Public Meeting assembled, respectfully ventures to approach your Honourable House with the humble prayer that your Honourable House will be pleased to appoint a Committee to inquire into the Home Military Charges of India, with a view to redress the grievance long felt by the Indian people that since the transfer of the Government of this country from the East India Company to the Crown, various heavy charges, which, in fairness and equity, ought to have been borne by the Imperial Exchequer, have been, year after year, thrown on the Exchequer of India, in spite of strong and repeated remonstrances from successive Viceroy and Secretaries of State for India, as well as from recognised public bodies

2 That your petitioner would respectfully point out, that nearly twenty years ago, a Select Committee of the House of Commons made an exhaustive inquiry into these Home Military Charges of India and unanimously reported as follows—“Your Committee have received an impression from these sources that charges have, in some instances, been imposed on India, which ought to have been borne by England. Your Committee have, however, been assured by various witnesses that a very general desire prevails among the different English Departments not to throw any charge upon India improperly. Your Committee cannot too strongly insist on the importance of securing for India strict impartiality in all her financial arrangements with this country, and they agree in the opinion, which was very emphatically expressed by the Marquis of Salisbury, that the most effectual way of securing financial justice for India is for the House of Commons to be constantly watchful on her behalf.” The recommendation of the Committee, however, does not seem to have ever been acted upon, while increased charges have, till now, continued to be unjustly thrown on the Indian revenues by the British Treasury and the War Office to the undue relief of English Budgets, simply because the people of this country have been unable to make their voice heard and felt inside the British Parliament.

3. That the Government of India has from time to time vigorously protested against this unjust treatment, as will be clear to Your Honourable House from the following extracts from its despatches to the Secretary of State in Council for India. In a despatch, dated 8th February 1878, the Government of Lord Lytton wrote:—“Placed, however, as we are, under the serious responsibility of so administering the affairs of the greatest dependency of the British Crown that while British supremacy is strictly guarded, the means of securing that end shall not unduly weigh on the people of the country, we are constrained to represent to Her Majesty's Government that, in our opinion, the burden now thrown upon India on account of the British troops is excessive, and beyond what an impartial judgment would assign, considering the relative material wealth of the two countries and the mutual obligations that subsist between them..... All that we can do is to appeal to the British Government for an impartial view of the relative financial capacity of the two countries to bear the charges that arise from the maintenance of the army of Great

Britain, and for a generous consideration of the share to be assigned by the wealthiest nation in the world to a dependency so comparatively poor and so little advanced as India. The question we would urge is one to be decided, not by the mere rules of arithmetic but on broad and statesmanlike views of public policy, which shall fairly adjust the claims of England to the capacities of India." In 1883, the Government of the Marquis of Ripon, after briefly reviewing the history of this question, thus expressed itself—"We maintain that in practice the rateable distribution is exceedingly unfair to India. It presupposes that there is a partnership between the two countries. And so, to a certain extent, there is, but there is no freedom of contract. It is a partnership in which the rich and powerful partner is able to prescribe the conditions under which the business shall be carried on, with very little reference to the wishes or to the means of the poorer and weaker partner We maintain, therefore, that the system, under which the Military Charges are distributed between India and England, is faulty in principle. We wish to renew the proposals made by the Government of India in their despatch of 8th February, 1878, to appeal to the British Government for an impartial review of the relative financial 'capacity of the two countries,' and to urge that the settlement between the two Governments should take the form either of a capitation rate based on the effective force maintained in this country, or of a yearly lump sum to be fixed in some relation to the established strength of that force." The Army Commission, which sat at Simla in 1879, also referred to the Home Military Charges in the following terms:—"Very heavy Home Charges are incurred for the maintenance of these troops, and India is put to an enormous expense on account of the frequent relief of regiments, and the passage Home and out of time-expired men and the recruits who have to be sent out to take their places. The difference in cost between local European troops as maintained in 1857 and Her Majesty's troops now serving in India, is probably not far short of £8 per head per annum We think that the portion of the Army employed in this country should be organized and administered with due regard to the interests of the people of India, and not for the purpose of supplying defects in the system of Home Defence, and above all that it should not be made the means of obtaining, at the cost of India, advantages for the Army at Home which do not directly affect the interests of this country."

4. That Your Honourable House may be aware that on the 15th of May last, the Earl of Northbrook raised a debate in the House of Lords on this question of the Home Military Charges of India and in the course of his speech his Lordship made the following statements:—"That since the amalgamation of the Armies of India and England in 1859, heavy charges, which ought to have, in justice, been borne by the British Exchequer, have been every year thrown on India. That the effective charges are excessive; that the non-effective charges are also excessive, and that during the last fourteen years, at least four millions sterling more have been charged to the revenues of India than was fair or just; and that a fair adjustment of conflicting claims and a substantial relief in consequence, to the Indian Exchequer were not impossible, but that the British Treasury always threw difficulties in the path of such settlement. Lord Northbrook also remarks that India was unjustly made to pay the ordinary expenses of her troops, borrowed by the Imperial Government for wars with which she had nothing to do, although she was made to pay every farthing of the expenses, ordinary and extraordinary, of the troops sent out by England to this country on the occasion of the Sepoy Mutiny of 1857. These statements were

occurred in both by Lord Cross, Secretary of State for India in the late Government, and by Lord Kimberley, the present Secretary of State for India.

5. That your petitioner ventures to hope that the extracts quoted above and the statements made by Lord Northbrook, and concurred in by Lords Cross and Kimberley, will be sufficient to convince Your Honourable House that for many years past, great injustice has been done to India by the Treasury and the War Office in the matter of the Home Military Charges of India, and that a very heavy burden has thereby been thrown on the Indian Exchequer which, again, has been rendered more and more intolerable by every successive fall in the value of the Indian Rupee measured in gold. And your petitioner trusts that Your Honourable House will see the urgent necessity of remedying this grievous financial injustice. The people of India are excessively poor and have been for years past taxed beyond their means, chiefly to provide for the many fruitless and costly expeditions beyond the country's borders—expeditions wholly unjustifiable and uncontrolled. They have, however, no direct voice in Your Honourable House. And this petition is the only means by which they can approach Your Honourable House for a redress of their grievances from a distance of seven thousand miles. Your Honourable House cannot but be aware of the chronic embarrassment of the Indian Treasury—a condition which the people of India are firmly convinced has, apart from falling exchange, been largely brought about by the appalling growth of Military expenditure since 1855-56, being the result of the aggressive policy pursued by the Government beyond the natural lines of the defences of India. And at the present moment, the condition of the Indian finances is so desperate that Government has thought it necessary to take the extreme step of resorting to currency legislation of a very questionable character by way of seeking relief. Under these circumstances, your petitioner ventures to submit that all relief to the Indian Exchequer on the lines indicated by Lord Northbrook in his speech in the House of Lords on the 15th of May last, would only be just at this critical juncture.

Wherefore your petitioner respectfully prays that Your Honourable House will be pleased to appoint a Select Committee to inquire into the Home Military Charges of India with a view to arrive at a final settlement of the long-pending claims of the Indian Exchequer, thereby giving to it a substantial and much needed relief, and thus render to the people of this poor country that justice which has long been their due. Your petitioner also prays that your Honourable House will be further pleased to consider the propriety of fixing by law the amount which India should hereafter pay annually to the War Office, as was proposed by the Government of the Marquis of Ripon in their despatch to the Secretary of State for India on the subject in 1883.

Professor G. K. Gokhale of Poona, who was cordially received, in proposing the adoption of the above memorial, said:—"Under ordinary circumstances, I should have hesitated to take upon myself the responsibility of proposing a resolution on so difficult and so complicated a question as the Home Military charges of India. But my task has become materially lightened by the very interesting debate which took place on this subject in the House of Lords about two months ago on a motion brought forward by the Earl of Northbrook. (cheers) I think, gentlemen, and I am sure you all think with me, that Lord Northbrook has rendered a high and valuable service to the people of this country by raising his voice in the way he has done,—I mean by raising his voice in so firm and emphatic a manner—"

against the injustice to which India has, for years past, been subjected in this matter of the Home Military charges. It is clear that his lordship means business, for he has followed up the debate of 15th May by moving for papers that passed between the Government of India and the Home Government between 1874 and '76, &c., at a time when he himself was Viceroy of India. Gentlemen, it is an undoubted advantage to our country, that so cautious and so hard-headed a man as Lord Northbrook has, on the present occasion, stood up for justice to her (cheers). For if it means anything, it means that there is something really rotten and really intolerable in the existing arrangements. Remember, gentlemen, Lord Northbrook speaks with uncommon authority and unrivalled knowledge on this subject. (Hear, hear) He was at one time Viceroy of India, and it was while he was Viceroy that a Select Committee of the House of Commons, I mean the East India Finance Committee of 1874, made an exhaustive inquiry into this matter and reported that India was unjustly burdened with many charges which ought in fairness, to be borne by the British Exchequer. Naturally Lord Northbrook had then to pay great attention to this subject, and he pleaded the cause of India with great earnestness and force. Then since his return to England, he presided, with some short intervals, up to last year over a Commission which was appointed by the British Treasury in connection with this matter. His lordship has thus had this question before him, as he himself stated in the House of Lords the other day, for full twenty years. And his utterances in regard to it are, therefore, entitled to the greatest weight. Then, gentlemen, remember it is not Lord Northbrook alone who has raised this question. The Indian public opinion, as represented by Mr. Martin Wood, the late Robert Knight, the late Kristodas Paul, the late Mr. Naoroji Ferdunji, and Mr. Dadabhai Naoroji, has in the past often protested against the inquiry of the treatment accorded to India. And before the first National Congress, my friend Mr. Wacha, made a remarkable speech on this subject. I call that speech remarkable, because, as you will find if you read it, in that speech, that our friend anticipates Lord Northbrook in many of his complaints. And when you think of that, when you think of the earnest and patient study, which our friend has given to this and other equally difficult subjects I am sure you will say to yourselves—as I said to myself—“How much better it will be if some of those who are disposed to find fault with our friend, because sometimes he speaks out his mind too directly and dares not to act on the principle that language is more for the concealment of thought than for its expression, would take a leaf out of his book and devote some portion of their time to a study of these important questions! (cheers) Then gentlemen, and this is a matter of far greater importance, successive Viceroys and Secretaries of State for India have one after another, protested against these charges as excessive and unjust. Lord Mayo did this; Lord Northbrook, as I have already said, did it in the past and is yet doing it. Lord Lytton wrote against these charges and wrote strongly and with his usual candour The Marquis of Ripon (cheers) addressed to the Home Government a very earnest remonstrance on the subject. Lord Dufferin followed his example. And judging from Lord Northbrook's speech of 15th May last it would appear that Lord Lansdowne has also recently raised his voice against these charges. Then as regards Secretaries of State, Sir Charles Wood, Sir Stafford Northcote, the Duke of Argyll, Lord Salisbury, Lord Hartington, Lord Kimberley, Lord Cross, all in their time have remonstrated with the British Treasury and the War office that the Home Military charges of India were exorbitant and unfair. But as Lord Kimberley himself

said the other day, the Secretary of State for India possesses less influence than any other Minister in the English Cabinet and thus the remonstrances of all these men have hitherto been of no avail. It is, therefore, a matter for congratulation that Lord Northbrook has made up his mind to invoke the authority of Parliament to set matters right. And it is also a matter for congratulation that our friends in the House of Commons, Mr. Cairnes—(Cheers)—Mr. Macfarlane—(Renewed cheers)—and others, have taken prompt steps to strengthen Lord Northbrook's hands. Gentlemen, the controversy which Lord Northbrook has raised, and to which alone we confine ourselves on this occasion, refers to that portion of the Home charges which is shown as Military. The total Home charges of India are exceedingly heavy and so is the total Military expenditure. But on the occasion we speak neither of the Home charges as a whole nor of the Military as a whole. We confine ourselves only to the Military portion of the Home charges. This charge for the year that has closed has been nearly 5 Millions sterling i.e. over 7 crores of rupees. It is, as many of you may be aware made up of two parts, effective and non-effective each being about half of the whole. The effective charges chiefly include a large sum annually paid to the War Office because the British troops serving in India are recruited and sent out here by that office on equally large sum for the stores supplied to these troops a considerable sum for the expenses of the Indian Troop service i.e. of the transport ships which bring out British troops here and take them back to England and the furlough allowances of the officers and men in the British Army in India. The non-effective charges consist principally of payment to the War Office for retired pay and pensions of British troops for service in India and pay and pension of non-effective officers and retired officers of the Indian Service. Gentlemen, it is most unfortunate that since the amalgamation of the Armies in England and India i.e. during the last thirty years and more, these Home Military charges have been, owing to one thing or another, increasing almost from year to year and this has gone on in spite of strong remonstrances from the Government of India and the Secretary of State for India, only because English Ministers try to relieve English budgets at the expense of India and the people of this country have no voice in the English Parliament. I must invite your attention to a few figures to make my meaning clear to you. Thirty years ago (i.e.) in 1862 the total Home Military charges of India were only a little over two millions sterling. To-day they are close upon 5 millions I will not, gentlemen weary you with figures for all these thirty years, but I will divide these years into 6 periods of 5 years each and give you the average figures for these quinquennial periods. From 1862 to 67, the average Home Military expenditure was nearly 2½ millions a year. In the next period (i.e.) from 1867 to 1872, it was a little less than 3½ millions sterling. From 1873 to 1877, it was a little over 3 millions 6 hundred thousand pounds. From 1877 to 1882, it was a little over 4 millions. This average was maintained during the next period, (i.e.) from 1882 to 1887. The tendency of the charges so increased was for a time checked by a new scheme of making payment for pensions, which was introduced in 1884, and which for the time considerably reduced the annual charge for pensions. From 1887 to 1892, the average was a little less than 4½ millions, and for the years 1892-93, these charges were close upon five millions. Gentlemen, I hope you now see how these charges have been constantly increasing and how in thirty years, they have more than doubled themselves. The burden thrown on the Indian revenues by these charges has again during recent years been rendered

more heavy by the fall in exchange and if you take this fall in exchange into account, you will find that India pays to-day for these charges more than three times of what she paid thirty years ago. Further this increase appears still more serious when it is remembered that the part of this expenditure which is under the control of the Government of India has been steadily reduced and also that Government now purchases a part of the stores India itself. I will now briefly refer to the principal details of these charges. The first item among the effective charges is the payment annually made to the War Office for the recruitment expenses of the British forces in India. Last year this charge was nearly a million sterling though generally it is about three-fourths of a million. Owing to the amalgamation of the English and Indian Armies in 1859, the Government of India is forced to depend for her British troops on the English War Office, and has therefore to pay for their recruitment practically, whatever the price the War Office demands. There are various interesting points connected with this question of recruitment but I will not trouble you with them. I will mention to you only one fact, that high Military authorities have repeatedly expressed the opinion that the sum demanded by the War Office for recruitment is a most exorbitant one and that if the Indian Government were allowed liberty of action in the matter, it could get the required recruits for a small fraction of this sum. Sir Charles Dilke who is one of the highest authorities on these subjects, says, in his Imperial Defence, that the sum charges at present to India is monstrously large and that nearly the whole of it could be saved to India, if the Government of India were allowed to take its own measures for the recruitment of its troops. The next effective charge to which I would call your attention is the charge for stores. This charge naturally varies from year to year but it is never less than half a million and last year it was nearly nine hundred thousand pounds. Now here also, the discretion of the Government of India is for the most part fettered and it has to purchase its stores, from the War Office. And the complaint has been repeatedly made that the War Office demands excessive prices for these stores, and practically tries to make a large profit out of the arrangement. The next item is that of the Indian Troop Service. Gentlemen, I have already explained to you that this charge means the expenses of the transport ships that are built and kept at India's expense for the purpose of bringing out here and taking back again to England the British troops that serve in this country. (Laughter.) Last year this charge came to about two hundred and forty thousand pounds. Now it has often been urged and rightly urged that there is no necessity in these days to maintain three ships at such enormous cost, because British troops could very well be brought out and sent back like other passengers. The maintaining of these ships by Government for the sole use of British troops involves a large waste of our money as may be seen from the fact that for five months in the year these vessels do absolutely nothing and yet their establishments have to be paid for all the same during this time. Then there is the question of the furlough allowances. But it is a comparatively small question and I will not go into that on this occasion. So far I have dealt with the effective charges. As regards the non-effective charges, there are only two principal items and these are payments to the War Office for retired pay and pensions of British forces for Service in India and the pay and pensions of non-effective and retired officers of the Indian Service. The first of these two items is not now as heavy as it was before 1884. For the last year, it was a little over one-third of a million. But as was anticipated in 1884, and as was pointed out by Lord Northbrook and Lord Kimberley in their speeches of 15th May, this charge will now rapidly

grow, and in a short time, under existing arrangements, it may become heavier than it ever was. It is in regard to this charge that Lord Northbrook stated the other day that during the last fourteen years, the War Office had taken from India four millions sterling more than was fair or just. We cannot, therefore, do better than ask the protection of the House of Commons in regard to this charge. As regards the other non-effective item, it is, gentlemen, really a very serious matter. For the last year, this charge stood at the huge figure of about one million nine hundred thousand pounds, i.e. about two crores and seventy-five lacs of rupees. During the last thirty years, this expenditure has more than doubled itself. I am aware, gentlemen, that this part of the question is one which is beset with great difficulties. On the one hand there are liabilities incurred by the Government in expectations legitimately formed by men in the service. But on the other hand there are the claims of the poor tax-payer of India to be considered, and if things are allowed to drift on as at present, there is no knowing to what figure this charge may grow. Our prayer, therefore, is that Government should now look on this item carefully and take whatever measures may be necessary to stop its alarming growth. But, gentlemen, even if it were to put aside this large figure of pensions to officers of the Indian service, a large saving in respect of the other item—effective and non-effective—is what we are clearly entitled to. And in my humble opinion, the sum so saved will come to from a million to a million and a half sterling i.e., from a crore and a half to two crores of rupees every year, and this I consider to be a moderate estimate. There is another point raised by Lord Northbrook in his speech which finds a place in your memorial of to-day. England has in the past borrowed troops from India for expeditions undertaken from considerations of Imperial policy such as the expeditions to China and Persia, the Abyssian expedition, and others and on all these occasions, all the ordinary expenses of these troops have been taken from India, England defraying their extraordinary expenses alone. On the other hand when India had to borrow troops from England, as on the occasion of the Sind Campaign of 1846, the Punjab Campaign of 1849 and the Mutiny of 1857, every farthing of the expenses of these men ordinary and extraordinary, including even the expenditure on their recruitment was extorted from India. (Shame), I think, gentlemen, I have now made it sufficiently clear to you that for years past India has been most unjustly treated by England in the matter of Home Military charges. Our prayer, therefore, now to the House of Commons is that the House be pleased (1st) to direct rich England to refund to poor India whatever has been unjustly extorted from her in the past, (laughter) 2nd to order that no charges, which, in fairness ought to be borne by the British Exchequer, should hereafter be thrown on India, and lastly to lay down by act of Parliament the amount or proportion of the non-effective charges of British forces for service in India, that should hereafter annually be borne by this country. Gentlemen, do not suppose that when we ask for a refund of the money over-drawn by England in the past, we are making an unreasonable request. For the War Office itself has often in the past acted on this principle by compelling India to pay large sums as arrears and this selfish and despotic office has at times gone to such a length that even when owing to its own dilatoriness in presenting bills to the India Office, its claims remained for a time unpaid, it extorted from India afterwards not only the full payment of those claims, but charged interest and in some cases even compound interest. (Hear, hear.) Then as regards our second request, I think the House of Commons is in common justice bound to grant it, and when that is done, a substantial relief will come to the finances of India for

a crore and a-half of rupees every year means a good deal to the people of this country. Then in preferring the third request, viz, for Parliamentary legislation to fix the amount or proportion which we should annually pay to the War Office for non-effective charges we are only reiterating a proposal made by Lord Ripon's Government in 1883. The advantages of such an arrangement are many and obvious. But the most important of these advantages is, in my opinion, this that whenever these charges are increased they will come, to be carefully examined by the House of Commons because the English charges also will be proportionately increased and thus a sort of Parliamentary supervision will be ensured to our own charges. But gentlemen, before the House of Commons can do all this, it is necessary that it should order a thorough inquiry into the subject and we, therefore, pray in the memorial that a Select Committee be appointed for the purpose. Gentlemen, I hope I have made all the points in the memorial clear to you. I have already taken up too much of your time, but there is one aspect of the question, about which I will say just a word before I conclude. You may be aware how critical the condition of Indian finance at present is. Government has exhausted every available resource and no further taxation is now possible without inflicting intolerable hardship on the poor and miserable millions of this country. The Herschell Committee has practically admitted this fact in its recent report. On one hand there is the ever deepening gulf of the Home charges and the military expenditure necessitating a grasping and relentless revenue policy and an intolerably burdensome duty on the poor man's salt; on the other hand there are millions upon millions of people, sunk in the lowest depths of poverty and misery, paying taxes far beyond their means, and therefore pining for relief. (Hear, hear). I think, gentlemen, that in such circumstances it is the bounden duty of the Government of this country and of the British Parliament to effect all possible economies in the expenditure of the country and thereby give these millions groaning under their burden the relief they seek. I think a Government which lends a willing ear to the complaints of the well paid European cannot, in common humanity, shut its eyes to the misery of the poor peasant, who toils and moils from dawn to dark only to find himself badly clothed and worse fed. I think, if Government effects the economies in the Home Military charges which have been repeatedly pointed out to it, the poor man's salt can at any rate be made cheaper to him, even if no other relief be possible. Gentlemen, England is strong, but let her not abuse her strength by extorting from poor India more than she has a right to receive. England professes to be anxious to do justice to India. We have had nearly a century of these professions and it is now time we had a little of the practice of the thing (Hear, hear.) I, therefore, trust that the House of Commons will grant our prayer. It is in this hope that I propose this resolution and it is in this hope that I earnestly call upon you to adopt it. (Cheers)

Mr. D. E. Wacha, who was received with prolonged cheers, said I have so often spoken and written on the question of the appalling growth of military expenditure, of which the special subject referred to in the petition you have been asked to adopt is only a part, that I feel some reluctance in taking up your time at so late an hour this evening. Had my own wishes been consulted in the matter I would have preferred holding silence. For, so far as I am concerned, I feel that there is absolutely nothing new to be said. As my friend, Mr. G. K. Gokhale, has informed you, I had the honour of presenting the whole question exhaustively in all its ramifications to the First Indian National Congress held in this city about eight years ago.

Facts, arguments, and statistics were adduced in turn to demonstrate not only the magnitude of the growth of the whole military expenditure but also the evils arising therefrom to the tax-payers. On two subsequent occasions also I dilated at great length on the question. It was just seven months ago that the Congress at Allahabad entrusted me with a resolution similar to the one you are now called upon to adopt. The only difference, I find is, that the one now before you is rather limited in its scope while the one I had the honour to propose at Allahabad, that head centre of official jingoism, (hear, hear) had for its object the larger question of rendering to India that full financial justice in the matter of the entire cost of the Indian Army Services, so far as it arises from the Imperial policy of Great Britain in its relation with some of the great Powers of Central and Eastern Europe. Under the circumstances, I refrain from treading on beaten ground. The more so, because you have already heard from the mouth of our new valiant recruit, if I may so call the able mover of the resolution (cheers), a succinct history of those unjust charges with which India has been saddled since the days of the amalgamation scheme, and against which an ex-Viceroy of such intimate knowledge and experience, as the Earl of Northbrook, raised his powerful voice the other day in the House of Lords. (Applause.) If, gentlemen, I do detain you at all for a few minutes, it would be in reference to points which Mr Gokhale has not touched. That the charges for the home depots are not only exorbitant but unjust have been demonstrated ever and over again. Sir Thomas Pears tersely stated them before the Parliamentary Committee of 1874. He thought that the two questions to be settled were, first, whether India ought really to be called upon to pay for the whole of the expenses involved in the maintenance of the dominion in this country by force of arms, and, secondly, if that be taken for granted, whether India should accept the cost of the men and the material which the War Office supplies at its own figures. Now, all the wrangling that has been going on for the last twenty years and upwards has reference to the latter contention put forward on behalf of India by the India Office. Unfortunately, neither that office, nor its successive heads, I mean the august Secretaries of State, who have presided there from time to time, have been able to hold their own against that militant department at White-hall. It is a humiliating confession for these great officers of State to make that, in spite of the justice of their contentions, they have not been able to hold their own and secure to India the millions of money that have been snatched to her for effective and non-effective services during the past twenty years. The confession is a confession of helplessness. Is it a wonder, gentlemen, if under such a chronic condition of helplessness, the stronger partner poaches on the preserve, poor as it is, of the weaker and grazes on it as best he may? For, as Sir T. Pears observed to the Parliamentary Committee, India is really "for the British Army and War Office a sort of rich grazing ground turned to very good purpose very often by men who wish to get to a country where they are exceedingly well-paid and where service is very popular." It comes to this then that India is at the mercy of the War Office. Gentlemen, it was sagaciously observed by the late Mr. George Yale, who had he lived to-day would have proved of invaluable service to the cause for which we are fighting, that Providence left the destiny of India in the hands of the House of Commons and the House of Commons has handed it back in its turn to Providence. And this admission of helplessness affords a striking confirmation of that sage remark, namely, of allowing India to drift in matters affecting her financial condition from year to year.

When, however, such a condition of affairs is considered side by side with another, which I am just about to state, you will not, I presume, wonder at what is happening with regard to the disputed charges. We cannot blame the British War Office if those on whom the Crown has devolved the responsibility of controlling Indian expenditure proclaim their inability to control it. The War Office itself seems to be the victim of that vicious departmental system, almost universally to be witnessed in every country which has an irresponsible bureaucracy in love with sealing-wax and red-tape. (Hear, hear) If the claim for a million and over still remains unadjusted after twenty years, and if the War Office is heedless, there is a reason for it, namely, the dilatoriness of the department. The speed at which business is transacted there is so wonderfully snail-paced that you will be astonished, gentlemen, when I describe it to you, not in my own words, but in the words of an able writer of experience in the *Westminster Gazette*. Some of you may have read in that journal (10th June) a description headed "A day in the life of a Cabinet Minister." It is the description of no less a personage than Mr. Campbell Bannerman, the present Secretary of State for War. Annadvertising on his hard official lot, the writer observes that he is "invested with the responsibility to Parliament and the country for the working of an over grown office manned by more than six-hundred officials of various degrees, through whose agency is administered a military force of about 3,22,000 men (exclusive of Volunteers) and an aggregate annual expenditure of twenty millions sterling . . . A turgid stream of orders, regulations, and correspondence upon subjects of every kind issuing not in his name, but carrying the weight of his authority, pours continuously from his office to distribute itself from Halifax to Hongkong . . . To the India Office he leases an army on ill-defined conditions." Now, gentlemen, this is the description of the Secretary of State for War, whether he is Mr. Campbell Bannerman or any other. And it is before such a Secretary of State that Indian matters have to come to be adjudicated. But has he the time, the data, and the energy to bestow any thought on them? I say none, for the departmental system is such that it is impossible for any person, however eminent and however laborious, to cope with it. What that is may be best given in the words of the writer in the *Westminster Gazette*. "All questions, however and wherever they may arise, trace their devious courses through the mazes of a great office, passing through hands of officials of every class, gathering confused minutes as they go, till they reach the hapless chief who is responsible for the decisions to be taken upon them. Before him lie masses of papers which a hopelessly bad clerical system has rendered almost incomprehensible. None emanate from responsible officers, for in an absolutely centralised Office there is no real responsibility. . . . Most of the papers reach the Secretary of State without passing through his own adviser, for there is no fixity of procedure at the War Office, and as there are no responsible heads of sub-departments, he can never be certain of obtaining an independent opinion from an official who has knowledge at first hand." If such be the departmental system at the War Office, is it strange, gentlemen, the unconscionable delay to which Lord Northbrook referred? Is it not intelligible why our claims yet remain unadjusted? Verily, another Dickens is wanted to create a public opinion which shall lead to a reform there. (Hear, hear.) India thus suffers not only from the rapacity but the irresponsibility of that Office.

Another point to which I would draw your attention is this, there are twelve Crown Colonies to

whom England lends the service of her troops, but you will be surprised to learn that save five none are called upon to contribute a farthing towards the cost of maintenance of the home depot, and even in the case of the seven it amounts to petty sums. I shall read to you the particulars:—

	Man.	Contribution Per Head.
Jamaica	1569	None
Windward Islands	1330	"
Bahama	111	"
West Africa	953	"
Gibraltar	5196	"
Cyprus	553	"
Malta	5796	12 Shillings.
Ceylon	1416	£ 25
Hongkong	2389	£ 14
Mauritius	851	£ 54
Straits Settlement	1509	£ 68
Cape Colony	3324	None

(*Economist*, 2nd April 1893.)

Is it not apparent, again, that India is indeed the milk-cow of England. Let me quote Sir C. Dilke's words on this subject. "The £750,000, which India is annually obliged to contribute, is simply a tribute paid by India to the War Office for the privilege of receiving British Regiments on loan at India's expense from the moment they leave England until the day when they are landed back again." Contrast the injustice of this charge with the *no* charge to the Colonies, though they are never tired of observing that India is the richest and brightest dependency of the Crown! According to Sir Charles, if the tribute were remitted, the Indian Government could afford for a fraction of it to keep recruiting offices in the United Kingdom and in Canada which would be able to supply all the men required, and with the balance to pension everyone of its time-expired soldiers at the rate of a shilling a day for life." What does then the tribute mean? This only, that the rich partner, under the precious amalgamation scheme, not only exacts from the poor an extravagant amount, but disallows him that freedom to purchase his materials cheaper elsewhere—freedom which is the privilege of the meanest subject of Her Majesty. Could there be a more tyrannical partnership than this? And that by a country which inculcates and practises the principles of free trade!

The last point on which I would ask you to bear out with me for a few minutes is the one regarding the greater burden of exchange. Many of you cannot be unaware that what are called Secretary of State's remittances now reach the enormous figure of seventeen millions sterling per annum. The revised estimates for 1892-93 show that for the payment of seventeen millions in gold India has to find nearly twenty-seven crores of Rupees. Out of the total loss by exchange, namely, ten crores, army expenditure alone in England entails a loss of over three crores or almost one-third. When it is remembered that this amount is equivalent to the net interest charge on our ordinary debt, you will have some idea of the magnitude of the charge. But how the burden of the increased charges is aggravated by a falling exchange will be best perceived on a comparison of the figures of 1884-85 with those of 1892-93.

	1884-85	1892-93.	Increase.
Army Expenditure in England	£3,974,422	£5,022,300	£1,047,878
Exchange thereon	Rs. 96,57,320 at 19-3d.	Rs. 3,01,54,000 at 14½d.	Rs. 20,474,180

Thus, for a million sterling of increase in nine years there is an increase of double that amount in rupees by way of exchange—a really intolerable burden which is the duty of the State to mitigate so as to afford some relief to the poor tax-payer. It is indeed astonishing how our Government here has behaved in the matter. Instead of removing the fundamental causes of the chronic embarrassment of its exchequer, it has resorted to a palliative. Instead of killing the canker that is gnawing away a fourth of the revenue of the empire, it

has with indolent haste enacted a legislative nostrum to reform our currency. Instead of endeavouring to reduce the overgrown Civil and Military expenditure of the empire it has busied itself with what may be called a quack remedy. (Hear, hear) No attempt, gentlemen, has been made in the direction of the curtailment of that expenditure, though the country has cried out for it these many years past. The growth of our army and civil charges during the last ten years has equalled about 11 crores! Now I say, and say with emphasis, that had the Government at all cared for the permanent financial interests of the empire, it would have first thought of the taxpayers before setting about a questionable currency reform in the interests of the tax-eaters. A curtailment of the overgrown expenditure to the extent of 50 per cent, or say 6 crores, might have enabled it to balance its expenditure even at the rate of a shilling per rupee. To those who have carefully watched the receipts and outgoings of the empire as disclosed in the annual budgets it is transparent as the noonday sun that the condition of the Indian finances is not so deplorable as the Government has tried to make out, with the deliberate view of tampering with the currency of the empire. The enactment which was passed with such haste three weeks ago, without even the semblance of a debate, is, I believe, most mischievous in its consequences. Had it been discussed in open Council instead of in camera, you may be quite sure considerable adverse criticism of a healthy character would have been brought upon it. (Hear, hear) I think, gentlemen, I am only echoing your sentiments when I say that it is potent of evil—evil to the producer, evil to the trader, and evil to the people at large. Its mischievous consequences will take months to fully develop themselves, though for the present they are only to be seen in the dislocation of our local industry and the country's trade generally with the principal silver-using countries. That a sixteen-penny rupee may for a time improve exchange, I do not deny, though even that seems doubtful for the moment, judging from the way in which Council bills are now sold. But that so artificial a rupee can long hold its own against the forces which the American silver legislation may liberate is more than problematical. The deluge may be expected soon after the United States have reformed their currency. In the natural order of things the Government of India was at least bound to have waited till the result of the impending legislation was known. And I consider it to be unwise and mischievous statesmanship which rushes in a panic to overturn in half an hour the long settled currency of the country. If the Government apprehended that silver might fall to a shilling, thereby further embarrassing Indian finance, there was nothing to prevent it from tidying over the deficit by means of a temporary loan or treasury bills. (Hear, hear) It could also have set about putting its house in order as far as all kinds of expenditure was concerned. In brief, it ought to have taken other precautionary measures to protect itself against the avalanche of American silver—measures neither so revolutionary in their economic effects as the Amended Coinage Act nor so injurious to the taxpayers. It is idle for the Government to say that taxation has been averted. I make bold to say that by the Coinage Act our rulers have indirectly enhanced the taxation of a permanently oppressive character—an Act which no responsible statesman in the true interests of the people would have ever dared to pass. Gentlemen, it should be remembered that it is not the declaration of the standard which makes the demand for precious metal in the country. It is the laws and customs, as living economists have observed, which regulate the currency that are most important in this respect, and I say that the customs and usages of the coun-

try have not only been not considered by our currency doctors but ignored. In fact, they have been set at defiance under the clamours of the selfish classes whose voice is most powerful in this country. It is not curious that a forced appreciation of the currency of a country leads to injurious consequences, and that these are injurious in proportion to the degree of economic advancement which a country happens to have attained. It disables the productive powers of the people and makes them poorer than they would otherwise be. (Hear, hear) Gentlemen, you have been disensuing the financial injustice of the War Office to India; but what about the greater financial injustice which the Government of India has entailed by its Currency Act on bankers and traders? The loss of the former is about to be repaired to a limited extent, but what about the loss and injury endured by the latter? What about the opium dealers and millowners and others who, without even twenty-four hours' notice, have been made heavy losers by the precipitate measure of the Government. Is it to be that the European alone is to be benefited and the native to go to the wall? (Hear, hear.) But I need not further dilate on this question. I fear, I have somewhat digressed from my subject proper. But I hope I have made it sufficiently clear to you that we could not have embraced a better opportunity than the one now offered to appeal to Parliament to redress the long standing grievance regarding one branch of our home military charges. It was the Marquis of Salisbury who, replying to a question on the subject by the late Professor Fawcett, said: "If the House of Commons will keep a sufficient sharp eye over these matters, I do not imagine that there is any serious danger of India being oppressed, but there is a constant tendency of course on the departments at home which have such enormous inducements to save to get money where it may be had without resistance or difficulty. It is the pressure of the House of Commons which creates the difficulty for India, and therefore the House of Commons is bound to make the corresponding pressure to see that India does not suffer from such spirit of economy." Let us, gentlemen, take this sound advice of the Marquis of Salisbury, and appeal to the House of Commons to bring pressure on the War Office to deal with India in a spirit of justice and generosity. (Loud cheers)

Mr. Damodar Thakersey Mulji said:—I rise to give my hearty support to the resolution. I feel firmly persuaded that the grievance to which we have referred in the petition is a just and well-founded one. (Hear, hear) We could not have made out a stronger and a clearer case for the reparation of that financial injustice to which the Indian Exchequer has been subjected for these twenty years past. I think Indians in every part of the country have only to make their voice properly heard in the House of Commons, in order to obtain the relief they seek. That our prayer will be heard, and heard with success, I have not the least doubt. I ask you to consider, gentlemen, whether there is not every presumption to suppose that the Lower House which rendered us only the other day such noble justice in the matter of Simultaneous Examinations will mete us equally signal justice in the present case also? It is our duty to remind the Honourable House at this juncture that though India is poor she has all throughout not only paid every pie of her own military charges, but rendered military assistance to England in all her wars with China, with Persia, with Afghanistan, and Abyssinia, for which no compensation has ever been paid, though demanded. (Shame.) On the other hand, there is ample opportunity to prove that in all the imperial undertakings of England in Asia and Africa, India paid for her own troops which she lent, though in common fairness these should have been paid by the British Treasury. It is also a fact that when England

sent her own reinforcements to suppress rebellion in the colonies, the expenses were borne by her. But in the case of the Sepoy War of 1857 India was made to bear every pie of the cost amounting to crores of rupees. It will be apparent to you, gentlemen, from the facts I have just stated that rich England uses her strength against India, when it ought to be her duty to protect her dwarf partner. Again, it should not be forgotten the immeasurable benefits England has derived from the possession of India. Not to mention other advantages, the profits which she annually derives from her trade with this country may be counted by crores. I do not mean to underrate the benefits. India, *per contra* has derived from the protection of England. But were a balance sheet of the partners to be drawn, you would, I believe, agree with me that the share of the poor partner will sink into insignificance by the side of that of the stronger and the richer. (Hear, hear) Under the circumstances, India has every way the stronger claim on England in reference to the military charges against which the illustrious Lord Northbrook so vigorously protested the other day in the House of Lords—a protest which I think entitles him above all other Englishmen to our warm gratitude, and we should be sadly wanting in our duty if we failed to support that protest by our united force. I therefore trust the petition just read to you will be adopted by acclamation. (Applause.)

Mr. H. A. Wadia, in supporting the proposition, said that their prayer should be granted not for the contentment of the natives, but for the sake of British honour. (Applause) He quoted the words of Lord Lansdowne, who on the 30th of November, at 1891 said, at the St. Andrew's Dinner at Calcutta, that, however, fair the prospect may be, India never ceases to be conscious that the great spectres of war, want and insolvency are hovering in the distance and ready to swoop down upon us. At any moment their unwelcome presence is one of the conditions under which we exist and we must not regard it in a querulous or dispondent spirit. He concluded by saying that the question was of great importance to poor India, and expressed a hope that India would be freed from the heavy burden, which was unjustly saddled on her. (Applause)

The proposition was put to the vote and carried unanimously.

The Chairman here observed that he trusted that, though it was late, they would not separate without passing a vote of thanks for his warm advocacy of Indian interests in the matter of the military charges.

Mr. Ibrahim Rahimtoola said.—I think the proceedings of this meeting would be incomplete if we dispersed without adopting a cordial vote of thanks to the Earl of Northbrook. (Hear, hear.) I have the honour to move:—“That this meeting begs to tender the most cordial and grateful thanks to the Earl of Northbrook for his noble and sustained exertions to remedy the iniquity and injustice of the financial apportionment of the military charges between England and India.” You are no doubt, aware how his Lordship is strenuously exerting himself to secure for India a full measure of justice in the inequitable apportionment of the home and military charges. I believe I am echoing the sentiment of the whole of India when I say that we feel ourselves under a deep debt of gratitude to his Lordship and the gallant band of workers in Parliament who, with disinterested zeal, devote so much of their time and energy in trying to redress the manifold wrongs India lies under. Gentlemen, it may be in your remembrance that it was the Earl of Northbrook, who, as the then Viceroy of India, protected our interests against the selfish clamours of Manchester by boldly refusing to repeal the import duty on piece-goods which was levied for purely revenue purposes. The noble Earl then richly earned the gratitude of the Indian people. And his late advocacy of our claims against the War Office is only another striking proof of his Lordship's abiding interest in India. (Applause.) All honour to Lord Northbrook and the other noblemen who supported his motion. (Cheers) It is needless to recount the numerous and inestimable services rendered by these noble hearted Englishmen, and I am sure after being treated to so much eloquence from the previous speakers you will thank me if at this late hour without any further preamble, I were to commend my resolution to your kind acceptance. (Cheers).

Dr. Atmaram Pandurang seconded the proposition which was carried by acclamation.

On the motion of Dr. G. M. Deshmookh, seconded by Mr. N. G. Chandavarkar, a hearty vote of thanks was accorded to the Chairman for his able conduct in the chair.

The meeting was then dissolved.

to be published on the 3rd August.

Special Provincial Conference Madras

ADDRESS OF THE CHAIRMAN OF THE RECEPTION COMMITTEE

FELLOW-DELEGATES AND FRIENDS,

The Congressmen of Madras have charged me with the very pleasant and easy duty of bidding you welcome to this Special Provincial Conference at a moment of crisis in our country's fate. High hopes have been raised, only to be shattered; noble aspirations have filled our hearts, only to be frustrated. Yet it is resolution, rather than sorrow which brings us here to-day, and our Will to Freedom is only the sterner and the stronger for our temporary rebuff. When a Nation is determined to be free, there is no power that can bar its way, nor prevent its arrival at the goal.

Dark as may be the clouds over India, many of the omens are not unpropitious for us when we cast our eyes abroad. A world War is being waged, professedly for Liberty, and the mere profession will to some extent bind the actions of those who are allied in the War against Germany. They cannot make good their claim to be fighting for the Freedom of all Nations, while leaving it in the power of Germany to point at any one of them the finger of scorn, with the words: "Physician! heal thyself." Nor can they ask for a different measure of justice to be meted out to the Central Powers than is measured to the Allies. That which they claim for Poland, for Bohemia, for Italia Irredenta, for Alsace-Lorraine, for Serbia, for Montenegro, for Bosnia, for Herzegovina,

they must claim also for Ireland and for India. For America will stand in that Peace Conference, the Hope of the World's Freedom, and on her all eyes will rest who look on the Rights of Man as inhering in man's Spirit and not in the colour of his skin.

Fain would I that Great Britain—as indeed I had hoped—should have wrought out her pledge to India, given on August 20th of last year, ere she entered into the Peace Conference, thus vindicating her sincerity and her ancient fame. Even yet, perchance, she may awaken to her duty, and pass into law a Bill such as the National Congress asked for in December last—a Statute that should fix an early date for the complete establishment of Responsible Government in India, and give, as a first substantial stage, the essential reforms embodied in the Congress-League Scheme. It is not impossible, even yet, to weld them into the Bill that is being drafted on the cumbrous framework of the Montagu-Chelmsford Report. They are few, broad, simple and far-reaching.

But of one danger, Fellow-Delegates, I would earnestly pray you to be aware. Do not let Great Britain be able to say in the Peace Conference that she has given India all that she asked for, all that India felt that she was ready to receive. Say clearly, definitely, beyond possibility of misunderstanding, that the Reforms are inadequate, unsatisfactory, and cannot be accepted as an answer to India's claims. If the Congress-League Scheme essentials were substituted for the reforms offered, even then the Montagu-Chelmsford Scheme has undesirable elements which ought to be eliminated. The Congress-League Scheme as a whole is a far better basis for the drafting of a Bill than is its younger rival. But we might, if the essentials were worked in, and if we took a hint from the Grand Committee procedure, and fixed a time-limit, at the expiration of which Self-Government would come to pass automatically—we might then take this ill-formed banthing, and pinch and twist it into some kind of shape. But I must lay stress on the time-limit, as a condition precedent to any acceptance of the Bill even as a first stage.

For if that be refused, then we should have no certainty that our Liberty would be won before the Reconstruction of the Empire, in which the Dominions will be made equal partners with Great Britain. If that day should dawn with India still

painfully struggling along a road of an unknown number of 12-year stages, with Self-Government as a goal at the end, still invisible, then will she pass under the yoke of Five White Nations closely united as a Commonwealth, and her economic ruin will be sealed. The shattering of western civilisation in the War, the inevitable rebuilding of the British Empire which must follow after the conclusion of Peace, the economic conditions which the Empire will seek to create as necessary for its future prosperity—these impose an inexorable time-limit on the immediate struggle for India's Freedom. Unless India goes as a Free Nation into the Conference that will shape the future Commonwealth, she will emerge from it as an economic slave. Hence we must concert our measures to suit the time-limit.

The Montagu-Chelmsford Reforms are a slow eighteenth century coach, lumbering along the highroad, suitable enough, perhaps, if they had then been introduced, for the slow days of a bye-gone century; but we are in a century of swift mail-trains and aeroplanes, and we must travel swiftly if we are not to be left hopelessly in the rear. The War, we may hope, is not going to last even to the end of the first of the proposed twelve-year stages; yet we are told that the Reforms are not to "be taken as implying that there can be established by that time complete Responsible Government in the Provinces" (para 263 *Report*). As to the Government of India, "the line beyond which our principles forbid us to go" continues "the use of the special machinery of Autocracy," confining it "to essential cases" of which the Autocracy is to be judged, leaves to that Autocracy the power to carry measures against the will of the Legislative Assembly "in the discharge of its *continuing responsibility* (italics mine) for the good Government of the land"; does "not offer responsibility to elected members of the Legislative Assembly", defines "the sphere in which the Government will defer to the wishes of the elected members not by specific directions in a schedule, as we have done in the Provinces, but by a general prescription *which we leave the Government to interpret*" (italics mine) (para 289 *Report*). That is to say, the sphere is not defined; it would have been simpler and franker to have said so; but the Montagu-Chelmsford Scheme prefers to drape Autocracy with decent and ample garment of words, which will, it hopes, delude the people into blindness to the hideous object beneath

the drapery. Put into a sentence: This Scheme sees India, in the distant future, as a group of separate autonomous States, under the yoke of a foreign Autocracy, which is the sole judge of its own powers. Over against that sad vision of a conglomerate of separate and therefore powerless States, under a central foreign Autocracy—the only really free thing in the future India—we, the Nationalists, set up the splendid vision of a Free Nation, self-ruling, one and indivisible, with Provinces as administrative units, which no more destroy her unity than districts destroy the unity of the Province, standing out as one Indian Nation among the other Nations of the world, shaping her own destiny, living her own life, our Bharatavarsha, our Bharatamata, our glorious MOTHERLAND.

It will be seen that the two visions are incompatible. Let India choose which she will. The choice must be made now, for we stand at the parting of the ways. Accept the Montagu-Chelmsford Scheme as it is, and you enter on the road, which you cannot escape from, which leads to the line beyond which its authors cannot go, a perpetual slavery, which can only be broken by Revolution. Introduce into it the essential features of the Congress-League Scheme, as a first short step, which will give you the power to take your other steps as swiftly as you please to Self-Government, accepting the time-limit rendered necessary by the War, and you enter on the road which leads to the Nationalist vision.

I endorse fully the truth pointed out by my friend and co-worker Mr. C. P. Ramaswami Aiyar, of the need of the clear cold light of the Intellect, that we may see our way; and I add, what he, I am sure, would also endorse fully, that the intellect must be illuminated by the high Emotion of Patriotism, which impels to Action along the road chosen by the Intellect—for Intellect, Emotion, Action, are the inseparable constituents of human Consciousness. I say to each one of you, therefore, Sons and Daughters of India, in the words of Goethe:

Choose well,
Your choice is brief, but yet endless

You will decide, in your deliberations, which are the features of the Congress-League Scheme that you deem it essential to insist on as part of the Bill, now drafting, which is to be laid before Parliament. It is better to concentrate on a

few salient points, which, if carried, will in themselves eliminate the remaining most objectionable features, than to scatter our forces over a number of minor details. From my own standpoint, the following are the essentials of the Congress-League Scheme which must be included in the Bill; I care little for the wording if we secure the facts.

1. Enlarged Legislative Councils, on broad franchise, with $\frac{4}{5}$ (or substantial) majority of elected members. Muhammadan proportion as detailed in Joint Scheme.
2. Control over budget, entailing subordination of Executive to Legislature, and giving fiscal autonomy.
3. Executive Council, half English and half Indian.

Our Scheme reserved to the Indian Government sole control over Foreign Affairs, Army and Navy, Political Relations, the making of War and Peace, and the entering into Treaties, thus admitting the principle of reserved subjects; but the Montagu-Chelmsford Scheme has extended it most unreasonably.

The first demand is given in the Montagu-Chelmsford Scheme, except as regards the proportion of Muhammadans to be elected, and the granting of special electorates in all Provinces. On these points we must stand by our Muhammadan brethren as agreed. It is vital to the Muhammadans to support the Congress in this, as the Montagu-Chelmsford Scheme gives them less than was agreed to in the Congress-League Scheme.

The second gives fiscal autonomy, a *sine qua non*. Without this, the Executive is supreme, with it the Legislature. As a concession, we might agree that in the Provinces a fixed sum, calculated on the average expenditure of five years before the War on police, law, and justice, should be at the disposal of the Executive and outside the control of the Legislature for the lifetime of the first Legislative Council, and that these should be reserved to the Executive. It is also arranged in both Schemes, that a fixed amount from provincial revenues shall be allocated to the Government of India, and that the Local and Indian Legislative Councils and Assembly shall control respectively Provincial and Indian revenues and expenditure, there being no divided heads of revenue.

Thus, in the Provinces, all the Departments, except law, police and justice, should be placed in the hands of Ministers, who should be chosen by the Governor-in-Council from the elected members of the Legislative Council, and they should be irremovable, as in the Congress-League Scheme, for the lifetime of the Council. The Legislature would control the whole Budget, except the two fixed allocations, and under these circumstances the Grand Committees would have nothing to do and would disappear. The Governor might advise with his Ministers, but not control them.

The third is granted in the Provincial Councils, but the demand that the Indian half should be elected is refused. I think we might let that go, if all subjects except law, police and justice are in the hands of elected members of the Council, in whom control of the budget is vested, and if these also come into the hands of the Legislature automatically, at the end of five years, making Provincial Autonomy complete.

In the Indian Government, half the Executive should be Indian, and if the work be heavy, one or more Ministers might be added from the elected members of the Assembly. Here also a fixed sum, calculated as before, should be allocated for the subjects reserved in the Congress-League Scheme; in addition we may grant to the Executive Council, half Indian, the care of Peace, Tranquillity and the Safety of the Country, seeing that the Army is concerned with these. I say "safety of the country" instead of "good government", because the latter phrase, like the "public interests," may be stretched to include anything.

The Indian Budget must be under the control of the Assembly, save as regards the fixed sum granted, and Customs, Tariff and Excise must be specially retained in its hands, lest any attempt should be made to bring these within Peace, Tranquillity and Safety; in view of the resistance of the non-official European community to the necessary re-arranging of Indian finance with a view to Indian interests.

One point of great importance must be remembered, that no power must be transferred from Parliament and the Secretary of State for India to the Indian Government, nor to the Provincial Governments, until the latter are responsible to the electorates.

With the powers thus secured, we might leave to the Councils, aided by strenuous outside agitation and the inevitable hurrying of events, the gaining of complete Self-Government in the Reconstruction of the Commonwealth after the War. But for this, we must distinctly declare that we do not accept the Bill as it stands, and that even with the changes proposed we regard it as unsatisfactory, since it deals only with the first short step, absolutely negates the National Autonomy we claim, and states, in so many words, that the "machinery of Autocracy" is not to be abolished but merely to be restricted in its area. We declare once more that we will not sell our birthright of National Freedom for this mess of autocratic pottage, with its crumbs of partial local liberty floating in it. The world is tired of Autocracy, and is to be made fit, in India as elsewhere, "for free men to live in". Great Britain alone cannot be allowed to perpetuate it within her Empire, and until it is abolished here, as elsewhere, India will remain, and ought to remain, in a state of unrest.

I conclude by asking you to survey as a whole the policy of Great Britain in regard to the Reforms.

On August 20th, 1917, she proclaimed, as the goal of her policy, the establishment of "Responsible Government in India". The Report establishes the continuance of the "machinery of Autocracy" in India, with shreds and patches of local freedom, liable indefinitely, at Great Britain's choice, to extension, retraction, and uncertainty of attainment without any limit of time. The Reforms were to be published for discussion in Great Britain and India. To make discussion one-sided in Great Britain, the Government permits unbridled licence of misrepresentation to Lord Sydenham and his anti-British Association, but stops Indian Deputations, over-riding the Viceroy; it then circulates the *Report*, with a mass of non-historical matter giving the bureaucratic view of India when the British came to it, making no reference to the success of indigenous systems in building up the wealth and prosperity, trade and commerce, which invited European adventurers to overrun the country and divert huge portions of its wealth to Great Britain, giving an impulse to the trade of the latter and most remunerative markets for its products and the investment of its capital. The *Report* thus ensures the creation of an entirely unhistorical

view of India in the minds of the British public, preparing it to accept utterly inadequate reforms as generous boons to a child-people, requiring education and training at the hands of responsible and benevolent British officials, who yet, even after a hundred and seventy years, have only brought it to the condition of a promising child, who would fall and kill itself if released from its nurses' leading-strings. This charge, entrusted to Britain by Providence—which apparently left India to itself for more than five thousand years of not unsuccessful self-management, judging by its results—entails a perpetual tutelage within the lines of the principles of the authors of the *Report*. The British Press, thus tutored, bursts out into a chorus of approval of Reforms that might be good for the child-people so cleverly described, but are absolutely absurd when offered to an ancient and highly civilised Nation. To prevent any correction of the distorted picture, not only are Indian deputations stopped, but prominent Indians going on urgent private affairs are forbidden to speak on politics; Indian papers are confiscated on their way to England; Indian articles to the English papers share the same fate—only, of course, if patriotic; Anglo-Indian papers circulate freely. Cables to England are stopped or long delayed. Reuter suppresses the Indian meetings and protests, but cables the anti-Indian. Meanwhile in India, despite all the encouragement it will give to the enemy, a Report of a Sedition Commission is published, showing wide-spread conspiracies, and proposing increased and permanent coercive measures in order to crush them, forgetful that Britain has regarded such conspiracies in other countries as proofs of tyranny, and has counselled those countries to destroy conspiracy by freedom, not by increased coercion, since there was only one end to the latter course.

To prevent free discussion of the Reforms in India, papers which point out their inadequacy, but also publish articles praising them—a condition of fair discussion—are confiscated in the Post Office in Burma, Ceylon, the Panjab and Delhi by the use of the Post Office Act, since the authorities were, presumably, doubtful whether they could enmesh them even in the wide nets of the Defence of India Act and the Press Act. My own articles on the Reforms, written carefully and with detail, and that of Mr. C. P. Ramaswami Aiyar, have thus been dealt with. The *Observer* has been killed, as has the *Panjab*, and

their editors debarred from following their profession. "Public peace and tranquillity" mean acquiescence, in those regions, in the views of Sir Michael O'Dwyer and Lieut.-Colonel Beadon. Lord Willingdon declares himself unconvinced of the sincerity of Home Rulers. Lord Ronaldshay attacks me with unbridled licence, and fathers on me, as a proof of inaccuracy, a story I never heard of till he gave it, making a false charge which I must presume to be deliberate, since he has neither withdrawn nor apologised for it, but has only made it worse by a discreditablc evasion. What do all these circumstances mean, except that no fair discussion will be permitted, that the Reforms are to be forced on us, and that agitation against them, or for a larger measure, will be suppressed? —

Such are the circumstances, Fellow-Delegates, under which you meet. Your chosen President will declare his views, and will guide your deliberations. May the All-Wise illumine your minds, and the All-Powerful make strong your hearts. The lists are thrown open. May God defend the Right.

MADRAS AND THE PRESS ACT

Demand of Security from "New India"

REPORT OF THE GREAT PROTEST MEETING

AT VICTORIA HALL

On 12th June 1916.

REPRINTED FROM "NEW INDIA."

PRICE ONE ANNA.

MADRAS AND THE PRESS ACT

GREAT PROTEST MEETING

MADRAS has spoken in no uncertain terms its mind on the subject of the Press Act and its latest manifestation in the action against "New India." Despite the advice of a contemporary, and a sudden and energetic specimen of monsoon weather, despite also the heat of summer and the absence of a large proportion of the population, the seriousness of the issue at stake drew together a great representative gathering. The meeting was called for 5-30, but at an hour before that time when the doors were opened the spacious Victoria Hall was filled with a rush. At the opening of the meeting, not only was every inch of the hall proper occupied, but the verandahs were crammed with listeners eager to catch every word from the platform. If anyone anticipated any trouble they were disappointed. Order reigned throughout the whole proceedings, accompanied by an obvious earnestness of purpose, that expressed itself in outbursts of applause as one or other of the galaxy of speakers brought home some telling point. A noticeable feature of the audience was the great proportion of members of the Madras community other than the student class. Several students expressed disapproval of the Government's bringing the matter forward at a time when the colleges and schools were closed, and ruefully contented themselves with forming a very small part of the audience, instead of filling both hall and the space outside and necessitating two meetings. Many Europeans were also present in token of their sympathy in the fight for a free press.

Among those present were the Hon. Messrs. B. N. Sarma and A. S. Kriehna Rao, Dewan Banadura L. A. Govindaraghava Iyer and P. Parankusam Naidu, Rao Bahadur S. Bhavanandam Pillay, Rao Sahab G. S. Subhish Chetty, Mrs. Annie Besant, Messrs. A. Rangaswami Iyengar, C. P. Ramaswami Aiyar, B. P. Wadia, L. A. Venkatasghava Iyer, S. Gurusami Chetti, C. S. Govindaraja Mudaliar, G. S. Arundale, V. Sudarsana Mudaliar, C. Doraswami Iyengar, V. S. Ramaswami Sastri and P. Seshachalapati Rao. The

hall was packed to its fullest capacity, even in the verandas, and very many were turned away.

The entrance of Mrs. Annie Besant was the signal for an outburst of applause that continued until she took her seat on the platform, most the audience standing as she passed to her place.

A similar scene was enacted when the venerable chairman, Sir S. Subrahmaniam Iyer, made his appearance.

Mr. A. Rangaswami Iyengar proposed Dr. Sir S. Subramania Iyer to the chair.

The Chairman's Speech

Dr. Sir Subramania Iyer in opening the proceedings of the meeting said :—

Lord Kitchener

LADIES AND GENTLEMEN,—My first duty to-day is to refer to the calamitous event that has taken place since this meeting was announced. Of course, I allude to the death of Lord Kitchener, the late Secretary for War. Under any circumstances his death whilst still in full possession of his extraordinary powers would be a great loss to the Empire. But the loss of his services at the present time is indeed a momentous blow to the cause of the Allies, having regard to the military genius and unrivalled power of organisation he had been displaying since the commencement of the War. It seems to me that before proceeding with the business of the day it is our bounden duty to give expression to the intense grief and pain felt by every section of the community throughout the country with reference to this sad event. Were I to attempt it I could not at this moment do justice to the memory of the great soldier and administrator, who has met with a death so untimely and tragic. I must therefore content myself with asking you to allow me to put from the chair a resolution giving expression to our sense of the irreparable loss sustained by His Majesty's Government and the Empire at large in the passing away of so useful a man whose life

has been suddenly snatched away by the cruel hand of death from a post where his presence was of incalculable value.

The resolution runs as follows.—

"That this public meeting of the citizens of Madras places on record its deep sense of the loss sustained by the Empire in the death of Lord Kitchener and shares with the rest of the Empire in the great sorrow that this loss has caused."

The resolution was carried in silence all standing while it was read.

The Day's Proceedings

The Chairman proceeded:

Turning to the next subject before us it is scarcely necessary to say that the requisition of security from the New India Printing Press raises in the circumstances of the case a question of paramount importance. No one can deny or w deny that a free press is indispensable to good Government in this country, as it is in every other civilised part of the world. It is equally true that the right to discuss public questions through the Press should be subject to the safeguards necessary for the prevention of such a right being abused to the manifest detriment of public interests. But no one can pretend that the law in force on the subject in India provides for such safeguards only. The Act relating to the Press, passed six years ago, is a legislative measure which could never have been put on the statute book consistently with the liberal principles of Government recognised as fundamental by the British Nation. For it is a measure which places in the hands of the Executive powers the use of which even sparingly must sooner or later result in making the public press a non-entity. This was obvious to all when the Act was passed, and I take it it was hoped by the Government of India that a measure of such exceptional character would be worked with considerable discretion. That this hope has been a vain one is shown by the way in which the provisions of the Act have been used, and the demand of security from the "New India" Printing Press is of so glaring a character, as to produce on the public mind the indelible impression that matters have reached a stage which is well nigh intolerable.

Honest Belief

For my own part I have no doubt that the step in question was taken in the honest belief that it was called for in the interests of good administration. But this belief was due to a lamentable ignorance of the state of public feeling with reference to what presumably is considered by the authorities as culpable in the conduct of the owner of the "New India" Printing Press. In the absence of any explanation on the subject it cannot but be assumed that it is the support which that owner has

given to the claim for Home Rule that has been considered to be her crime. But the claim for Home Rule did not originate with her. It had been made, as all the world is aware, as openly as it can be on the Congress platform again and again for years. What "New India" has done within the past few months is only to voice the wishes of the people on this subject with an insistence and ability which were wanting before, and which consequently have contributed to make that journal the special and favourite organ of every section of the community from one end of the country to the other. It is the failure on the part of the authorities to grasp that such was the actual situation, and that the idea of Home Rule has taken deep root among all classes, whether educated or not, that accounts for the demand of security in the present instance, even without the deliberation and scrutiny of the circumstances of the case that should have preceded the demand and the usual preliminary warning and explanation. As has been well put by a felicitous writer in a Mysore periodical, this idea of Home Rule is a spark which has found its way into the Indian mind from a fire lit by the celestials. Surely it should be familiar to all who have any knowledge of our people that this way of locking at such things has ever an attraction for them. They see spiritual forces at work where most Westerners see none. No wonder therefore that the vast majority of the Indian population, not excluding that handful of "yesterdays" who often seem hardly to know their own minds and what they are about, have come firmly to believe that while the country continues to be an integral part of the British Empire, there is to be, and must be, within a measurable length of time, such a change in the administration of the country as will enable the people to exercise effective control over their own affairs (Cheers). The strength and rapidity with which a spirit of union and a desire for Self-Rule have taken hold of a population so vast and heterogeneous cannot be adequately explained as due to mere suggestion from foreign quarters or other temporary influences. No reflecting mind can help seeking for deeper causes for a social phenomenon so widespread and striking. Not to do so would argue a lack of mental alertness and stupidity discreditable even to a school boy. As a matter of fact Europe itself, the Nations engaged in the present desolating War, are not content to justify their conduct on mere materialistic grounds. Everybody is busy trying to find occult reasons for the misery which is overwhelming humanity there. The German War Lord claims to be the chosen instrument of God in carrying out the work of destruction he is engaged in. And Mr. Asquith, on the other side, has from the first been asserting that the War England is waging is a spiritual one. I

is not therefore strange that we here are persuading ourselves that the immunity we enjoy from the calamities to which our brethren in Europe are subject is due to the special protection extended to us by those unseen Powers that are guiding our destinies, as the result of our past collective good karma, and that a very real and substantial advance in our political status as subjects of His Imperial Majesty is another boon which those Powers contemplate conferring on us, in pursuance of their supramundane policy, if I may be allowed such an expression. Such beliefs of ours ought not to be treated as mere superstitions, and put aside with contempt by those responsible for the Government of the country in the name of His Majesty. On the contrary having regard to the profound influence extended on the minds of the populace by those beliefs, these should be treated with consideration, and the part of wisdom in the authorities is to allow the feelings and sentiments of the people with reference to such an all absorbing matter and others of equal importance to find fair, full, and free expression, and thereby to carry on the work of Government with light instead of in darkness, as they would do by acting otherwise. This is the view which in my humble judgment we should endeavour to press on the Government. Please let me add that in doing so we are more likely to succeed if we avoid exaggeration and meaningless vehemence in what we say, as these can only serve to detract from the dignity and sobriety which our representations should never fail to possess. (Loud Cheers)

Telegrams and Letters of Sympathy

Following telegrams and letters were received; some of them were read:

TELEGRAMS

Mr. B. G. Horniman, President Press Association, Bombay, wired: We look expectantly to Madras to stand for the liberty of the Press. Wish you a successful meeting.

Mr. Hora wired from Surat: Citizens of Surat join in protest and demand repeal of Press Act.

Mr. Kesava Pillai wired from Anantapur regret absence, heartily sympathise.

The Hon. Rao Babadur M. Ramachandra Rao wired from Ooty. Regret, unable to attend the meeting. Strongly disapprove of Government's action against "New India". Wish meeting success. Urge repeal of the Press Act.

Mr. Yakub Hasan wired from Vizianagaram. Regret inability to attend the meeting. Please allow my voice through the wire to join the protest against the Act that has killed the *lomrade* and deprived Mussalmans of India

of the most popular exponents of their views and fearless advocates of their cause.

Mr. N. Subbarao Pantulu wired from Coimbatore: Regret cannot attend: Confined here by fever and cold. Sympathise with the objects of the meeting. It is time the whole country unitedly demand for completely freeing the Press from the control of the Executive. Permit me to express my strong disapproval of the attacks made by "New India" against Sir S. Sivaswamiar and Sir Harold Stuart.

Mr. G. A. Natesan wired from Ooty join you all in protesting against Government's action enforcing the Press Act against "New India" and strongly urge its repeal.

President Public Meeting Gudivada wired.

Public Meeting of Gudivada joins its protest against the Press Act and the unwarranted order against "New India" and appreciates Mrs. Besant's constitutional services to India and the British Empire.

Mr. L. A. Subbarama Iyer, H. C. Vakil late Municipal Chairman, Palghat, wired:

Palghat public heartily supports Madras protest "New India" security; wish success to the meeting and urge repeal of the Press Act.

Mr. R. Giri Rao wired from Madanapalle. Hearty sympathy Wish glorious success for Press.

Mr. Sivasankaram wired from Penukonda. Regret absence, hearty sympathy meeting. Taking security from "New India" unwise. The Act must be repealed.

Mr. Syed Yusuff Choulur wired from Penukonda. Regret absence. Heartily sympathising with the objects of the meeting. Security unwise.

The Editor "Spectator" wired from Calicut. Evening meeting has full sympathy of West Coast editors.

Messrs. K. P. Padmanabha Menon and P. Gopalan Menon, Chief Court Vakils, Cochin, wired from Ernakulam: We offer special prayers for the success of to-day's meeting for winning freedom of the Press.

Mr. Manjeri S Ramier, High Court Vakil, Calicut, wired: West Coast sympathises with the objects of to-day's meeting. Intense indignation throughout. Has madness descended on the Bursacracy that they prefer Mrs.

India's future fortunes of Rs. 2,500
is their present influence of the good will of
the world of educated India? In many
cases circumstances are wrapping their own
around Press has found the ever long-suffering
tail of their horse a messenger of doom.
Their long-suffering patience your dear time serv-
ing us in it and may not live to it any
more. Forgive this and kind like
I wish them if not give them good advice.

Broadly public fully sympathetic with to-
day's noble stirring and national indignation
against the lawless press act.

Mr. L. Subramaniam wired from Ota-
pattanam, bringing express protest against
unconscionable law-laid-down.

LETTERS

Mr. B. K. Ranga Iyengar writes: I
regret to be unable to be present at the meet-
ing, and it is a pity for me to add that the
city for which it has been convened and is
held, has my hearty sympathy and support.

The Hon. Mr. V. S. Sivaswami Sastri wrote
from the barrow of the Indian Society, Poona City:
I regret it is not possible for me to attend the
public meeting on the 12th, as that is the day
of *carshakti's* anniversary here.

The Press Act is a menace to the growth of
popular freedom and must be fought against
at every opportunity.

The Hon. Ran Bahadur P. Krishna Pillai
wrote from Guntakal: I extremely regret
that I am not able to attend the public meet-
ing to-morrow in Victoria Hall, in connection
with "New India" security order. I wish I
could go and take some part in the proceedings
to be conducted under the presidency of our
revered countryman, Mr. Subramania Iyer.

I wish every success to the meeting; and
its aim and object will be attained, in the best
interests of our country and our Government.

He also wired.

Mr. H. Subba Rao wrote from
Nellore Palace, Purdalur, Nilgiris:
Allow me to thank you from the bottom of
my heart for having taken the chair in this
national cause. Short no life and long distance
stand in my way to take part in this public
meeting for which I regret much. The
object of the meeting is highly praise-
worthy and it will have my entire sympathy.
In the interest of the Indian Press the Press
Act of 1910 must be repealed as it is arbit-
rary, unjust, and un-British.

The recent order demanding security from
"New India" conducted by that noble lady
Mrs. Besant is uncalled-for, unjust, and un-

reasonable. We must respectfully protest
against this and appeal to the authorities for
its cancellation.

Mr. K. Rajan, Iyer, High Court Vakil, wrote
from Ory. Being unable to attend in person
the public meeting to be held in Madras, I
wish to convey by means of this letter my
entire sympathy with the objects of the meet-
ing. I wish the meeting every success.

Mr. K. C. Subramaniam, Bar-at-Law,
Madras, wrote from Coonoor: I regret my in-
ability to be present at the proposed meeting;
but I am in entire sympathy with the deli-
berations of the meeting and wish it every
success.

Mr. X. Ramaswami Iyer, Vakil, Coimbatore,
wrote from Coonoor: I am informed that a pub-
lic meeting is to be held at Madras to protest
against the action of the authorities in de-
manding security from the Editor of "New
India." I regret that I cannot attend it but I
beg to inform you that I am quite in sympathy
with the movement. I consider that the Act
under which action was taken should at once
be repealed and that everything should be
done towards this end, in a constitutional man-
ner.

Mr. A. Sankariah, R.A., F.M.U., P.F.H.S.,
wrote: I request that you will be so good as
to have the few following lines read for me at
the meeting of the 12th evening in Victoria
Hall.

The Keeper of the "New India" Press and
the Chief Editor of the Journal
of the same name is no less a per-
sonage than Mrs. Annie Besant of English
birth and loyalty who has co-operated
with the late Mr. Bradlaugh, M.P., and who
has since as member and President of the
Theosophical Society at Adyar acquired the love
and respect of God-fearing and God-loving
men and women of character and learning in
all the countries of the world. The range of his
knowledge and influence for racial co-operation
is wider than the world wide British Empire
of which Holy India is a Loyal Dependence
and Reservoir of all earthly goods. Mrs. Besant
is labouring to weld her English patriotism to
her Indian, and even world-wide, Theosophical
Brotherhood.

Mrs. Annie Besant has co-operated with
and indeed guided the Indian Political Congress
and the Indian Social Conference to achieve
Colonial Home Rule for India under the super-
macy of Great Britain and in fraternal accord
with the British Colonies in America, Africa
and Australasia. The exertions and influence
of the Congress, Conference and Theosophical
Society have made the Hindus and Muham-
madans comrades with the British Nation at
the British Colonies in the War against

Austrians and the Germans in distant Europe and Africa, and even against their Turkish Asiatic neighbours.

If anything "New India" and its Keeper and Editor are pro British Imperialists who have ignored the divine and natural differentiations of race, climate, history, karma and evolution. The demand of security for "New India" is Anglo Indian ignorance or conceit or jealous conceit, which the protest meeting must expose and dispel. Amen.

Mr. P V. Naganatha Sastris of Tanjore, wrote from Coonoor: I regret I cannot attend but I am in sympathy with the object of the public meeting, to protest against the action of the authorities in demanding security from Mrs Besant. I agree with the opinion which a large number of my countrymen entertain that the enactment in question should be repealed or so modified that arbitrary action under it may not be possible.

Mr. T M Krishnaswami Aiyar, High Court Vakil, Mylapore, now at Ootacamund, wrote: I deeply regret my inability to attend the protest meeting that is to be held. My sympathies are entirely with the object of the meeting. Mrs. Besant's cause in this matter is the cause of liberty and free journalism, and I wish the meeting every success.

From Tanjore

Mr. M. P. Doraiswami Iyer, Secretary, District Congress Committee, Tanjore, wrote: Proceedings of a public meeting held under the auspices of the local District Congress Committee, with Mr. T. N. Ramachandra Iyer in the chair:

The following letter was unanimously adopted, and it was resolved to request the Chairman of the Madras Protest Meeting to place it before the meeting.

1. We in Tanjore, most readily and willingly join you, Sirs, in entering our emphatic protest against the action of the Presidency Magistrate in calling on Mrs. Besant to deposit a security of Rs. 2000 for her "New India" Printing Works; and we regard the demand as quite an unwarranted Executive interference with the free exercise of the functions of the Press, which India, as every other country under civilised Governments, is entitled to enjoy.

2. We have been regular readers of the "New India" newspaper, and we were surprised to read that for no specific reasons stated in the order, the said Magistrate or those who initiated his proceedings had thought fit to demand the said security. And we must say that to our knowledge, the tone and policy of the paper never appeared to be illegal or objectionable, so as to provoke the aid of the all comprehensive provisions and

powers under the Press Act. Mrs. Besant's vigorous and persistent advocacy of the cause of Self Government for India, to which, she, as a world reformer, has nobly pledged her talents, energies, and resources, has won the high appreciation of most leading educated Indians. It is certainly uncharitable for the local Government to reward Mrs. Besant's self-sacrificing labours for the political advancement of the Indians as a Nation with such undignified and ungenerous imposition of a security which, we feel tempted to add, is hardly consistent with the oft-asserted boast of our Government, that the British rule in India aimed at and even exists only to raise India's position in the scale of Nations. The Indian public have demonstrated their sympathy by paying from their own pocket more than the security amount as the only way to vindicate her innocence and to express their disapproval of Government's attitude against her Press. We, still hope and trust that the local Government will rise above petty considerations of official prestige and power, and follow the laudable example of the U. P. Government in withdrawing the proceedings against the *Abhyudaya* held by the Hon. Pundit Madan Mohan Malaviya. Surely, Mrs. Besant is an equally distinguished personage to deserve the same treatment at the hands of the local Government, especially when we remember, that she has been an experienced political worker all her life, and her loyalty to the British Rule in India was never questionable.

We take this opportunity of expressing our deep regret and indignation at the attitude of the "Madras Mail", the "Madras Times", and also even the "Indian Patriot" on this question.

As for the Press Act itself, we would urge that it has outlived the panic in the north which led to its passing in 1910, and that therefore it is high time to repeal it and if this be not feasible, that it must be so amended that it would guarantee to the owners of Printing Presses and Newspapers, all the safeguards promised to them at the time of its enactment. Now that all ranks of British Officers and statesmen, H. M. the King Emperor, the Prime Minister, Secretary of State for India, Viceroys and Provincial Rulers downwards have openly testified to the steadfast loyalty and devotion of the Indian people to the British Emperor—even during this great crisis—the continuance of the Press Act is an anomaly on the Indian Statute Book. We, therefore, join with you in urging upon Government the imperative need of getting rid of this uncalled for and dangerous watch over the Indian Press, which has, during the five years of its operations, practically killed honest and honourable journalism worth the name, except perhaps where such still exists under security and where the

Anglo-Indian Newspapers, which not infrequently indulge in objectionable writings are tolerated to break the same law under the smile of their own patrons.

Mr. S. Somasundaram Pillai, Vakil, High Court, wrote from Ootacamund; I most heartily sympathise with the objects of the meeting and much regret my inability to attend personally. I wish the meeting every success.

Dewan Bahadur Govindaraghava Iyer

then moved the following resolution:—

That this public meeting of the citizens of Madras deplores the arbitrary character of the provisions of the Press Act and the manner in which it has been put in operation in the case of the keeper of the "New India" Printing Works and urges upon Government the necessity for the repeal of the Act.

The speaker referred to the death of Lord Kitchener and said that but for the grave necessity felt for the holding of the meeting and the deep sense of debt that the organisers of the meeting had felt they owed both to themselves and to Government very possibly this meeting might not have been held at this critical juncture.

Referring to the subject of the resolution he said: I am not come here to play the part of Mark Antony. I lack his eloquence, I lack his consummate ability, and I leave that part to be played, if they care for it, to the learned editors who are scholars of English. (Loud Cheers.) I certainly do not participate, and I may say so far those who may follow me, in the intentions that have been attributed to Mark Antony. The resolution, you will notice, comprises two parts. In the first place we deplore the arbitrary provisions of the Press Act, and in the second place we deplore the manner in which the keeper of "New India" Printing Press has been asked to furnish security, and we ask for these two reasons for an early repeal of the Act. You will bear with me for a while if I give some reasons as to why it is that this resolution should find favour with you. It is but a commonplace to speak of the

Freedom of the Press

Our learned Chairman has already referred to that, and I am tempted to quote only one or two sentences from the speech of Lord Parmoor, an eminent Law Lord, in the discussion that has been adopted by the Houses of Parliament under the Defence of the Realm Act. His Lordship from his place in the House of Lords has stated "The constitution (he refers there to the English constitution) had been built up on the basis of free knowledge and free discussion." Later on he says "The freedom of the Press was a great institution and a necessary part of the free

life of the Nation." Anything, therefore, which threatens the freedom of the Press is entitled to close and searching scrutiny. We all know the circumstances under which

The Press Act of 1910

was passed. It was aimed mainly at the putting down of sedition and all resort to violence. It was murderous crimes and attempts at violence and assassination that were chiefly aimed at by that piece of legislation. As it is necessary to convince you that this is the case, I should refer not to those members of the Council, who took part in the discussion as non officials but to the official members. I shall read a few extracts from the speeches of some of the official members who took part in the discussion of the Bill which afterwards became the Press Act of 1910, and assisted at its birth and enactment. Sir Herbert Risley who was the mover of the bill said: "We are at the present moment confronted with a murderous conspiracy whose aim is to subvert the Government of the country and to make the British Rule impossible by establishing general terrorism." Then we have the utterance of Sir Harold Stuart who then was in the Imperial Legislative Council. His words have a special significance, because he is at present a powerful and influential member of the Government to whom we owe this latest use of the Act, namely, the demand of Security from the keeper of "New India" Printing Press. He said: "No honest Editor has anything to fear. To the dishonest editors we desire to give neither sympathy nor protection." If the Hon. Sir Harold Stuart will allow it, I say "Amen". (Cheers) I ask whether the keeper of the "New India" Printing Press comes under the category of honest editor or the category of dishonest editors?

Everyone of us might have had our differences with Mrs Besant. Many of us may not agree with her in the views which she has put forward. Many of us even may not approve of the language in which she has put forward her views; but I ask, and ask in all confidence, whether there is a single man or woman who has had occasion to come in contact with her and who could charge her with dishonesty? If that be so, there is at once the condemnation from official lips of the action for which the Government are responsible.

I shall ask your attention to some of the words of the Hon. Mr. Lyon. He says: "We have no hope that by the measure we shall extirpate anarchy, but we do believe that we shall strike at treason in its beginning by trying to control seditious teachings in the Press." The Advocate General of Bengal the Hon. Mr. Kenrick, when he took up cudgels on behalf of Government in reply to the criticism of the Hon. Mr. Bhupendranath Basu and other non

official members, said: "the Hon. Member spoke of the protection of the Press. He says that the Press must be protected. True, my lord, but how about the protection of the people, too many of whom have unfortunately been victims to the sedition that have been spread by a certain section of the Press." His Excellency Lord Minto, when he closed the debate after the Bill has been passed into law said: "That the Act as now passed avoids unnecessary and irritating interference and at the same time offers ample machinery for dealing with the evil it is intended to arrest."

When we have these pronouncements by responsible men from their places in the Imperial Legislative Council as to the policy of his legislation we may well claim that the subject which this legislation was intended to meet was the putting down of sedition, the putting down of all attempts at violence. We shall see here in the present case if those considerations can at all be considered to be relevant. We have known the trachings and the preachings of "New India" ever since it came under the editorship of Mrs. Besant. The two deals, the two principles on which it has ever insisted, and insisted in season and out of season, were the maintenance of British connection with India under any circumstances. (Hear, hear.) The continuance of our allegiance to the throne and person of His Majesty the King Emperor and absolute avoidance of all attempts which might partake of the character of unconstitutional agitation. Neither by word nor deed, nor by direct or indirect inference, nor by suggestion or implication can it be said of her that she ever advocated treason, sedition or attempts at violence and assassination. If I am right in that statement of mine, it becomes absolutely evident that in her case at any rate the provisions of this Act should not be applied.

But in asking for your acceptance of the first part of the resolution I am here on a somewhat wider ground. We all know the circumstances in which this Act came to be passed and it was subsequent to that, that we have had this War of world-wide importance. There is no evil which has not got some of its redeeming features, and one of the redeeming features of this War has been to point out to even the blindest of men that so far as India and Indians are concerned, they, from one end of the country to the other, are swayed by but one idea, but one feeling, but one principle of action, and that is wholehearted and united and emphatic allegiance to the throne and person of His Majesty the King-Emperor, and undying faith in the need of the beneficence and maintenance of the British connection with India.

The times have changed. We have no more anything like an organised effort at

anarchy or violence. In those circumstances we can well claim that the need for this Act no longer exists. But the matter does not stop there. When the Hon. Sir S. P. Sinha, who was then the Law Member of the Imperial Council was giving arguments as to why it was that the principles of the Bill should not be considered reactionary and repressive he pointed out with all the responsibility and the emphasis that he could command that there were sufficient safeguards in the Bill which subsequently became law, and which must prevent the possibility of any apprehension being entertained as to this Bill being worked to the prejudice of the subject. He told us that there were very important provisions in the Act, and that one of them was the provision of an appeal to the High Court, and another was that before the provisions of the Act which related to the forfeiting of the security could be put into force, the acts or the words or the representations to which the forfeiture might be due would have to be specified. Those he considered to be the two safeguards that were provided by the Act, in consequence of which no reasonable man should cavil at the passing of the Bill into law. The Bill became law. The assurances of Sir S. P. Sinha had an opportunity of being tested. When a publication of Muhammad Ali, the Editor of the "Comrade" was directed to be forfeited, the case was taken to the highest Court, the Calcutta High Court, and the matter was investigated by a special tribunal which had among the Judges Sir Lawrence Jenkins, the late Chief Justice of Bengal, now Member of the Judicial Committee of the Privy Council, Sir John Woodroffe and Mr. Justice Stephen. I may quote one or two extracts from the judgment of Chief Justice Jenkins.

It is difficult to see to what lengths the operation of this section might not plausibly be extended by an ingenious mind. They would certainly extend to writings that may even command approval. An attack on that degraded section of the public which lives on the misery and shame of others would come within this widespreadness, the praise of a class might not be free from risk. Much that is regarded as standard literature might undoubtedly be caught.

Later on His Lordship says

The Advocate-General has convinced me that the High Court's power of intervention is the narrowest. Its power to pronounce on the legality of the forfeiture by reason of the failure to observe the mandatory provisions of the Act is barred. The ability to pronounce on the unwisdom of the executive order is withheld and its functions are limited to considering whether the applicant to it has discharged the almost hopeless task of establishing that his pamphlet does not contain words which fall within the all-comprehensive provisions of the Act. I describe it as an almost hopeless task, because the terms of Section 4 are so wide that it is scarcely conceivable that any publication would attract the notice of the Govern-

ment in this connection to which some provisions of that section might not directly or indirectly, whether by inference, allusion, metaphor, implication, or otherwise apply

In conclusion His Lordship said :—

“Of the two alleged checks on executive action, supposed to be furnished by the Act, one, the intervention of the Courts is ineffectual, while the other for this very reason can be, and, in this case, has been, disregarded without impairing the practical effect of forfeiting, purporting to be under the Act.”

He refers to the requirements of the Act by which particular words or representations which are said to offend had to be specified. But still it was considered that the forfeiture was incurred, and that the person who had suffered by the forfeiture had no remedy that he could go to. His Lordship Mr. Woodroffe agreed in this judgment.

Is it too much to say under these circumstances that the so called safeguards, put forward before the country, as to why it is that this Act should be tolerated, are illusory and that therefore on the Government's own showing the Act deserves to be repealed.

The Story of “Warnings”

There is another part of the resolution and that is the manner in which the provisions of this Act have been worked in this particular case. You are all aware of the fact, and you all know, that there were two declarations made by Mrs. Besant with respect to the “New India” Printing Press. One was when the Press was in the old quarters, and she was not asked for any security; under one of the provisions of the Act, the Chief Presidency Magistrate was prepared to dispense with security. Then there was that letter which related to Indian servants. Subsequent to that Mrs. Besant removed the Press to another place and she had to make another declaration. Notwithstanding the appearance of this letter referring to the Indian servants, she was not asked to deposit security. Then in connection with a certain article relating to the way in which the Bombay High Court treated Sir Pheroze Shah Mehta, after that article appeared there was a friendly letter from the Private Secretary to His Excellency to which a friendly reply was sent. Those articles and letters and expressions of views in respect of Home Rule, to which our learned Chairman has referred, are facts about which we can address ourselves as we please. We may take it as clear that there has been no warning worth the name given to her, nor was any explanation asked for or taken from her as to why it is that security should be demanded when it was not necessary in the earlier career of the Press. It would have been much better if Mrs. Besant had been asked to furnish security when she became the owner of the Press, for that would mean that the Chief Presidency Magistrate did

not consider it necessary to use the exceptional provisions of the Act. He simply applied it as that which every press must be subjected to. But since she was given this differential treatment, now that the exception has been withdrawn, one has every reason to believe that there must have been something very serious about her and the Press, which has called for the intervention of Government at this time. It must be harrowing to her and to all those who have followed the progress of the paper, that they do not know as yet the reasons which have impelled the Government to take this action.

Government's Pledges

When this Bill which afterwards became an Act was in the Legislature, an amendment was brought forward for the purpose of deleting the expression “having tendency” in Section 4. And then the argument given by Sir Herbert Rileley was:

“The local Government can be under no temptation at all to strain the provisions of the section. They will look at things generally and knowing that the eye of all the world will be on them they will be less liable to exhibit any excess in the direction of working this section.”

Later on, when an amendment was proposed to the effect that when any person is called upon to furnish security, or when an order is sought to be made to forfeit the security, an explanation might be asked for, Sir Herbert Rileley said:

There is no doubt whatever that reasons of high policy demand that Local Governments should administer this Act with the utmost tenderness. There is not the slightest prospect of the law being harshly administered.

Those were the pledges given by the Legislature. Of course the judiciary cannot look into the pledges, because they are governed, and rightly governed, by the four corners of a particular piece of legislation that they are called upon to consider. What there is in the Act they are bound to give effect to, leaving it to the legislature to modify the law wherever modification is necessary. But we who ask for a repeal of the Act have every right to insist upon the pledges given, and to ask for attention to those pledges, and to say that in the actual working of the Act those pledges have been overlooked.

No Warning

We stand on very good ground. We say that no adequate warning has been given and no explanation asked for. On this point I am glad that we have the support of no less an authority than the “Madras Mail”. On its own admission, the “Madras Mail” has the proud distinction of agreeing more often with the Government than does “New India” (laughter), and it is therefore natural to expect that this great agreement has been rewarded with greater exchange of confidence on the part of the Government. (Laughter and

loud cheers.) When therefore the "Madras Mail" said three warnings had been given to Mrs. Besant, and also stated that Mrs Besant had wilfully kept back the opportunity of asking for an explanation so that she might have a stick to beat the Government with, the whole of the uninformed public had every right to take Mrs. Besant to task for what was considered to be the action that she had pursued. But fortunately for us there is the mistake, which the "Mail" has had to admit, has been made by it as to the statements that it has made in this connection. I am not concerned with the mistake that has been made by the "Mail," but the point I wish to insist upon is that to the "Mail" it appeared natural that warnings should have been given, and that an explanation should have been taken. (Laughter and loud cheers). In these circumstances we can well complain of the manner in which the keeper of the "New India" Printing Press has been asked to furnish security, But our position does not end there.

The Press Associations' Demand

We have an appeal made by some newspapers of this town to the All-India Press Association, and they have asked that steps should be taken so as to avoid a recurrence of this unjustifiable and arbitrary act on the part of the Government. Government itself will be the very first to admit that there is at least one of the editors, who are signatories to this appeal, who ought to be absolutely acquitted of being an unfriendly or unreasonable critic of Government. If that be the case, it shows what the view is on the part of persons who do not see eye to eye with Mrs. Besant, and who are not prepared to join hands with her in any agitation she has embarked on, what their view is upon the manner in which Government has conducted itself on this occasion. I do not think that any more arguments are necessary for the purpose of satisfying you that the manner in which the provisions of the Act have been worked cannot be considered to be right or reasonable or even constitutional. It might be that the Government has very excellent reasons for its conduct, and ordinarily and *a priori* they might have had reasons; but unfortunately for us we are not let into their secret. It was perfectly competent to the Government to have given a communicate to the Press to say to what it is that this action of theirs is due. If the surmises of our learned Chairman are correct, that would go to condemn the action of Government instead of to commend it to the acceptance of all right-thinking men. The responsibility of this meeting and the wide indignation that you find spread not merely over the Madras Presidency but over the rest of India is not upon those who feel

the indignation, but it is upon the Government itself, who could remove it by taking the people into their confidence, if they have a good case to go before the public with that case.

In these circumstances, I think I have given enough justification for the proposition that I have been asked to move, and if I am right I ask you to give to it your united and whole-hearted support. (Loud and prolonged cheers).

Mr. S. Guruswamy Chetty

MR. PRESIDENT, LADIES AND GENTLEMEN:—It is unnecessary to dilate to you on the objects of this meeting, as you are all aware that a Warrant-notice was issued by the Chief Presidency Magistrate to the Keeper of "New India" calling upon her to furnish security in the sum of Rs. 2000 Meetings were held in all towns and villages protesting against the Press Act of 1910, and urging the repeal thereof at an early date, and expressing strong disapproval of the manner in which the provisions of the said Act were sought to be put into operation against Mrs. Besant, Keeper of the "New India" Press.

The Press and Registration of Books Act of 1867 required every keeper of a press to sign a declaration regarding the ownership of the press and the place of its location, and the printer and publisher of every Newspaper or periodical to make a similar declaration. Under the provisions of the said Act the owner of a Printing Press is bound to imprint on the books and pamphlets printed by him the name of the Press and place of printing, and the publisher of books is required to send copies of books etc., published, to the Registrar of books, and certain penalties were provided for violating provisions of the Act.

Then came the Act I of 1910, like a Monster, and the Editors of Newspapers and Periodicals got terrified at its provisions. Briefly stated, the chief provisions of the Act I of 1910 are that at the time of the declaration it is made imperative that security should be furnished to such an amount not less than Rs. 500 nor more than Rs. 2000 as the Magistrate may think fit, unless for special reasons to be recorded by the Magistrate he dispenses with it. You will see, gentlemen, that the giving of security is made the normal feature of journalism, and for dispensing with security the Magistrate must give special reasons, and then again at any time the Magistrate may revoke or vary his order without giving any reasons. The result therefore is that the Magistrate for the purpose of this section has an absolute and unfettered Jurisdiction. An exactly similar provision is made with reference to declarations by a Publisher of a Newspaper and the power of the Magistrate is similarly absolute. In this

maner machinery is provided for holding a sword *in terrorem* over the head of the Publisher and Printer, without a chance of any defence by him or even of any representations on his behalf.

The result is that if the keeper of a printing press or publisher of a newspaper is not in the position to furnish the required security, he has to wind up his paper, and dispose of his plant and machinery, and if he is able to furnish the security he must conduct his newspaper under the sword which is hanging over his head. If at any time it appears to the Government that the Printing Press is used for printing any matter which is likely to be brought within Section 4 of the Act the security furnished shall have to be forfeited.

Thus the liberty of the Press has been jeopardised considerably, and the liberty of the public in ventilating its views and in giving publicity to its grievances has been impaired.

When the Bill which became the Act of 1910 was under discussion in the Imperial Legislative Council, the sponsors of the Bill stated that sufficient safeguards were provided for in the Act, and the representatives of the people in the Council pointed out that the so-called safeguards were illusory and ineffectual but their clamour was not heeded at all.

Patience had its own reward; time went on and when, as in the case of "New India" and other Newspapers action was taken, we realise that the safeguards said to have been provided in the Act are no safeguards.

If the security furnished is forfeited, the publisher ceases to be able to carry on his work without making a fresh declaration, and if he chooses to make one, security to the extent of Rs. 10,000 should be deposited and if the publisher is again found to transgress the doubtful bounds of the Law, the further security and the Printing Press may also be forfeited. Such an enactment should no longer remain in the Statute Book, and one and all of us should protest against the continuance of the said Act and appeal strongly for its immediate repeal.

Now coming to the second part of the resolution let us examine how the provisions of the Act were brought into operation in the case of the Keeper of "New India." We are informed that a circular had been issued by the Government of India to all local Governments to the effect that before the keeper of a Press or the Editor of a Newspaper is called upon to furnish security, he must be warned previously and sufficiently. We are not satisfied that such warnings were sent to the Keeper of "New India." The articles written by Mrs. Besant in "New India" and the explanations offered by

her convince us that no such warnings were given to her. What are the so-called warnings by the *Madras Mail*, were pointed out by the Keeper of "New India" not to be such warnings, and I dare say that you are of the same opinion as the Editor of "New India" and I do not propose to discuss the matter at any length, as the previous speaker Dewan Bahadur L. A. Govindaraghava Iyer has dealt with it so ably.

It is against the principles of natural justice, to condemn a person without telling him how and in what respect he has sinned, and without hearing his explanations and giving him a chance of defending himself. It appears to me that the Government would not inform the keeper of a Press or the Editor of a Newspaper of the wrong acts committed by him which would warrant the Government to put into operation against him the provisions of the Act, in order that the person concerned may unwittingly repeat the acts so that the more mischievous provisions of the Act may be put into operation against the person and bring him to complete wreck and ruin.

It is this that the keeper of *New India* has been complaining against, and we ought to express our strong disapproval of the conduct on the part of the Government in this respect. And another point is worth noting. The *Madras Mail* has stated that the keeper of "New India" could have easily ascertained from the Chief Presidency Magistrate what the reasons were which compelled the Local Government to take action against her, and that the papers and documents filed by the Government Solicitor, along with the application filed for the purpose of the taking such action, could have been obtained and perused by Mrs. Besant if she only desired to do so. Now you all know from what she has published in the papers that he wished to be told the reasons, or shown any papers connected with the said application, in her interview with the Chief Presidency Magistrate, when she tendered the security demanded of her; but that she was made to understand by the Chief Presidency Magistrate that he had no permission or authority to do so, and the subsequent letter written by him to Mrs. Besant clearly shows that the statements published by the *Madras Mail* were incorrect, and that he was not responsible for the said statements.

All this shows that the Local Government did not behave fairly towards Mrs. Besant and we have met here to day to express our disapproval of the acts of the Local Government in that behalf.

What was done in the case of the keeper of "New India", might be done in the case of other proprietors of printing presses and publishers and Editors of Newspapers generally, and that is why we are met to day, in the interest

of the freedom of speech and free press throughout India, to protest against the action of the Government in the manner in which the rigorous provisions of the Press Act were put in force against the keeper of "New India."

Mr. C. P. Ramaswami Aiyar

who was greeted with loud applause supported the resolution and in doing so said. Under ordinary circumstances, personal details from a man occupying a temporary place on the platform would be out of place, but certain Madras journals have given occasion for me to give you some personal details. Many of us are entitled to congratulate ourselves on one fact, and that is that neither you nor I are Theosophists. It appears to the enlightened mind of an Indian paper that our respected Chairman has lost the quality of leadership and ceases to be as he is, the foremost man in India to-day, because he is under the "blind sway of Mrs. Besant." Whatever may be the advantages or disadvantages of being a member of that organisation, I am sure that all those in this hall, including most of those who speak, do not belong to that organisation and do not speak under the "blind sway of Mrs. Besant." There seems also to be some kind of apprehension on the part of some that this meeting will not be representative, and that it will degenerate into violence and licence. There have been arguments used on one side and the other, but at a great and serious meeting composed of the elite of this City and Presidency, it is impossible for one to get up and say that it is at all likely that there will prevail anything but harmony and camaraderie towards the Government, while we insist upon the mistake of that Government.

A Reply to "Mail"

Why are we here to-day? A suggestion has been made by the editor of the *Madras Mail*, in answer to a little effusion of mine which was provoked by the most malignant attack by the editor of that paper on Indian loyalty (cries of "Shame"). Using the disguise of the French language, he says: *Que Madame et ces Messieurs commencent*; he believes that some of us are behind Mrs. Besant in the conduct of "New India". He says practically: "You led, and you gentlemen have started the ball rolling; and if it rolls it is your responsibility." I think most of us, who are going to be unanimous in the acceptance of this proposition, including myself, have absolutely no responsibility for the organisation and conduct of "New India," with whose policy, however, we are in full agreement. Speaking personally: for one year you all know that I fought with Mrs. Besant, and she and I gave no quarter

and showed each other no mercy. Why am I here to speak to you? I will tell you. I have been privileged to watch Mrs. Besant's work in some of the movements in this city. I have been privileged to watch the growth of that splendid institution, the Y M I A, for which she has spent to my knowledge over a lakh and a half of rupees. What has been her message to the boys of India? It is not the policy of lawlessness and violence. She has been preaching that they ought to be loyal and law-abiding and feel a spirit of comradeship with each other. Is that the fault for which she is punished? I am sure Government will not say so. I have seen that when the Pachaiyappa's College was in want of a temporary hostel, Mrs. Besant came forward with liberal support. Is that the fault for which she is punished? I have seen that several educational institutions, including the Ramakrishna Mission, appealed to her, and she gave her unstinted support. Is that the fault for which she is punished? Let us then take the field of politics. Perhaps she has erred in her political work. Her one watchword in her inimitable language is that for the uprise and for the uplift of India if one thing is more essential than another it is a close and intimate connection with Great Britain whose intellectual heirship we all claim. Is that the fault for which she is punished? No. What then has she done? She has preached, but not in the holiday fashion in which we were all wont to do our political work. Most of us think that we have done our political duty by talking for a few days during the Christmas and other holidays at Congresses and Conferences. That has not been Mrs. Besant's ideal of politics (Cheers) It is a close and constant association between the political leaders and the country, and with her politics is no pastime, but it has to be lived, and fought for, ever on constitutional lines. Is that the fault for which she is punished? I pause for an answer.

What has "New India" Done

Then what she done? In "New India" what was formerly the watchword and preaching of the Congress platform, she has crystallised into a definite teaching. Is that the thing for which she is punished? Day in and day out she has emulated the methods of work, which unfortunately have been too rare, in this country, where political work has been spasmodic and fitful. She has made it regular. Many of us who read "New India" know that she writes frequently on Home Rule; incessant hammering on one idea has a hypnotic influence on the public mind. When I was in Kashmir lately I heard the peasants talk about the Home Rule movement. That is a service which Mrs. Besant has done to India, a service for which she ought not be punished. The maintenance of loyalty is our first watchword. The second political watchword of each of us is the demand o

liberal institutions, and the demand for Self-Government ought to be the goal and ideal of all of us. In that, there is not a single dissentient voice. If Mrs. Besant has erred in that, she has erred in the company of Lord Hardinge, and in the company of our late Congress President, Sir S. P. Sinha, who was one with her in her aims, though differing as to time. (Cheers)

Three Possible Theories

What then is she punished for? Now, I will give you three possible theories why she has been punished. One is perhaps the vehemence which she uses in her language. There are two ways always of persuasion. One deprecatory and apologetic in which a man is not sure that he believes in what he is saying. The other method is that which Mrs. Besant is using the way of demand based on full belief, and that is due to her traditions and her association with great men like Bradlaugh. It may perhaps be urged that she is punished for agitating a controversial question in the time of War, when all our eyes are turned to the gory spectacle in Europe, owing to the habit of mind engendered by the Hun Kultur. Well, if she has sinned in that respect, she has sinned in company with the Government of India. What has the Government of India done? At the present moment on the anvil of the House of Lords is being forged a Bill full of controversial matter, more controversial than anything Mrs. Besant ever discussed. (Loud Cheers) Though time after time the Government have adjured the people not to stir up controversy, the Government themselves are pushing through controversial measures. If Mrs. Besant labours for the education of the masses and hopes to attain the end soon, she says something which is not palatable to the Government. It is said that she is rousing agitation in the time of War. What is sauce for the gander is sauce for the goose. It may be said that this ideal of Self-Government ought not to be brought up at all at present. If she is sinning in that respect, she is sinning in company with the Canadian Premier and the Australian Premier. Nothing prevents them from asking for a Federation of "the five Nations." If they can force upon the Government problems to be dealt with after the War, why are we alone blamed? (Cheers)

The Mystery to be Solved

If none of these can be said to apply to the present case what then does apply? That is the mystery which this meeting is held to solve. There is no solution possible. I hope some one will enlighten you on why we are met here to-day. It is whispered to me by some one, that it is not at all in connection with Indian problems that

security is demanded from "New India" but that it is with respect to some articles about Ireland that were written in "New India". Well, I may assure you, gentlemen, if there is one thing of which India is proud, it is that India has not followed the example of that most unfortunate band of rebels who dared to spoil the unity of the Empire by their small bickerings and their ill-begotten ideas. Ireland is not India, and India knows little of Irish problems. In fact, I do not know if any one except the Madras Government could imagine that the "New India" newspaper was read by the teeming millions of people in Ireland, and created confusion in that country. If so, it is a compliment to *New India* which the Editor would not admit. Well, there is the Irish trouble on the one side and the Indian Home Rule on the other. What then is the origin of the Government action? I will give a tentative solution. It is that the Government in this country has not yet become accustomed to modern methods of constitutional agitation. And it is ill at ease at anything said against privilege. The solution I am afraid lies in that ignorance to which allusion has been made by Dewan Bahadur Govinda Raghava Iyer. Ignorance of modern conditions is at the root of such orders. Much has been said of loyalty. There has not been a more loyal people than the Indians, but our loyalty, I assert, is loyalty to ideas and loyalty to the Throne, and not loyalty to the individuals who compose the Madras Government. That is not the disloyalty that is contemplated, even in the Press Act. Even the judgment of the High Court of Calcutta could not say that an attack upon A or B, who might constitute a Government, was disloyalty. I am afraid that the Madras Government in acting in this manner has mistaken disloyalty for not praising a particular individual. Apart from that it is impossible for us to see the reason why "New India" should be proceeded against.

The speaker then referred to the provisions of the Press Act regarding the taking of security, and said that the omission to give reasons for the demand of security was a restriction of the liberty of Press and was a menace and tyranny. Mrs Besant was not putting herself against Government; she was only asking that the elementary laws, which were preached by Milton and Burke and great statesmen who had made modern England what it now was, might be applied now to this country. (Loud Cheers).

The Hon. Mr. Sarma

The Hon. Mr. B. N. Sarma, who next followed, in further supporting the resolution said that the reason why he was before them that night was that he felt that he might be forsaking his duty towards his country if he abstained from attending and expressing his sympathy with the meeting, especially owing to the attitude taken by the Anglo-Indian dailies of this city. The position was really very serious and the attitude taken by those friends showed clearly what was passing in their minds. They felt that if they did not support the Government in this matter, there might be an agitation which would raise the country for a change in a direction which those papers might not approve of. We had every reason to appeal to the Government for a change of attitude especially at a time when every controversy should be hushed. When Government as well as people should unite to bring the horrible War to a speedy termination, were we justified in these troublous times in asking for the abolition of the Press Act? British Government at home had been convincing the neutral powers of the absolute loyalty of India to the British Throne. In 1910 the principal sponsor of the Act had agreed that there was absolutely no difference between the Government and the people as regards the loyalty of the vast masses, including the educated ones. It had been, however, said that pamphlets, etc., of an inciting character were published which could not be traced to their origin, and that consequently it was difficult to put down anarchical outrages, and anarchical ideas unless the Government had powers to put them down, but that the right of appeal to the High Court was provided for. But the High Court demonstrated that these safeguards were all illusory; and that the High Court could give absolutely no protection had been declared by the highest Judicial tribunal. Seeing that there was loyalty everywhere and the people were united in their devotion to the throne, and seeing also that the Madras Government was considered as being the most sober headed Government and the people were unarmial, law abiding and loyal, and that it had applied the provisions of the Act in the manner it did, we were justified in asking for the repeal of the act at a very early date.

Applied to "New India"

The second part of the resolution dealt with the application of the Press Act to "New India." We must realise what led the Government to take this action and there was no use of being merely vehement and denunciatory but we should try as far as possible to convince the Government that our view was right and they were mistaken in their policy,

and that it was better for us as well as for them to retrace their steps in as graceful a manner as possible. It was impossible in a meeting of that kind to go through every issue of "New India" defending what was therein. It was possible that having regard to the general effect of its influence upon the young, the Government were led into this step. But the question was, were not we, who had been reading "New India", justified in protesting against that step in the absence of any light thrown by the Government? Was it not the bounden duty of the Government to tell us that our fears were ill-founded, that the attitude adopted towards us was not inconsequence of our constitutional agitation. It was not because that "New India" had identified itself with the Home Rule movement; it was not because that it transgressed any rules laid down by the Government, but it was because he was alarmed people would believe that the Government had chosen to adopt this attitude owing to the Home Rule propaganda being seriously taken up by "New India" they were all there that night to protest. With their love of independence, with their love of free play for conscience, they would see that it was impossible for them to govern the people without their consent, and that constitutional agitation should in the end lead to Home Rule. He appealed to them to help the public in forming the correct notion on the matter if they thought that "New India" had been dealt with because of its making its principal plank of its propaganda the question of Home Rule. "New India" in its propaganda of Home Rule had behind it the Congress. It was a mistake if the Government supposed that it was a new movement. As an old congressman he felt he should support "New India" in this matter. At the last Congress it had been resolved that every Provincial Congress Committee and every public man should preach to the people what was meant by Home Rule, so that when at the end of the War the whole constitution might be remodelled, India's demand for Home Rule might be united and the relation between India and England might be permanent and secure. It was only that that "New India" had been doing. If we forsook "New India" we forsook our ideals, our rights. British statesmen had before now admitted our right for Self Government but the only difference between them and us was one of the rate of speed at which we should approach that goal. The only way of bringing the unfortunate country under right and proper control was by convincing people of the fact that constitutional agitation in this country was not a hopeless task, and because "New India" felt that it was the only way of securing greater union between India and England, Mrs. Besant had chosen this as her last work. It was the duty of every one of us to stand by

her because in standing by her in this cause we were only standing for ourselves.

The Chairman then put the resolution, which was greeted with a great shout of "Aye." There were no "noes." He declared the resolution passed *nam con.* The declaration was received with great enthusiasm.

Mrs. Annie Besant.

who received an ovation, said she was not there to make a long speech or to put any kind of argument. The arguments had been admirably put by the other speakers, and the last words of the Hon. Mr. Sarma expressed exactly the spirit in which she had tried to carry on the propaganda for Home Rule for India. It was because she regarded constitutional agitation as the only escape from despair, that she had tried to make "New India" the vehicle for such law-abiding, constitutional agitation. Her duty that evening was very simple: it was to thank them, not for herself alone, but for the press of India, for what had been done during the last fortnight in the Presidency of Madras. The leaders in other parts of India were speaking out, but the whole Madras Presidency had sprung to its feet spontaneously, without suggestion from any, in pure love of Liberty, in defence of a Free Press. The Press, she declared, belonged to the Nation. It was not the editors who were chiefly concerned. The work of an editor was laborious, wearisome, a continual drudgery. The inspiration they infused was the reward; but the Press belonged to the people, not to its nominal proprietors; and the Press to the Government was of vital importance. Only by a Free Press could a Government know what the people were thinking. Only by a Free Press could the Government know the grievances under which the people were suffering. A Free Press was valuable alike to the Government, and the people, and the proprietors and editors were only channels of the people's will for the guidance of the Government. Their protest, therefore, was not for one paper or proprietor, but for all; and if it chanced that she, after many others had suffered, was also struck, it was only because until her paper was crushed, it would be difficult to attack others who perchance had not spoken out with the same traditional habit of free speech that belonged to her race. If, in that great struggle, "New India" went down, the "Hindu" would go down, the "Swadeshamitran" would go down, the "Andhra Patrika" would go down. One after another would fall, and the people would have none to express their needs, and the Government none to warn them of the dangers they would unconsciously run. There

lay the reason why they had all risen in that way. That was no meeting of boys. If it were, it would be the future India speaking. Their colleges were not open, their students were away, and if those leaders of theirs had come from all parts of the Presidency, and others unable to come had wired and written, it was because, not necessarily agreeing with her personally, they stood for the great principle of the Liberty of the Press. They would be of little use to one another if they all agreed, and everyone repeated the words of the other. Where would be the growth, the discussion by which Truth was made manifest? She spoke for herself others spoke for themselves, and the variety of opinion was the education of the people. If they all echoed each other, they should be of no value in the great cause of the constitutional struggle for freedom. They wanted men of different views, men who were very moderate, men who were fairly moderate, men who were in the middle ranks, men who were forward, and extremists also: they needed them all. But the triumph of India, as in the South African trouble, was that in her unity of principle she felt herself a Nation, however diverse might be the views in detail of those who stood on a single platform. And so she expressed the gratitude of the Press to them for enabling them to do their duty. She would try to do hers, she was sure they would do theirs; and thus she knew, that never yet had a people stood up declaring its determination for Free Speech, Free Press, Free Government, and that Nation had failed in its struggle. India was alive. Her voice was speaking. The Government was hearing for the first time India's real voice speaking out unafraid. Through the long years of the Congress struggle one or another brave man spoke out, but they said he was only one. "sedition", "treason," those were the epithets hurled at the Fathers of the Congress. They had made it possible for them to work. The fathers of the Congress, laid the foundations on which those of the present day could build. Their work was the voicing now, not of one brave man here and there, but of a Nation, beginning to feel itself, to be self-conscious, to be determined to be free. That was what the Congress had done for them. Those long years of struggle had made possible the many meetings of to-day. If the villages were alive, if the towns were awake, if in Madras in the dead season such a meeting as that could be held, with nearly fifty meetings behind it in the last fortnight, then they might say that they were beginning to see a New Era, for as soon as a Nation knew its own will, it would gain the freedom which it willed. They of the press had spoken out, not unjustly, not unfairly, not over vehemently, but as their own feeling might guide them. One after another would come and join the great

party, and India would be free. That was their work, and they thanked those who had defended their liberty of speech, and they knew that they would be patient through what may be a struggle of two or three years until constitutionally they had freed the press, and India could speak without fear of rebuff or rebuke. She therefore, in conclusion, thanked them, not for what they were doing for her, though from her heart she was grateful, but because they were speaking for the whole press of India, and were working to make it free. (Loud applause.)

Mr. George S. Arundale, M. A.

expressed the gratitude of the audience to Sir S. Subrahmaniam Iyer for presiding over the meeting. He thought perhaps they did not realise what they owed to this great Indian statesman: not only did they owe to him much of the liberty they enjoyed, not only would they owe much of the liberty which he had, during those recent days, been helping to gain for them; but in his person he commanded also the respect of many friends in England, and because of his presiding at that meeting, and giving his sanction to the resolution, there would be many in England who would realise that India meant business, and they would take courage to support her in the Mother of Parliaments so that from her a daughter

parliament would one day find itself in India, (Applause).

The audience having enthusiastically expressed their gratitude,

Sir S. Subrahmaniam

in acknowledgment, said the question of his being a Theosophist, raised by one of the papers, of course had nothing to do with the matter at issue. The simple issue was that they claimed Home Rule without any equivocation. He took it for granted that the Government had disapproved of the warm advocacy of that claim by "New India". If he was incorrect, he hoped some statement to that effect would be forthcoming. He looked upon "New India" not as belonging to Mrs. Besant, but to India, and if it was attacked on the ground of Home Rule, it was an attack on their most cherished demand. If he himself had anything good in him, it was due to Theosophy, but that was irrelevant to the question.

Three hearty cheers were given for the King Emperor, and the meeting dispersed in an orderly manner full of confidence and determination.

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BOMBAY PRESIDENCY ASSOCIATION.

SPEECHES

OF

The Hon. PHEROZESHAH M. MEHTA, M.A., C.I.E.

MADE IN

THE LEGISLATIVE COUNCIL

OF THE

GOVERNOR GENERAL OF INDIA.

DECEMBER 1894—MARCH 1895.

Bombay:

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1895.

**Abstract of the Proceedings of the Council
of the Governor General of India, as-
sembled for the purpose of making
Laws and Regulations under the pro-
visions of the India Councils Acts, 1861
and 1892 (24 & 25 Vict., cap. 67, and 55
& 56 Vict., cap. 14).**

***MEETING OF THE COUNCIL ON THURSDAY
THE 27th DECEMBER, 1894.***

[The Hon'ble Mr. WESTLAND moved that the Report of the Select Committee on the Bill to provide for the Imposition and Levy of certain Duties on Cotton Goods be taken into consideration.

The Motion was put and agreed to.

The Hon'ble Mr. FAZULBHAI VISHRAM moved that in the first proviso to section 5 of the Bill, as amended by the Select Committee, the figures "24" be substituted for the figures "20," and that the second proviso to the same section be omitted.]

The Hon'ble Mr. MEHTA said :— "My Lord, I also do not propose to detain the Council with any lengthy remarks after the full, eloquent and exhaustive speeches made by my hon'ble colleagues Sir Griffith Evans and Mr. Playfair. Coming in, as

I do, at so late a stage of the deliberations of the Council, I trust Your Excellency will permit me to say a word of emphatic protest against the principle and policy which seem to me to underlie the provisions of this Bill. That principle and that policy are that the infant industries of India should be strangled in their birth if there is the remotest suspicion of their competing with English manufactures. In the course of one of his previous speeches Sir Griffith Evans endeavoured to justify that policy under cover of one of his happy illustrations. He conceived that our English rulers were, in adoption of such a policy, so many *Gautamas*, only somewhat inchoate and imperfect. I should have thought another illustration a more apt one. I think they could be better compared to Baillie MacWheble, the steward of the Baron of Bradwardine, as many of us perhaps remember him depicted in the pages of Sir Walter Scott, who loved his patron and his patron's daughter next (at an incomparable distance) to himself. I protest against such a policy not only in its present immediate operation, but as establishing a most pernicious precedent. Coming to the amendment itself, I submit that it is as just and reasonable as it is temperate. By the Bill we are asked to legislate in the dark, on the faith of some unknown information and evidence in the possession of the Secretary of State for India which is not only not before us, but which, as Sir Griffith Evans surmises, is probably not within the knowledge of Your Excellency's Government. And that, too, against the precise information so carefully collected and detailed in his able minute by the Hon'ble the Financial Member. I ask if it is consistent with the self-respect and dignity of this Council to thus legislate, not only in the dark but in the face of the conclusions arrived at by the precise enquiry made by the Financial Member. The mill industry of India deserves a better treatment than this at the hands of Government, for it is not only beneficial to the manufacturers engaged in it, but it is beneficial to Government in more ways than one. To mention only one of several, the wages drawn by mill-labourers, who come from the mofussil and are many of them attached to

the possession of patches of land, go largely towards payment of land assessment. It is well known that these men, after earning wages for a longer or shorter period, return periodically to their villages where they own their lands, and devote their earnings to reduce their indebtedness to the State. The mill industry has had to pass through many vicissitudes. Only last year the currency legislation gave it a severe shock. Before it has quite recovered, it is sought to subject it to another. This is neither wise nor politic in the interests of this country. I suppose I must, like Sir Griffith Evans, leave alone the members of this Council who are so as members of the Executive Council. Their dual position is so fearfully constructed that it is as difficult of separation as Dr. Jekyll from Mr. Hyde. It would be rash to undertake to define their duties and responsibilities in this Council. But I would appeal to other hon'ble members who are officials. The present financial exigency is owing not a little to the services having secured exchange compensation. They joined the Indians in agitating for the imposition of duties on cotton-imports for the purpose of meeting the deficit largely due to exchange compensation. If, after having secured such imposition, they would refuse to support the moderate amendment of Mr. Fazulbhai to succour a Native industry from being harassed and burdened, they would be open to the suspicion that their coaxing tones to induce the natives to join in the agitation against Manchester were suspiciously akin to the interested seductions—made familiar to us by Dickens—of 'Codlins the friend, not Short.' I trust they will stand by those who co-operated with them in the agitation whose object is won in the Bill just passed. But it is said that, if you adopt the amendment, the Secretary of State will veto the new Tariff Act. My Lord, there are two senses in which the saying 'Render unto Cæsar the things that are Cæsar's' is true. It is true not only in the sense of rendering to Cæsar his rights and his dues; but it is true also when it is a question of obligations and responsibilities that lie upon Cæsar. If the grave responsibility lying upon him for the safe administration of the country can, in his opinion, be best discharged

by vetoing the Tariff Act if the amendment is passed, leave to Cæsar, that is, the Secretary of State, to undertake and discharge that responsibility.* Why should we usurp it? The Government of Her Majesty's Indian Empire must be carried on, and it will be for him then to decide how to save the country otherwise from the yawning deficit which is being prophesied, and which threatens to bring the Empire, I will not say to the verge of bankruptcy, but which will place it in a position of the greatest difficulty and hardship."

*MEETING OF THE COUNCIL ON THURSDAY,
THE 24th JANUARY, 1895.*

DEKKHAN AGRICULTURISTS' RELIEF BILL.

[The Hon'ble MR. LEE-WARNER moved that the Bill to amend the Dekkhan Agriculturists' Relief Acts, 1879 to 1886, be

* In summing up the debate, His Excellency the Viceroy said — 'Parliament has allotted his proper place to the Viceroy, as the head of the Executive in India, and it has given him a Council for the purpose of making Laws and Regulations which cannot have powers in which he does not share. But the Viceroy admittedly is not invested with supreme authority, but, as I understand it, is by distinct enactment entrusted to the Secretary of State and his Council; and to speak of this Council as supreme—if that means that it has independent and unfettered authority—is to say what is not the fact.

"I speak with some deference, after what fell from the Hon'ble Sir Griffith Evans; but, with all respect for his legal authority, I think that he is not correct in the view he took that a member of this Council is unfettered in the vote he gives here, or that he could 'hand over his responsibility' to the Secretary of State. I am inclined to think that the Hon'ble Mr. Mehta took a more correct view of the matter when he said that he would 'leave the responsibility' with the Secretary of State, because the responsibility which the Secretary of State would exercise would be the responsibility which belongs to him."

referred to a Select Committee consisting of the Hon'ble Sir Alexander Miller, the Hon'ble Sir Charles Pritchard, the Hon'ble Sir Antony MacDonnell, the Hon'ble Mr. Mehta, the Hon'ble Gangadhar Rao Madhav Chitnavis, the Hon'ble Mohiny Mohun Roy, and the Mover.]

The Hon'ble MR. MEHTA said:—"My hon'ble friend Mr. Lee-Warner, who is in charge of the Bill, seems to me to be very much in the position of a one-ton steam-hammer brought from a great distance to crack a nut. I cannot but deplore the decision under which Government have resolved not to grapple in this Bill with the larger questions of agrarian indebtedness, but to confine themselves only to minor matters of detail. There is no doubt that, as a measure of judicial relief, the existing Act has largely answered its purpose. It has brought justice nearer to the home of the raiyats, and the justice done is substantial as well as equitable to both parties. It is also more cheap and perhaps more speedy. It enlists the sympathies of both classes and largely obviates bitterness of feeling. It has strengthened the hands of the weak and given them confidence, while at the same time it has not destroyed credit, where credit was not a fiction. It may even be said that it has not so far checked *bona fide* loans, and only discouraged speculative and usurious business. It has created responsible feeling about the raiyat's claim to his land. These are no small advantages, and some of the amendments now proposed will go to improve and strengthen the Act. But such legislation does not go to the root of the matter of the raiyat's indebtedness. The saukar is not the head and front of the offence. The Commission of 1891 has pointed out that the rigidity and inelasticity of the revenue-system have much to answer for. Though it is open to revenue-officers to grant remissions and suspensions, and though the Government of Lord Ripon advised a policy of well-judged moderation in this respect in practice, the rigidity and inelasticity are not slackened. As the executive will not thus move, is it not necessary that there should be some provisions in the Act by which, just as there are spe-

cial Courts to adjudicate equitably between the raiyat and the usurious saukar, there should be special Courts to do the same between the raiyat and the rigid State landlord? It would be enough that the revenue-officers should themselves form the Courts, but in these Courts they must decide questions of remission and suspension, subject to equitable rules similar to those enacted for relieving the raiyat against the pressure of the saukar. If it is not the intention to shelve more comprehensive legislation as it was at one time hoped would be undertaken, I trust that these questions of larger policy going really to the root of the evil may be efficiently dealt with.*

CANTONMENTS ACT, 1889, AMENDMENT BILL.

[The Hon'ble SIR ALEXANDER MILLER moved that the Bill to amend the Cantonments Act, 1889, be referred to a Select Committee consisting of His Honour the Lieutenant-Governor, the Hon'ble Lieutenant-General Sir Henry Brackenbury, the Hon'ble Mohiny Mohun Roy, the Hon'ble Sir Griffith Evans, the Hon'ble Sir Frederick Fryer and the Mover.]

*The Hon'ble SIR ANTONY MACDONNELL said :—" I had not intended intervening in this debate but, I wish to say, with reference to the remarks which have fallen from the Hon'ble Mr. Mehta, in which he expressed his regret that the Government has not, in connection with this Bill, grappled with the great question of agricultural indebtedness throughout India, that that question has been before the Government. The Government is at present engaged in discussing that question in those parts of India in which it presents its most complex and difficult features, and I trust that, before this Council ceases its sittings in Calcutta, I shall be able to break ground in the matter and to introduce a Bill in connection with one important aspect of the question in the Central Provinces. The other parts of India will follow in due course. I make these remarks in order to show the Hon'ble Member that the Government is not neglectful of its duties on this great question."

The Hon'ble Mr. MEHTA said :—“As the principle and general provisions of the Bill are open to discussion on this motion, I should like, my Lord, to offer a few remarks on them before it goes into Committee. In the Statement of Objects and Reasons, prominence is given to the fact that the Bill has been introduced in Council by the direction of the Secretary of State for India. In view of this declaration, it would not be inappropriate or out of place if I venture to indicate briefly the position which I conceive myself to occupy as a Member of this Council in proceeding to consider it. In any discussion of this sort, it would be futile not to bear in mind that the constitutional Government of England is not only based on law and statute, but is also controlled by practice, usage, and precedent which have, in numerous direct and indirect ways, often modified, and often over-ridden and gone beyond written and unwritten law; and it must be conceded at once that the supreme and absolute authority for the government of this country vests in Parliament. Even this proposition may be rightly carried further by identifying Parliament in the last resort with the House of Commons. As pointed out by so careful a historian as the late Professor J. R. Green, one of the two constitutional principles discovered and applied by one of the most sagacious of English statesmen, John Pym, has been established by the acknowledgment on all sides since the Reform Bill of 1832 that ‘the government of the country is really in the hands of the House of Commons and can only be carried on by Ministers who represent the majority of that House.’ I think this proposition not only indicates the position of the House of Commons as the predominant partner, but also defines both the extent as well as the limitation of the authority and responsibility of the Secretary of State for India as one of the conjoint body of Ministers forming Her Majesty's Government, or that body still unknown to the law, the Cabinet. The House of Commons exercises its predominant authority in the government of this country through its responsible Ministers so long as they possess its confidence.

and it cannot be forgotten that, subject to this limitation, the Secretary of State for India has the authority of the House to sustain him and the responsibility to carry out its behests by all lawful means open to him. August as the office of Viceroy is, it cannot be gainsaid that he is not independent of the authority vesting in the House and working through its responsible Ministers. It cannot be otherwise under the system of English constitutionalism, and any coordination of authority would be subversive of its most fundamental principles. This subordination is by no means, however, inconsistent with the possession of a large and sometimes preponderating measure of influence which the views, opinions, and recommendations of so highly placed an official cannot fail to command in the final decision of Indian questions. It is said, however, that it involves the loss and derogation of prestige. I confess I fail to understand this argument. The superior authority of the Secretary of State, not to speak of Parliament and the House of Commons, is an incident which has been most vividly and constantly familiar to the Indian mind, and the appeal from the Government of India to the Secretary of State has been one of the most common of Indian experiences. Not only has it not involved loss of any prestige, but it has not unfrequently given great content and satisfaction. I remember an instance in connection with the Contagious Diseases Acts themselves. Over ten years ago the Bombay Municipal Corporation declined to contribute to the expenses of a lock hospital, and the Government of Bombay tried to levy it illegally and forcibly by withholding the amount from its contribution to the cost of the city police. The Corporation appealed to the Government of India in vain. From that decision it appealed to the Secretary of State, and the success of its appeal was and always has been a source of great gratification. So far as the natives of this country are concerned, we must take care not to be carried away by the bait of so tempting a phrase as Home rule. Home rule to us, for a long time to come, can only mean the substitution of the rule of the Anglo-Indian bureau-

cracy for that of the House of Commons and the Secretary of State as controlled by it. Under either rule the country cannot always be safe against the occasional attacks of powerful interests, but after all it is safer to rest upon the ultimate sense of justice and righteousness of the whole English people, which in the end always asserts its nobility, than upon the uncontrolled tendencies of an officialdom trained in bureaucratic tendencies, and not free from the demoralising prejudices incident to their position in the country.

“But, while fully conceding the supreme authority of the House of Commons and its responsible Ministers, I do not think that that supremacy is in any way inconsistent with the entire and unfettered freedom and independence of this Council within itself and within the scope of its legitimate functions. Its legislative powers are a purely statutory creation, and the question of their interpretation is not complicated by any mysteries of unwritten law, of usage and practice. There is nothing in its creative statutes or in the declarations of intention and policy surrounding them to justify the supposition that this Council was designed to be a deliberative body without the power or freedom of deliberation, or of carrying that deliberation into effect. The remedies and safeguards against both paralysis of legislation on the one hand, and of mischievous activity on the other, have not been provided by making it impotent for all free or deliberative action ; but they have been carefully constructed in other ways. Against paralysis of legislation the right of Parliament to continue to legislate for India is unreservedly retained ; and there is, besides, a power given to the Viceroy to meet cases of urgency by the promulgation of ordinances having the force of law. The abuse of legislative activity has been sought to be safeguarded by the power vested in the Governor General of giving or withholding his assent, and the power of the Crown, signified through the Secretary of State, to disallow any laws made by the Council. The extent of the powers of the Council is besides cut down in various

directions under section 22 of the Act of 1861. Beyond these restrictions, carefully planned, I conceive that there is nothing to prevent any Member of this Council from joining in its free deliberations, and shaping his action according to the best of his independent judgment. It does not follow that practical considerations of prudence and discretion should be banished from his deliberations or his decision : it is, however, a question for his own free judgment to determine how far he should yield in any particular case on a balance of advantages to the dictates of policy and expediency. *

“ In applying myself to the discussion of the principle and general provisions of this Bill, I venture to think that the fact of the Bill being introduced by the direction of the Secretary of State does not deprive me of the right of free and independent judgment within the walls of this Council. At the same time I do not feel bound to oppose it simply because of that circumstance, irrespective of its own intrinsic merits. So far as regards its underlying principle, it seems to me that it has been recog-

* In the course of the debate, the Hon'ble SIR ALEX. MILLER said — “ As regards the vote which each member, official or non-official, is to give, I can only say that I entirely agree with the principle embodied in the remarks which fell from the Hon'ble Mr. Mehta when he said that it was the duty of the Council at large, and therefore, of course, of each Member of the Council in particular, to vote in any particular case according to what he considered to be to the balance of advantage in that case. We can seldom get a counsel of perfection. It is absolutely impossible that large bodies of men who have to move together can get on without some difference of opinion. If they are to act in unison, some of them certainly will have to give in to a certain extent to the others, and the object in every case should be to find that *via media* which will give the largest possible advantage with the least disadvantage. I must say that on every occasion on which I have had occasion to give a vote in the Council I have given it on that principle, and on that principle solely. But then you must not consider merely the particular point before you, and what might be the result of an academic discussion of that particular question. You must as practical men look at the consequences of your vote all round, and thereupon give that which you honestly believe will yield the largest amount of advantage. On that principle I am glad to find that there is no opposition to this Bill going into Select Committee, and when it comes out of Select Committee it will be time enough to consider whether or not we have successfully passed all the breakers which at one time seemed to threaten it.”

nised by this Legislature when, following the repeal of the English Contagious Diseases Acts in 1886, and in consonance with a resolution of the House of Commons in that behalf, the Indian Acts were repealed in 1888, with the full concurrence of the Government of India, whose opinion was formed after enquiry. It is well to bear in mind what was said at the time of the passing of the Repeal Bill with regard to the powers under the existing Cantonments Acts. Sir Charles Aitchison, who was in charge of the Bill, said 'It is proposed to abandon the powers conferred by clause (7) of section 27 of the Cantonments Act of 1880 and the corresponding Acts in Madras and Bombay, and to take power to make rules to exclude from cantonments persons suffering from contagious or infectious diseases, and to organize a system of voluntary hospital relief for patients suffering from such diseases. In the meantime, pending the necessary steps preliminary to legislation, the cantonment authorities have received executive orders that the existing rules are to be so worked that there shall be no compulsory examination of women, no registration of women and no granting of licenses to practise prostitution.' The policy of the repeal was thus declared to be entire; and it seems to me that the underlying principle of the Bill before the Council is in consonance with its existing legislation. There is no question of retracing the legislative steps taken in 1888, and the immediate object and principle of the Bill, embodied in sections 2 and 3, is to provide against a violation of the legislative will of this Council declared in its previous legislation. It seems to me that there is full justification for what is proposed to be done by section 2. When the new Cantonments Act of 1889 was passed, a mistake which is very common in Indian legislation was made, *viz*, that of giving indefinite power to the executive authorities to make rules and regulations, even when there were admitted limitations which could be enacted in the Act itself. Assurances and understandings are made to take the place of definite provisions, but it not unfrequently happens that they are forgotten or, what is still more dangerous, interpreted in all sorts of wonderful and unexpected ways.

The Cantonments Act of 1889 gave Government power to make rules for 'the prevention of the spread of infectious or contagious disorders within a cantonment, and the appointment and regulation of hospitals.' Objections were raised to the dubious character of the section giving this power and the rules made under it. Assurances, as usual, were given that the rules could not be misused or misinterpreted; and all the direct warnings to the contrary were dismissed as unworthy imputations on the loyalty and discipline of public officers. But what has happened in other similar cases happened in this. The rules were flagrantly disobeyed or innocently misconstrued—I believe it has been suggested from a stern sense of duty, but it does not matter so long as the misinterpretation remains an established fact. To my mind, the proposed section is designed to do what ought to have been done in the very first instance in the Cantonments Act. I can see nothing derogatory to the greatness or prestige of the Viceroy in Council in carrying out this object. It is always very much better to do by definite and systematic legislation everything that can be so compassed rather than leave it to be accomplished by the vagaries of individual and uncertain discretion. It is no derogation to the authority of the Viceroy that he should in his Legislative Council give legislative fixity in preference to his doing the work as Viceroy in his smaller Council, when the matter is one in which there is to be left no further room for discretion or variation. From this point of view I venture to regard section 2 as unobjectionable and proper.

"But looking at the matter from the point of view as I have done, section 3 does not seem to me to be a desirable or appropriate sequel to section 2. I at once admit that many of the arguments which have been urged against it are founded on exaggeration. It is absurd to suppose, as has been advanced, that the section would place the safety and security of every medical officer at the mercy of women of doubtful character. Our Criminal Courts and their special criminal procedure are

so constituted that the fear of false charges and false convictions against the class of persons likely to be affected by the section is reduced to the very lowest point, and a Cantonment Magistrate specially is not likely to err on the side of the prosecution in such a matter. •The argument that it is a most unusual procedure to provide in an Act for the legal punishment of an officer of Government is equally futile, for the Indian Penal Code devotes a whole chapter to offences by or relating to public servants, and section 166 is a comprehensive section devoted to the punishment of public servants for disobeying any direction of the law. It is also not quite correct to say that section 354 of the Indian Penal Code already covers the offence made punishable by section 3, for, as outraging the modesty of the assaulted woman is an element of the offence, it is possible to argue before a Cantonment Magistrate that no prostitute or immodest woman could possess modesty. But from the view I have ventured to take of section 2, namely, that it properly defines within limits consistent with the legislation regarding the repeal of the Contagious Diseases Acts the power to make rules under the Cantonment Act, it follows that it is sufficient to render invalid any rules going beyond the legitimate purpose of the Cantonments Act, and thus withdraws all supposed sanction from acts which but for those rules would be exposed to the operation of the ordinary penal law. I do not think that prostitutes should have any further protection from compulsion or any other illegal act than what the law affords to other people. It seems to me, therefore, that section 3 should be omitted from the Bill. I am glad, therefore, to hear the declaration made by the Hon'ble the Legal Member with regard to that section.

“I should like to add, my Lord, one word as to what I have read in the papers circulated, and I am sorry to say I have heard from the lips of Sir Griffith Evans in Council to-day regarding the people who are supposed fanatically to have promoted the proposed legislation. Very strong and very harsh language has been showered upon them. But I think it should be borne in

mind that the sentiment and feeling actuating these people are only a phase of that puritanical severity of character which has not been a little instrumental in contributing to the freedom, the prosperity, the greatness and the nobility of the English people."

ACT V OF 1861 (POLICE) AMENDMENT BILL.

[The Hon'ble SIR ANTONY MACDONNELL moved that the Bill to amend Act V of 1861 (*an Act for the Regulation of Police*) be referred to a Select Committee consisting of the Hon'ble Sir Alexander Miller, the Hon'ble Maharaja Bahadur of Durbhanga, the Hon'ble Gangadhar Rao Madhav Chitnavis, the Hon'ble Mr. Lee Warner, the Hon'ble Mohiny Mohun Roy, the Hon'ble Sir Frederick Fryer and the Mover, with instructions to report within one month.]

The Hon'ble MR. MEHTA said :—" I do not propose, my Lord, to oppose this motion, but I think this is the proper time to point out that the Bill before the Council contains an important set of provisions which are open to the strongest objection. I refer to sections 4 and 5. I have carefully listened to the speech of the Hon'ble member in charge of the Bill, and, weighty and plausible as it is, his whole argument really comes to this, that, for the purpose of obviating a certain amount of possible injustice, it is necessary to take measures which may lead to much greater and serious injustice. Disguise it how you may, it is an attempt, under cover of executive measures for the preservation of order, to convict and punish individuals without judicial trial."

The Hon'ble SIR ANTONY MACDONNELL :—" I distinctly stated that individuals are not to be at all touched by the Bill."

The Hon'ble MR. MEHTA continued :—" I will ask Your Lordship's attention to the new additional words in these two

sections, which, going beyond the existing law in section 15 of the Police Act of 1861, give power to a District Magistrate, not in his judicial but in his executive capacity, to convict or acquit individual persons, including absentee landholders, of causing or contributing to a disturbance of the public peace, death, grievous hurt, or damage to property, and to impose heavy fines in respect thereof. It is in its applicability to individuals that this Bill differs from the Bombay Act, which deals only with inhabitants *generally* of an area, or any *section* thereof, and also from the English Statute 49 & 50 Vict., c. 38. The minute of the Hon'bles Mr. Justice Ghose and Mr. Justice Banerji is instructive on this point. They say:—

'In making the above observations we have not lost sight of the fact that there are provisions in the English Statute-book (49 & 50 Victoria, c. 38,) apparently of an analogous character. But the analogy between the provisions now under consideration and those of the English Statute is more apparent than real. By the English Act compensation may be awarded for injury to property caused by riot out of the police-rate, which is a definite rate levied on all persons under well-defined conditions, the conduct of the injured party being taken into consideration in assessing the amount, and the interests of the police authorities being evidently allied to, if not identical with, those of the rate-payers, whereas the Bill before us provides for the levying of compensation by way of penalty to be summarily inflicted by the Magistrate on persons whose misconduct has caused or led to the injury to be compensated.'

"My Lord, I cannot conceive of legislation more empirical, more retrograde, more open to abuse, or more demoralizing. It is impossible not to see that it is a piece of that empirical legislation so dear to the heart of executive officers, which will not and cannot recognize the scientific fact that the punishment and suppression of crime without injuring or oppressing innocence must be controlled by judicial procedure and cannot be safely left to be adjudged upon the opinions and moral certainties of men believing themselves to be capable, honest, and conscientious. The British rule has trained the people of this

country to the conception of law, and it has been a matter of just pride that the highest justification of that rule consists in its steady administration of justice in judicial form. I venture to say that nothing can be more unfortunate and impolitic than to depart from a policy so bound up with the good name and credit of the English Government. Empirical and retrograde, as it is, this new proposed legislation would be no less demoralizing to the executive officers concerned. I have not the least desire to speak disparagingly of executive officers, most of whom, I have no doubt, are anxious to perform their duties conscientiously and to the best of their ability. But it would be idle to believe that they can be free from the biases, prejudices, and defects of their class and position. It is a more common human failing than most people imagine to mistake suspicions, not unfrequently founded on prejudice and misleading, unsifted and incorrect information, for moral certainty. The provisions in question not only invest District Magistrates with power to act on their opinion, but to do so at a time when probably they would be labouring under irritation and excitement at the failure to preserve the public peace within their districts. The best of men are likely to go wrong under such circumstances, and District-officers can be no exception to this rule. It may, and no doubt will be, urged that the District Magistrate will not act without some enquiry, or, as I have seen it described in official documents, without careful enquiry. But, my Lord, a pretty long experience has taught me that, if you carefully probe these careful enquiries, they not unfrequently turn out to be hasty, prejudiced, ignorant, and unreliable assumptions and suspicions fostered by interested subordinates or other designing persons. I trust, my Lord, the Select Committee will carefully consider if it is right to expose the good name and fame of people to shame and obloquy under an *ex parte* procedure, devoid of the only sure safeguards which judicial procedure can alone supply for the vindication of honour and innocence. I observe, my Lord, from the papers that have been circulated that this aspect of the proposed legislation has not escaped attention. It is true that most

executive officers; who cannot be blamed for entertaining a profound belief in their own capacity, judgment and wisdom, cheerfully welcome the proposed legislation. It is refreshing, however, to find that at least one officer, admitted to be of long and varied experience as Magistrate and Inspector-General of Police, Colonel Bowie, Commissioner of the Nerbudda Division, Central Provinces, uncompromisingly denounces the measure. He says :—' The provisions of section 15A are of a still more arbitrary character, and I would protest with the greatest earnestness against any such enactment. I believe it to be wholly unnecessary, and I feel sure that its effects would, if it ever were acted on, prove in the end most pernicious.' The Civil and Sessions Judge of the Hyderabad Assigned Districts, Mr. Obbard, points out that, 'if the guilty only are to be charged, their guilt should be established by some sort of public enquiry at which parties should be represented and witnesses heard, and that the grounds of the order should be such and supported by such evidence as to satisfy the public that the differentiation had been fairly made'. The comment of the Resident of Hyderabad on this opinion is instructive, for I believe it represents the gloss by which the real character of the proposed legislation is sought to be disguised.

'The Magistrate's decision,' says the Resident, 'affirming payment by certain persons only, determines the question of their liability to pay a certain tax; it does not purport to convict them of any offence.'

"One cannot refrain from admiring the grim humour of this joke. It is the old Tudor grim humour when they levied illegal taxes under the benign designation of benevolences and friendly loans. In this way you may brand a man as a rioter and an abettor of riots, you may brand him as a murderer and a criminal ruffian, and you may fine him as such, but he must smile and smile, because forsooth it is all a measure of taxation, or, as the Hon'ble Member now plausibly puts it, of prevention and not punishment of crime. The political obloquy which

has rendered famous the names of the Star Chamber and the High Commission leads us to forget that in their own time both these bodies were honestly considered by the king and his advisers to be necessary instruments for checking the outrages of people whom they considered ill-conditioned, refractory and turbulent, and whom the ordinary Courts could not reach. In ordinary cases, where it followed judicial procedure, the Star Chamber was distinguished for the learning and fairness of its judgments, but as soon as it arrogated and practised the right of bringing turbulent people to their senses without judicial or public enquiry, and its means of enquiry were left without limit, it became the engine of tyranny and oppression which we have learnt to hate and dread. In making these remarks, I am not unaware that to a certain extent the sanction of the Commissioner or Local Government is required before final action. But, while the *ex parte* and non-judicial character of the proceedings is not thus affected, it has further to be borne in mind that the sanction would in most cases be practically based upon the same reports and careful enquiries of the same set of officers whose recommendations are to be sanctioned. No reason has been given for the necessity of enacting so anomalous and extraordinary a measure. It is possible that the recent unhappy disturbances may have something to do with suggesting it. It is no doubt the first duty of a Government to preserve and to put down all attempts to disturb and break it. The strength of this Government to do this is beyond question. But without entering into the vexed questions of the character and responsibility of the recent disturbances, and without trying to draw any lessons or inferences from judicial trials like the recent ones at Poona, I may respectfully say that strength is not always usefully employed in devising harsher and harsher measures, but there are times when it shows at its best when tempered with calm discrimination, tact, and sympathetic treatment.

“There is also another set of important provisions in the Bill which require serious consideration—those embodied in

Sections 7 and 8, relating to the grant of licenses for assemblies or processions which, in the judgment of the District Magistrate, would, if uncontrolled, be likely to cause a breach of the peace. In the existing state of tension between certain portions of the Indian community, it is easy to conceive that errors of judgment in working such a measure arising out of prejudice or even the most perfect honesty of purpose may lead to just irritation and discontent. Experience also unfortunately shows that the mere existence of a power like this induces fanatical or fractious people to raise pretensions never heard of before on the chance of causing sufficient alarm to lead both timid or impetuous officers to interfere on the spur of the moment. The subject is a delicate one, and it would, perhaps, be desirable to await the conclusion of the labours of the Select Committee before discussing it at this stage. Only I may be allowed to express the hope that the Committee will bring to bear upon the consideration of the subject the care, wisdom, and impartiality which the importance of the question demands.

“Lastly, I would invite the attention of the Council to a suggestion made by two important Associations in connection with section 17 of the existing Act for the appointment of special police-officers. It deserves consideration, especially in view of an extraordinary proposal made by one of the Magistrates of the Bengal Presidency that ‘it should be made clear in the Bill that ringleaders on either side may be appointed special constables under section 17. * * * Out here it is considered an indignity to be made a special constable.’ I have always understood that it is not rioters, but peaceful citizens interested in the preservation of peace and order, who should be invited to become special constables. The matter is certainly one which deserves looking into.”

*MEETING OF THE COUNCIL ON THURSDAY;
THE 31st JANUARY 1895.*

Merchant Shipping Bill.

The Hon'ble MR. MEHTA said :— "I intended to say a few words with regard to the amendment which, as the Hon'ble Mover has said, is to be laid before the Select Committee with reference to the accommodation to be allotted to Native lascars ; but my hon'ble friend Mr. Playfair has so well and so exhaustively dealt with this matter, and said everything that I wished to say, that I will content myself by remarking that I join in and subscribe to every observation which he has made on that subject. Of course, the anxiety shown for the health and comfort of Native seamen is most commendable, but it is a matter of serious consideration whether in our anxiety for their health and comfort they might not be thrown out of work altogether."

*MEETING OF THE COUNCIL ON THURSDAY,
THE 7th FEBRUARY 1895.*

Amendment of Indian Penal Code.

The Hon'ble MR. MEHTA said :— " I also support the amendment, and for one more reason than those urged by the Hon'ble Members who have just spoken. I do not think it will be disputed that, in adding to or amending the Penal Code, it is most important and desirable that the phraseology and nomenclature used in it should be followed as far as possible ; and

abetment, to which it devotes a chapter, is one of the most important of such phrases. Now the Hon'ble the Legal Member has argued that the word 'concurr' in the section goes beyond the word 'abets.' If the word 'concurr' stood by itself without any qualifying or modifying terms of context, it may be that it would go beyond abetment, and include what the Hon'ble Member calls, using a phrase of the English criminal law, being accessory after the fact. But Hon'ble Members will perceive that the word in the section in question is not simply 'concurr,' but the words are 'concurr in making any false entry,' and thus, it seems to me, exclude accessories after the fact, and the concurrence thus becomes nothing more or less than abetment. That being so, I think it is right to adhere to the existing phraseology of the Penal Code."

**MEETING OF THE COUNCIL ON THURSDAY,
THE 14th FEBRUARY 1895.**

**DEKKHAN AGRICULTURISTS' RELIEF ACTS,
1879 TO 1886, AMENDMENT BILL.**

[The Hon'ble MR. LEE-WARNER moved that the Report of the Select Committee on the Bill to amend the Dekkhan Agriculturists' Relief Acts, 1879 to 1886, be taken into consideration.]

The Hon'ble MR. MEHTA moved that to section 7 of the Act, as proposed to be amended by section 6 of the Bill as amended by the Select Committee, the following be added, namely :—

Explanation.—The compulsory examination of the defendant shall not be dispensed with merely by reason of the fact that the defendant has filed a written statement."

He said :—“ As my hon'ble friend in charge of the Bill has already prepared the way for my amendment and indicated his approval, I shall very briefly state the reasons for moving it. In the existing Act the last clause of section 7 provided that—

‘In every suit the Court shall examine the defendant as a witness unless, for reasons to be recorded by it in writing, it deems it unnecessary so to do.’

“ In the Bill as first introduced it was proposed to repeal the last seventeen words of the section, namely :—‘ unless, for reasons to be recorded by it in writing, it deems it unnecessary so to do.’ But, when the Bill was referred for opinion all those who had practically worked the Act deprecated the repeal of those words, and the Bombay Government, in dealing with the point, wrote as follows in their letter of the 5th September, 1894 :—

‘From section 3 should be omitted the words which repeal the last seventeen words of section 7. It is noticed that in the Statement of Objects and Reasons no explanation of the reasons for proposing the repeal of these words is afforded; and the Governor in Council concludes that the omission of any justification was deliberate, the more so as at the time the Government of India's letter No. 198, dated February 21st, 1894, was then under the consideration of this Government. In its letter No. 1477, dated March 8th, 1893, this Government did not recommend the omission but rather proposed an extension of section 7, expressing its concurrence with Mr. Ranade. Moreover, as indicated by the District Judge of Ahmednagar, who served on the Commission, that body did not recommend the omission of the seventeen words, and their repeal would be regarded by all who have taken part in the administration of the law with deep regret. In order to give effect to the views of this Government as well as those of the Commission and of the officers consulted, I am to suggest that from section 3 of the Bill be expunged the words “and the last seventeen words of section 7” and that the whole section 7 be repealed, a fresh section being re-enacted as follows, either in Chapter I or XI as may be thought best :—

"In every case under the Dekkhan Relief Act, 1879, in which it seems to the Court possible to dispose of a suit at the first hearing, the summons shall be for the final disposal of the suit.

"In every suit the Court shall examine the defendant as a witness, unless for reasons to be recorded by it in writing it deems it clearly unnecessary to do so. The cost of sending further summons or warrants after the first process has been served on the defendant shall not fall on the plaintiff.

"*Explanation.*—The compulsory examination of the defendant shall not be dispensed with merely by reason of the fact that the defendant has filed a written statement."

"The Select Committee accepted the view of the Bombay Government regarding the repeal of the seventeen words, and I think it may be taken, from what has just fallen from the Hon'ble Mr. Lee-Warner, that it was only by an oversight that the words which I now propose to add were not included in the Bill as amended by the Select Committee. Of course, it is very desirable that discretion should be given to the Courts to proceed with a suit in cases where it is not feasible to examine the defendant, but at the same time it is very important that one of the most essential objects for which the compulsory examination of the defendant is necessary should not be allowed to be defeated. It is a very favourite dodge with the saukar to get the defendant to file a written statement containing an admission of his liability and then keep him out of Court. It is for the purpose of not allowing such a dodge to be successful, and to enable the Court to see that the defendant has exercised an intelligent option in defending the suit, that I move that the words I propose to add should be inserted in the Bill."

**MEETING OF THE COUNCIL ON THURSDAY,
THE 28th FEBRUARY 1895.**

**CODE OF CIVIL PROCEDURE AND PUNJAB
LAWS ACT, 1872, AMENDMENT BILL.**

[The Hon'ble SIR ALEXANDER MILLER moved that the Reports of the Select Committee on the Bill to amend certain sections of the Code of Civil Procedure and to repeal certain sections of the Punjab Laws Act, 1872, be taken into consideration.]

The Hon'ble MR. MEHTA moved that the following be inserted as section 2A of the Bill as amended by the Select Committee, namely :—

' 2A. After the first paragraph of section 260 of the said Code the following shall be added, namely :—

' Provided that no decree for restitution of conjugal rights shall be enforced by imprisonment of the defendant if the Court shall, for any sufficient reasons, to be stated in writing on the face of the order, think fit that it shall not be so enforced.'

He said :—"I have not brought forward this motion, my Lord, with the view of obtruding my own personal predilections on the subject. But I find that, while the subject affects all India alike, the Select Committee whose report we are considering, numerous as it is composed, comprises within it representatives only of the provinces of Bengal and the Punjab, while Bombay and Madras had no voice in it. I should probably have even then remained silent, if this Council contained a Hindu or Muhammadan member from Bombay or Madras who would have voiced the best Hindu view of either of these Presidencies. In the absence of any such member, I think it a duty to represent what, I believe, would have been the views put forward if, for instance, there was sitting at this Council a Hindu like my late friend Mr. Justice K. T.

Telang, a true and sincere Hindu of Hindus, from whom I, as well as many others, have learned to respect and appreciate many valuable aspects of Hindu social and religious life, and many valuable lessons of Hindu social and religious philosophy. I am not one of those who believe in the utility of meddling with so peculiar and complex a system of social life and religion as Hinduism, especially from outside, and I should go with those who hold that whatever reforms may be desirable and necessary, should be left to be developed by the action of time and education. But the proposal originally embodied in the Bill, and which I have put forward by my amendment in a somewhat different shape, is not, I think, one of indigenous essential Hindu growth; it is an excrescence which has got itself grafted from an extraneous jurisprudence. However that may be, I find in the papers placed before the Council such a weighty consensus of Indian opinion in favour of the proposal as I do not think the Council would be justified in passing by lightly. The mode in which I have framed my amendment is in accordance with a suggestion made by the two eminent Judges who at present adorn the bench of the High Court of Bengal, Mr. Justice Ghose and Mr. Justice Banerjee. Their opinion on the subject is contained in the following joint Minute :—

' With reference to the proposed amendment of section 260 of the Code of Civil Procedure, we adhere to the opinion expressed by us in our minute of the 12th July, 1889. For the reasons therein stated, we think the law should be modified, not in the manner proposed by the Bill, which would make the enforcement of decrees for restitution of conjugal rights by imprisonment the exception and not the rule, but by adding to section 260 a proviso to the following effect :—

' Provided that no decree for restitution of conjugal rights shall be enforced by imprisonment of the defendant, if the Court shall, for any sufficient reasons to be stated in writing on the face of the order, think fit that it shall not be so enforced.'

' This will have the effect of disallowing imprisonment as a mode of enforcement of decrees for restitution of conjugal rights in any case

in which it ought not to be allowed, without practically abolishing it, as the proposed amendment is likely to do.'

“The District Judge of Burdwan, Mr. Brojendra Cumar Seal, and the District Judge of Midnapur, Mr. K. N. Roy, both approve of the proposal, so also do the Zamindari Panchayat. That eminent scholar and distinguished Indian historian, Mr. Romesh Chunder Dutt, Officiating Commissioner of the Burdwan Division, gives it his entire support and approval. He says :—

‘Section 3 is a move in the right direction. To enforce a decree for restitution of conjugal rights by imprisonment of the defendant is a provision which is, I believe, not sanctioned by the ancient laws of the Hindus and Muhammadans ; it is a provision which has been imported into the law of this country from the English law. Its repeal therefore can give no just ground of complaint to Hindus and Muhammadans.

‘In practice, no respectable Hindu or Muhammadan ever seeks to get back his wife by putting her in prison. The only instances in which I have seen the law resorted to were instances of seduced or depraved women. Sections 497 and 498 of the Indian Penal Code are sufficient to meet the cases of seduction, and it is not necessary to have an additional provision in the civil law to meet such cases.

‘On the other hand, the presence of the provision in the Civil Procedure Code is a standing threat against wronged women. It practically empowers the most profligate and cruel of husbands to keep his wife in custody like his cattle, and it prevents her from the only possible escape which is open to her, to go and live with her parents. The practice of habitually mal-treating wives is not common in this country any more than in other civilized countries. But nevertheless such practice is not unknown among certain classes, and it is cruel and iniquitous to prevent a woman in such instances from going and living with her parents.

' I do not think the enacting of section 3 of the Bill will give rise to any great agitation. One section of the community will oppose it—it is the section which would stop all reforms—it is the section which would like to see the practice of the burning of widows re-established in India. But the great mass of the Hindu and Muhammadan population will look upon the enactment of the section with indifference, and for the reasons which I have stated above it is incumbent on Government to enact it for the protection of those who cannot protect themselves.

' I have only to add that the clause allows imprisonment " for sufficient reasons to be stated in writing " by the Court. I myself think that imprisonment for the restitution of conjugal rights should be abolished altogether.'

" Writing for the Central National Muhammadan Association, Nawab Syud Ameer Hossein says :—

' The Committee have no objection to the proviso, but they would suggest that a rider be added to it to the following effect .— "Should the Court be of opinion that a decree for restitution of conjugal rights should not be enforced by imprisonment of the wife, the latter should be debarred from suing for her maintenance or for her dower as long as she does not return to her husband. " '

" With regard to this proposed rider, it should be borne in mind that no married woman could sue for maintenance if she refused to go to her husband without legal cause, and the very fact of a decree for restitution being passed would establish that there was no such cause. The Muhammadan Literary Society of Calcutta also approve of the proposal, only suggesting that 'the expression " sufficient reasons " in the proviso of the said section 3 should be interpreted consistently with the personal law of the Muhammadans.' Against this authoritative body of opinion, it is right to mention that the powerful voice of the British Indian Association is strongly raised in condemnation of the change. But their strongest arguments are directed against the way in which section 3 of the Bill as introduced in Council was framed, as they appre-

kended that, in that form, it would be tantamount to a virtual abolition of imprisonment for the wife's contumacy. It seems to me that the modified form proposed by Mr. Justice Ghose and Mr. Justice Banerjee, and which I have accepted in my amendment, should go far to disarm their opposition. Under the strictest Hindu law that has been expounded, the King would have a discretion (in practice he had a large one) in imposing the fullest penalty for contumacy or disobedience according to the special circumstances of each case. The opinions received from the Bombay Presidency not only do not disclose any disapproval, but the Local Government recommends a step further and is inclined to abolish imprisonment altogether, in accordance with a strong expression of opinion in that behalf by the District Judge of Satara, Mr. Sātyendra Nath Tagore. The Madras Presidency is not only unanimously in favour of the proposal, but a voice comes from it which is entitled to the greatest respect. I refer to the opinion of a Hindu Judge whose loss all India deplors in common with the Presidency to which his great services were devoted, Sir T. Muthusami Aiyar. His devout and sincere conservatism was as unquestioned as his knowledge of Hindu law and usage was profound. In the Minute appended by him, Sir T. Muthusami Aiyar says :—

'The proviso added to section 260 is, I think, necessary, as cases frequently arise in which the relation between the husband and wife is so strained that their own permanent interest requires that execution by imprisonment should be safeguarded in the manner prescribed by the proviso.'

"I think that the above consensus of opinion is of so weighty a character that it justifies me in asking the Council whether it is not right and desirable that the proposal in the extremely moderate form in which I have put it in my amendment should not be passed into law. In their further Report, the Select Committee say that they 'have omitted section 3 of the Bill as introduced, because in our opinion the country is

not yet ripe for the change in the existing law which it proposed to make.' This is a startling statement to make. There are certain pieces of legislation which I should have thought the Government would never bring forward at all unless they had ascertained that the country was ripe for them. I should have thought that section 6 of the Bill as introduced was one of such pieces. The announcement of the Select Committee cannot but therefore come upon the Council with great surprise. The materials before the Council, however, do not quite bear out their conclusion, and I therefore venture to place before the Council the amendment I have moved."*

* The Hon'ble SIR ALEXANDER MILLER said :—" I feel myself bound to support this amendment. In giving my reasons I will begin by stating the historical position which the question occupies. Up to the year 1857 such a thing as a suit for the restitution of conjugal rights was unknown to the common law either in India or in England. The existence of such a suit depended upon the ecclesiastical law, and the only way in which such a decree could be enforced was by excommunication. In the year 1857 matrimonial cases were transferred from the Ecclesiastical Courts to the newly established Court of matrimonial jurisdiction, commonly known as the Court of Divorce, and eminent common law lawyer who was placed first at the head of that Court considered that all cases that came before him were to be enforced in the same way, in other words, that execution was to issue for contempt of Court upon disobedience of any of his decrees, no matter what the character of the suit in which the decree was made might be. How that came to be adopted in India I do not know, but all I do know is that on the question coming before the Privy Council on the question of Parsi marriages, that august body expressed a strong opinion that a suit for the restitution of conjugal rights was only applicable to Christian marriages. I do not know all the particulars I have not looked into the case very carefully, and I cannot say whether that opinion really amounts to an actual decision or whether it was only a very solemn *obiter dictum*. In any case it was an opinion of the very highest weight, and it had the effect of materially altering the form in which the Parsi Marriage Act was passed in this country. That seems to have been the position in which the matter stood up to the year 1877, less than twenty years ago. As the Hon'ble Sir Griffith Evans have told you, on the amendment of the Civil Procedure Code in that year, my learned friend Mr Whitley Stokes entirely on his own responsibility introduced a few words into section 260 which did not previously exist there, the result being that the discretion of the Court which had hitherto existed to enforce its own decree or not as it pleased was taken away, and incidentally a right was given to the plaintiff which had not previously belonged to him to have his decree enforced in a particular manner. Under these circumstances, as far as I have been able to discover, almost the only case in which this particular form of suit has attracted any attention was the one known

The Hon'ble Mr. MEHTA said :—" I have only* one word

as ' Rukmabar's case,' which came before the Government of India in the year 1888 or 1889, I think.

" I entirely agree with what the Hon'ble Sir Antony MacDonnell has said, that Rukmabar's case is not to be taken as a fair specimen of the Hindu marriage law. On the contrary, I believe it to be just one of those cases which occasionally arise where the Hindu marriage law would have worked out fair and reasonable justice between the parties if left to itself, and the only thing which produced the scandal—which was a very serious scandal—which arose in the case was the application of this excrescence of English law on the top of the Hindu marriage law and opposed to its general principles. Under these circumstances the Government of India took the matter into consideration, and after very mature consideration they passed an Order in Council in the year 1890, when no one who is now a member of the Government was there, that this clause, in the modified form in which it was introduced in this Bill should be accepted and introduced on the first occasion of the revision of the Civil Procedure Code. So the matter rested till the year 1893, when this Bill was for other purposes about to be introduced, and on that occasion the matter was again discussed. The result of that discussion was that the clause in question was directed to be inserted in this Bill. It is true that after the Select Committee had rejected the clause the Government authorized me so far to acquiesce in their decision as not to attempt to reintroduce the clause by motion in Council, and the Council will observe that I have not given notice of any amendment.

" Now, I wish to point out that the opposition to this Bill arises in my opinion entirely from a misapprehension of a very important fact that there is in the law of India, what does not exist in the laws of England, a very sufficient method by which a man can get back a runaway wife. It is a suit which is known to the Hindu law as a suit for the delivery of a wife, and Section 259 of the Code of Civil Procedure prescribes that in a case of a suit for the delivery of a wife, where an action is brought and a decree obtained, the plaintiff is entitled to have his decree executed by the woman being brought into Court and handed over to him there and then. That is a procedure which is entirely in accordance with Hindu practice and sentiment, which it is not proposed in the least to interfere with, and which will apply to every case in which there is a runaway wife, except a few exceptional cases where, there being no one else in the background, the woman herself refuses to return. Now, as far as I have been able to discover, although I do not pretend to have made an exhaustive examination, the great bulk of the cases referred to have been really cases against third parties for the delivering up of a wife—cases in nature of a *habeas corpus*, in which the law provides that the wife shall be delivered up. I think that in point of fact it will be found that the necessity for the particular section scarcely exists at all, and the country got on very well without it down to 1877, and that the procedure which prevailed up to that time was found ample for the purpose—a procedure which it is not proposed to interfere with. Now it

to offer with regard to an observation of the Hon'ble Sir Antony MacDonnell. The Hon'ble Member said that I represented the most advanced opinion of the Bombay Presidency. I thought I had made it clear that I was only representing the conservative and orthodox view of the matter in the Presidency of Bombay, as well as in that of Madras and Bengal."

was stated in reference to this by my hon'ble friend Babu Mohun Mohun Roy that the Punjab Government is strongly against the proposal. The fact is that this proposal is now put in the form which commended itself to the Punjab Government. It is perfectly true that, as the clause was introduced into the Bill, the Punjab Government was opposed to it, but in the form in which it is put in this amendment it is in accordance, not in words but in substance, with the proposals made in the letter by the Punjab Government, and, if I may venture to say so, it is also in accordance with the letter which has been read by His Honour the Lieutenant-Governor of Bengal as coming from the Chief Commissioner of Assam, because what the Chief Commissioner of Assam says is that imprisonment should be the rule 'and should be departed from only on due cause being shown.' That is exactly what the amendment proposes that imprisonment should be the rule which should only be departed from on due cause being shown. So that it is in accordance not only with the proposal of the Punjab Government and with the letter from Mr. Lyall which has been read by His Honor the Lieutenant Governor, but I think it worthy of remark that every member who has spoken, with one exception, has expressed himself in favour of the principle of the amendment, and that the grounds which have been urged against the amendment, if they were well founded would have shown themselves during the long interval between 1855 and 1877, when such decrees were made, but were not enforceable except at the discretion of the Court, and that no such difficulty appears to have ever arisen. I therefore earnestly hope that the Council will see its way to replace the law in the condition in which it was at the commencement of 1877, and to get rid of what, I am bound to maintain, is a modern excrescence introduced by accident, under what I cannot help thinking was a misapprehension on the part of my friend Mr. Whitley Stokes, and to leave the law to work for the future in the form in which it did work satisfactorily enough down to eighteen years ago."

ACT V OF 1891 (POLICE) AMENDMENT BILL.

[The Hon'ble SIR ANTONY MACDONNELL, moved that the Report of the Select Committee on the Bill to amend Act V of 1859 (*an Act for the Regulation of Police*) be taken into consideration.]

The Hon'ble MR. MEHTA moved as an amendment to the Hon'ble Sir Antony MacDonnell's motion that the Bill as amended by the Select Committee be published in the local official Gazettes of the Presidencies of Fort St. George and Bombay in English and in such other languages as the local Governments think fit and be referred for opinion to those Governments, and that the Bill be recommitted to the Select Committee for further report after consideration of such opinions and representations as may be received in respect thereof. He said :—" My Lord, the necessity for the amendment which I move arises from the somewhat unexpected manner in which the Select Committee has suddenly proposed to modify a section in the present Act which was not originally dealt with in the Bill, namely, section 46 of the Act. That section empowers the Government of India to extend the whole of the Act to any presidency, province or place. The Select Committee now propose by a new section (section 15 of the amended Bill) to modify that section so as to enable Government to extend a part of the Act as well as the whole. Under the Bill as it was originally introduced, which did not in any way touch section 46, there was no practical probability of its proposed provisions affecting the Presidencies of Madras and Bombay. That such was the view entertained by the Government of India is manifest from the circumstance that while the Bill was sent for publication and opinion to the Provinces of Bengal, North-Western Provinces and Oudh, Punjab, the Central Provinces, Burma, Assam and Coorg, and for opinion to Ajmere, British Baluchistan, Hyderabad, and the High Court of Calcutta, it was not so sent to Madras and Bombay. In both these Presidencies there are special Police Acts, dealing minutely with the constitution, organization and the discipline of the police-force. With regard to

Madras, the District Police of that Presidency is governed by the Provisions of Act XXIV of 1859 of the Governor General in Council. While this Act has provisions in sections 13 and 14 for employment of additional police-officers on the application and at the cost of private individuals, and for the appointment of an additional force in the neighbourhood of any railway, canal or other public work, at the expense of any company carrying on such works, which closely correspond with sections 13 and 14 of the Police Act, V of 1861, there are no sections in it corresponding either with section 15 of the latter Act, or to the sections which are now proposed to be substituted for that section by the amending Bill before the Council for quartering additional police in disturbed or dangerous districts, or for the additional section proposed to be added for award of compensation to sufferers from misconduct of the inhabitants or persons interested in the land in those districts. Similarly, while section 49 of Act XXIV of 1859 provides for the regulation of public assemblies and processions and for the use of music in the streets on the occasion of Native festivals and ceremonies, there is no section in it corresponding to clauses (2) and (3) of section 30 and the whole of section 31A as proposed to be substituted or added by sections 10 and 11 of the amended Bill. In the Presidency of Bombay, the regulation and control of the district police has been from early times a matter of local enactment. Sir George Clerk first took up the subject in 1856, and when he returned a second time as Governor further developed his scheme and placed the police on a basis which was governed to some extent by the ideas embodied in the general Police Act of 1861 of the Government of India, which was not adopted in and applied to Bombay. In 1869 the matter was again dealt with fully in Bombay Act VII of 1869, which governed the law on the subject till the present Bombay District Police Act, 1890, was passed by the local Legislature in the time of Lord Reay. The Act of 1867 was not, however, repealed in Sindh, where it is still in operation. Both the Acts of 1867 and 1890 have sections—sections 16 and 25, respectively—closely modelled on section 15 of the general Act V of 1861 for employment of additional

police in local areas in a disturbed or dangerous state. But they are materially different from the sections proposed to be introduced in the same behalf by the Bill as originally introduced and also as amended by the Select Committee. Section 16 of the Act of 1867 provided that cost of the additional police may be defrayed by a local rate charged on the part of the country described in the notification, and the Collector, on the requisition of the magistrate of the district, was empowered to levy the amount by such an assessment on the inhabitants thereof as the Collector should in his discretion think just. The Act of 1890 now provides by section 25, sub-section (2), that the cost of the additional police shall, if Government so direct, be defrayed either wholly or partly, by a rate charged on the inhabitants generally or on any particular section of the inhabitants of the local area. Neither of the two Acts contain any such power as is now proposed to be given by section 4 of the amended Bill to render absentee landowners and inamdars liable or 'to exempt any persons or class or section of the inhabitants (made liable in the proclaimed area) from liability to bear any portion of such cost.' With regard to the new sections in the amended Bill for award of compensation to sufferers from misconduct of the inhabitants or persons interested in land, there is absolutely nothing corresponding to them in either of the two Bombay Acts of 1867 or 1890. Again, sub-sections (2) and (3) of the new section 30 proposed to be substituted by section 10 of the amended Bill have nothing corresponding to them in the Bombay Acts. It will be thus seen that the Bill before the Council proposes important and material alterations and additions to the Police Acts prevailing in the Presidencies of Madras and Bombay. As the Bill was first introduced, there was no reasonable prospect of the new provisions threatening to invade these Presidencies, because it would not have been practicable, as I have pointed out above, though not illegal, to apply to them the entire Act, which alone section 46, untouched as it was by the original Bill, empowered the Government of India to do. But the Select Committee have

suddenly thought it advisable to recommend that the net should be cast far and wide, so that the two Presidencies may also be secured within its meshes. It may not have been the conscious intention of the Select Committee to do so; but anyhow the two Presidencies are now made easily and directly liable to have the new provisions made applicable to them by virtue of the modification of section 46, embodied in section 15 of the Bill, whereby any one part of the Act may be extended to any presidency, province or place. There would now be no fear of serious dislocation or disarrangement of the machinery of police in these presidencies, as would inevitably be the case in extending the whole Act. It could only have been in view of their practical exclusion from the operation of the proposed legislation that the Bill was not referred to them for opinion and publication. Now that the prospect is drawn closer within measurable distance, I submit, my Lord, that it is only fair and reasonable that the opportunity which was given to the other presidencies and provinces and places should not be denied to these two great and important divisions.

“ It might not, perhaps, have been necessary or desirable to press my motion if the Bill had emerged from the Select Committee really shorn of its most objectionable features. It is true that the Select Committee claim to have made important changes in some of the most obnoxious sections of the Bill. But, when closely examined, the change turns out to be only a theatrical transformation after all. Some paint and some powder have been no doubt used to soften the features, and new and flowing habiliments have been thrown over the gaunt spectre, but beneath the bland smile and the respectable attire the cloven foot is visible after all. The sections in the Bill as introduced boldly gave power to the executive to differentiate as they pleased; the amended Bill endeavours to carry out the same object by giving them power to exempt whomever they liked, by whisking them out by a backdoor. The Select Committee evidently seem to think that, as the public could not be persuaded to advance in the direction of the Bill

by being pulled from the front, they had better try the Hibernian device of pulling by the tail from behind. In spite, however, of the explanations and arguments of the Hon'ble Member in charge of the Bill, into the details of which it would not be right to enter now, to my mind the amended Bill essentially remains what it has been well described to be in the representation of the European and Anglo-Indian Defence Association 'an unwise and impolitic measure calculated to work very grave and serious injustice, and certain to cause much disaffection.' This estimate of its character and tendency has been almost unanimously endorsed by the Indian as well as the Anglo-Indian Press of the whole country.

"My motion, if passed, will no doubt entail considerable delay. But I trust, my Lord, that the Hon'ble Member in charge of the Bill will not oppose it on that account. His justification for its main provisions has been largely placed by him in his desire to save the innocent from being punished with the guilty. But I may be allowed to hope that his passionate devotion to a high ideal of perfect justice will not lead him to try to achieve it by starting with an act of injustice to the two Presidencies which are entitled to be heard on a measure affecting some of their most important interests. It has not been urged that the measure is one of any pressing emergency. On the contrary, one may venture to say that it is eminently one of a character which it would be politic and desirable to remove from the present moment, till the sentiments and passions roused by recent events have in a great measure, if not entirely, subsided, so as to allow of a calm and dispassionate consideration."

[The Hon'ble SIR GRIFFITH EVANS moved that the following be substituted for sub-section (5) of section 15 of Act V of 1861, as proposed to be substituted by section 4 of the Bill as amended by the Select Committee, namely :—

'It shall be lawful for the Local Government by order to exempt any persons or class or section of such inhabitants from liability to bear any portion of such cost.']

The Hon'ble Mr. MEHTA said :—“ I do not propose to oppose or support the Hon'ble Sir Griffith Evans' amendment on the point. It seems to me that the words 'the Local Government,' if substituted, will not alter matters appreciably, as it will be remembered that the original words in the Bill were not simply 'the District Magistrate,' but 'the District Magistrate with the sanction of the Local Government.' In either case, the Local Government will act on the initiative and report of the District Magistrate. My objections to the section would apply equally to the section as it stood and to the section as it is sought to be amended.”

The Hon'ble Mr. MEHTA moved that sub-section (5) of section 15 of Act V of 1861, as proposed to be substituted by section 4 of the Bill as amended by the Select Committee, be omitted. He said :—“ My Lord, it is no doubt true, as I have already acknowledged, that the Select Committee has decked out this section in different habiliments from those which adorned it in the Bill as originally introduced. They have even done something more. They have pulled out the sting from the head. Only they have now quietly put it in the tail. They have deleted the arbitrary power of differentiation which it was first proposed to be vested in the District Magistrate, and then quietly reintroduced it at the bottom of the section under the disguise of a power of exemption; and they have done this with a vengeance. The District Magistrate can now exempt persons under sub-section (5) for any and no reason whatever as he may be swayed by his wisdom or his idiosyncrasy, his caution or his conceit, his impartiality or his prejudice. I am aware that under Sir Griffith Evans' amendment it will be now the Local Government, but it really only removes the matter

one step farther, because after all the Local Government will act on the report of the District Magistrate. My Lord, I have cordially recognised elsewhere on many occasions the great qualities which generally distinguish the members of the most distinguished service in the world, as they love to describe themselves, though I do not always think it either relevant or proper to sing perpetual hallelujahs in its honour whenever I may have occasion to speak of or refer to it. If I may be pardoned for indulging in so much personality, I will take the liberty of adding that I have even done it both by word and deed as far as I could do it in my small and restricted sphere of action. But I still maintain that no body of men should be entrusted with either the power of differentiation or the power of exemption as is now sought to be conferred on executive officers, who, with all their culture and all their training, cannot claim immunity from the common lot of human weakness and human frailty. In his speech on the occasion when the Bill was last before the Council, the Hon'ble Member in charge said :—

'The objections are suggested by the suspicions which the opponents of this Bill seem to entertain regarding the District Magistrate and his capacity for impartially holding the balance between parties in contentious circumstances or troublesome times. My Lord, I do not deny that Magistrates occasionally commit errors just as Judges do ; but our Magistrates and our Judges are drawn from the same class of public servants ; and I say without fear of contradiction that the natural capacity of our Magistrates and their honest desire to do their duty impartially and fairly are not less than those of Judges, as I should be sorry to say they are greater.'

“ It is a wonder to me, my Lord, how the hon'ble gentleman, whose reputation for distinguished ability is not confined to these provinces, should so completely miss the point of the objection. The slightest reflection will show him that the objection is not to the individual, but to the method. It is not that there is any comparison made between executive and judicial officers as to their respective abilities as official indivi-

duals. The objection is based upon the method which either officer is required to employ in arriving at a conclusion. I have no doubt that there are equally able men in the executive as in the judicial service though, indeed, among themselves, I believe, they think somewhat differently. Call him what you will, Magistrate or Judge, the objection will apply to him as soon as you entrust him with the power to set at naught all judicial form in performing a task like that of differentiation and exemption. But I trust I shall not be understood to urge that I should have no objection to the provisions for this purpose, if only they were required to be performed in judicial form. I am quite at one with the Hon'ble Member when he pointed out that 'an enquiry into individual cases for the purpose of exemption from the assessment is out of the question; and still more impracticable is an enquiry into degrees of guilt.' In fact, the task of exemption is not practicable either by summary or judicial procedure. In either way, to do a little justice you would have to run the risk of doing a great deal more injustice. The task which the Hon'ble Member has set himself in his desire for a nice perfection of justice to impose by this Bill is in reality an impossible one.

"Equally fallacious, and withal somewhat inconsistent besides, is his further plea that 'it is a measure not for the punishment but the prevention of crime.' I say inconsistent, because, if the object be so, then why worry oneself with nice provisions for accurate discrimination between innocence and guilt and with futile precautions for exempting the innocent? Surely all police is preventive, and the burden of it falls upon the innocent and the guilty alike. Nobody has yet proposed that the cost of the general police should be levied only from the inmates of jails or that peaceful and virtuous citizens should be allowed to claim exemption from the common burden. But the Hon'ble Member's argument is, moreover, altogether fallacious. So far as the quartering of the additional police in disturbed or dangerous districts is concerned, it is certainly a measure for prevention of crime, but the moment it

proceeds to impose the burden of the cost upon the disturbers of the peace, it is no less surely a measure of punishment, though, of course, like all measures of punishment, it indirectly has also prevention for one of its main objects. Its popular designation of a punitive post is undoubtedly correct. But it seems to me that the argument as to the object being punishment or prevention is entirely beside the mark. The plain issue is that, whatever may be the object, whether it is practicable and expedient to differentiate or exempt in the apportionment of the cost. The contention of those opposed to the section is that it is an object which is neither attainable in practice nor expedient in policy. When the Hon'ble Member urged that 'this Council should not proceed on any assumption other than that the laws it makes will be prudently and fairly and effectively administered,' he forgot, what has been well pointed out, that the science of politics bears in one respect a close analogy to the science of mechanics. The mathematician proceeds on the supposition that the machinery is such as no load will bend or break. If the engineer who has to lift a great mass of real granite by the instrumentality of real timber and real hemp should absolutely rely upon mathematical propositions and should make no allowance for the imperfection of his materials, his whole apparatus of beams, wheels and ropes would soon come down in ruin. What the engineer is to the mathematician, the active statesman is to the contemplative statesman, and the Hon'ble Member will pardon me for saying that he is acting like the contemplative statesman who does not realise the necessary imperfections of the human implements who have to work and carry out the laws which this Council may make, and imagines that the executive machinery is such as no load will bend or break.

"The second innovation which the section proposes to make in the existing law consists in the attempt to include among inhabitants of an area, and as such liable to be assessed, all persons who by their agents or servants hold immoveable

property therein, or who by themselves, their agents or servants collect rents from tenants in such area, notwithstanding that they do not actually reside there."

The Hon'ble SIR ANTONY MACDONNELL:—"My Lord, I should wish to speak to a point of order. The question of 'inhabitants' is not included, as I understand it, in the amendment of the Hon'ble Member. The Hon'ble Member's amendment is that sub-section (5) of section 15 of Act V of 1861 as proposed to be substituted by section 4 of the Bill as amended by the Select Committee be omitted, and the question of exemption is a separate point.

"It is an important matter, and it would seriously inconvenience me in replying to the Hon'ble Member if I have to reply upon two distinct points at once."

HIS EXCELLENCY THE PRESIDENT:—"I think it is a separate amendment."

The Hon'ble MR. MEHTA:—"Very well, my Lord, I will reserve my detailed observations on that point till afterwards.

"All the objections urged above to the power of exemption apply with even greater force to this proposal, inasmuch as it opens up a vaster vista for the mischievous play of rumour and suspicion. I do not know what the Select Committee really mean by saying that in thus extending the definition of inhabitants they follow the principle of the English law on the subject. If they mean that the police-rate in England is chargeable on immovable holdings, that may be correct, but then the illustration is scarcely to the point at issue regarding liability for a punitive force. However that may be, it is sought to conciliate absentee landlords by pointing out in the Report that the power to exempt persons has been inserted with the object of enabling the Magistrate to exempt individual holders of property in the area. I have always thought that

;

the political genius of the English people was conservative and practical ; and never to lay down any proposition of wider extent than the particular case for which it is necessary to provide was one of the principles which have generally guided English legislation. But, if the power to exempt 'persons' could enable the Magistrate to exempt individual holders of property, it could equally enable him to exempt persons not holders of property at all, and thus the measure becomes a measure capable of dealing with individuals, whether landlords or not, though the Hon'ble Member in charge has always strenuously maintained that it was not the intention of the Government to give any power to deal with individuals either with the view of exemption or punishment, except in the case of absentee landlords. The section is, indeed, unjustifiable from whatever point of view you look at it, and to my mind nothing so hopelessly condemns it as the circumstance that an Hon'ble Member who is justly distinguished throughout all India for the highest capacity and the most cultured liberality of thought and judgment should be unable to support it by any arguments which, on the most ordinary examination, do not crumble into a tangle of fallacies and misconceptions, *e. g.*, like his laboured defence of the preventive as against the punitive character of the additional police.

" On the last occasion, my Lord, I deliberately abstained from referring, except very briefly, to the considerations which stamp this measure as gravely impolitic and singularly ill-timed. It would be futile to discuss these considerations unless they were discussed fully. It would be, however, most undesirable to revive feelings which we should all strive to set at rest. The task has besides to a certain extent been ably performed by the organs of the public Press ; and I trust that Government will still reconsider their position in view of the singular unanimity with which nearly every Anglo-Indian paper of note, in common with the Indian Press, has condemned this measure as unwise and impolitic. That it is not impossible for executive officers to err seriously in their estimate of

parties responsible for disturbances has been signally shown in the judicial results of the Poona riot cases, with the final rejection by the High Court of the appeal made by Government. It would be deplorable to multiply occasions when such errors might be repeated, and the grave impolicy of this measure lies in creating them for the contemplative purpose of striving after a sentimental perfection of justice. The Knights of the Round Table rushed to the quest of the Holy Grail without taking account of human passions and frailties, and we know the ending. It may be a pure tale of romance, but the great truth which underlies it is one which we can always remember with profit."

* * * *

The Hon'ble MR. MEHTA said,—" I wish to offer in reply only one remark which will apply equally to the repeated observations of Sir Antony MacDonnell with regard to the experience of the Bombay Government and to those of Sir Griffith Evans as to the immunity of the Local Government from being led astray. I wished, my Lord, not to be led into a discussion of the action of the Bombay Government, or, indeed, to discuss in detail the lessons to be derived from the action of the executive during the recent disturbances, but as the Hon'ble Member has harped so often upon the experience of the Bombay Government, I must say, my Lord, that that experience has been judicially demonstrated not to be of an encouraging character and to point the moral entirely the other way. The experience of the Poona riots, to which I alluded but briefly, conclusively shows that, with the best of intentions and what are called the most careful enquiries of the executive officers, they hopelessly went wrong in their estimate and moral conviction regarding the liabilities and the respective parts taken by the parties concerned in those riots. And equally did the Bombay Government go wrong acting upon the so-called careful enquiries and opinions of its executive officers. This has been established by a series of judicial decisions, the

appeal against which by the Bombay Government has been recently rejected by the High Court. The experience of the Bombay Government only shows how liable executive officers are to make serious blunders, the result of which, as in the Bombay Presidency, is to create deep exasperation among a large and important community.”

[The Hon'ble Mohny Mohun Roy moved that Sec. c. 4 of the Bill be omitted.]

The Hon'ble MR. MEHTA said:—“ I have already said what I had to say on this section in moving my amendment. The Hon'ble Member in charge of the Bill tells us that he has furnished us with arguments ; he could not furnish us with brains—I beg the Hon'ble Member's pardon, I mean the capacity to appreciate and understand his arguments. But how does his case stand? He gave out all his arguments when he moved for a Select Committee, and not only the Indian Press, but nearly the whole of the Anglo-Indian Press, the Anglo-Indian Defence Association, and last but not least the Bengal Chamber of Commerce,* they have all failed to be

* *From Secretary, European and Anglo-Indian Defence Association, to Secretary to Government of India, Legislative Department,—(No. 536, dated 13th February 1895).*

I HAVE the honour to submit the following observations of the Council of the European and Anglo-Indian Defence Association on the “Bill to amend Act V of 1861” and to ask that they may be considered.

1. The first paragraph of the new section 15 appears to be identical with the first paragraph of the old section 15, but the rest of the section appears to be most objectionable for the following amongst other reasons .—

- (a) It gives to District Magistrates power over the property of Her Majesty's subjects which ought never and least of all at the present time to be vested in them.

convinced by his arguments and have pronounced the Bill

- (b) Though the object may be prevention, and one if not the chief object of punishment is prevention, it gives District Magistrates power to punish people for having, in the opinion of the Magistrate however formed, caused or contributed to the disturbance or any other cause which may have led to the quartering of the additional police-force and this without necessarily any enquiries and without giving those about to be so punished any opportunity of showing cause.
- (c) To punish a man without giving him an opportunity of showing cause has in all ages been held to be contrary to the first principles of natural justice.
- (d) Any person "having an interest in land" is made liable. If such a provision is to be introduced at all it ought to be limited to a holder of land and the measure of his liability ought to be the income that he derives from that land.

2. The new section 15 A is objectionable on the above grounds and also upon amongst others the following grounds —

- (a) It gives the Magistrate in his executive capacity concurrent jurisdiction with the Criminal and the Civil Courts and surely it cannot be intended that claimants should have this as a further and additional means of prosecuting their complaints.
- (b) There seems to be no precedent for giving Magistrates such vague and indefinite powers to deal with what is vaguely described as misconduct without necessarily any observance or recognition of any legal principles, and upon principle no such precedent ought to be established.

3. The only justification for the quartering of punitive police or the levying of fines from districts is that offenders cannot be discovered by the ordinary law. If the law cannot reach them it is because evidence cannot be obtained of their guilt. It seems contrary to justice to give under these circumstances any officers the power of punishing those against whom there is no evidence but who in their opinion are the guilty parties. If it be looked upon as a power of exempting those who in the opinion of the Magistrate are innocent it is little less objectionable, for the elimination of such persons will leave those who in his opinion are guilty and those who in his opinion are or may be innocent to bear together a heavier burden.

4. This Council feel bound to express their opinion that the Bill as it stands is an unwise and impolitic measure calculated to work very grave and serious injustice and certain to cause much disaffection. Should the Bill be modified in Select Committee and should the Government determine to proceed with it this Council trust that sufficient time will be allowed for the consideration by the public of the Bill as amended,

(Signed) W. C. MADGE,
Secretary.

unwise and impolitic. If the Hon'ble Member will pardon

BENGAL CHAMBER OF COMMERCE.

Calcutta, 20th February 1895.

No. 223-'05.

FROM

S. E. J. CLARKE, Esq.,
Secretary, Bengal Chamber of Commerce.

TO

J. M. MACPHERSON, Esq.,
*Officiating Secretary to the Government of India,
Legislative Department.*

SIR,

The Committee of the Chamber of Commerce had their attention drawn to the Bill now before the Council of His Excellency the Governor-General for making laws and Regulations, being a Bill to amend the Act V of 1861, for the Regulation of Police, and referred its consideration to a Special Committee of the Chamber. That Special Committee has reported that—"no amendment in the existing law is called for by the circumstances of the country." They also report—"that they view with "alarm the arbitrary and unusual powers which the amended law would confer upon "magistrates, who, from the nature of the matters dealt with, must of necessity "be to a large extent in hands of the police."

2. The subject had also attracted the strong attention of the Indian Tea Association who have addressed the Chamber to the same effect, and copy of whose letter is annexed hereto for your information.

3. It seems to the Committee that sections 154, 155, and 156 of the Indian Penal Code sufficiently provide for riots and disturbances connected with land. Again, sections 13, 14, and 15 of Act V of 1861 give ample power to Magistrates and the police for the preservation of order, and the punishment of disorder in cases where riots, disturbances or disorders may arise from other causes than those connected with land. And if in England the expense is to be borne by the police rate of a police district, or a part of a police district, the meaning sought to be put upon the term 'inhabitant' is strained, and the principle enunciated in section 15 of the Act of 1861, is more consonant with the principle of English law than the scheme set out in the amended Bill.

4. The Committee cannot, in the interests of those they represent,—the trading classes scattered throughout this great province,—view with any approval a project of law which places upon the Magistrate the duty of discriminating, in times of excitement and disturbance, between those who are innocent and those who are guilty. They think such a task is beyond the ability of any officer, however well informed or zealous he may be, and they also think that it may not improbably compromise that attitude of grave yet stern impartiality towards all religious sections which now characterises the action of Government. A slight error of judgment would be sufficient to direct against Government those forces of

me for doing so, will he allow me to remind him of a bit from the greatest of dramatists—Shakespeare—who makes Cassio insist that he was sober and it was the others who were drunk. His arguments and those of the other official Hon'ble Members all harp upon the excellence of the objects

fanaticism which every one who wishes well to the country must deplore as now not unfrequently operating to array section against section. Such a result however brought about would be a grave misfortune. For these reasons the Committee support and confirm the representations of the Sub-Committee and of the Indian Tea Association.

I have the honor to be,

SIR,

Your most obedient servant,

(Sd.) S. E. J. CLARKE,

Secretary.

ACCOMPANIMENT :

Letter No. 36-O dated 18th February 1895 from Indian Tea Association to Chamber.

INDIAN TEA ASSOCIATION.

Nos 1 & 2 CLIVE STREET,

CALCUTTA, 18th February 1895.

No. 36-O

THE SECRETARY,

Bengal Chamber of Commerce.

DEAR SIR,

I am directed by the General Committee, who have had their attention drawn to the Bill to amend Act V of 1861 (an Act for the regulation of Police) now before the Legislative Council of the Government of India, and have discussed its provisions, to say that they trust the Committee of the Chamber will record a strong protest against the Bill being passed into Law, as being uncalled for by the circumstances of the country and conferring powers of much too wide and arbitrary a nature upon District Magistrates.

Yours faithfully

(Sd.) W. PARSONS,

Assistant Secretary.

and intentions with which this Bill is introduced. My Lord, nobody has questioned that the object and intentions with which the Government of India has brought in this Bill are most excellent. I certainly do not question them for one moment. But the question is not, whether your objects and intentions are excellent, but whether the measures by which those objects and those intentions are sought to be carried out are calculated to do so, and whether, in carrying some of them out, you are not adopting measures which will not create mischief in other numerous directions. We say it is the latter which the Bill is calculated to do. It is all very well to talk of careful enquiries and prudent administration. But let us try for a moment to realize what these things mean in actual practice and in detailed action. I speak from a somewhat long experience of nearly every district of the Bombay Presidency in the course of professional employment, and I say that the District Magistrate is largely dependent—I do not say entirely—on the enquiries and information of his assistant, who in his turn is dependent on the lower officers. They no doubt make some enquiries of their own, but they are largely controlled by those of the lower officers, police and others. Now I do not wish to say that all these lower officers are bad and unreliable; many of them make excellent officers. But still the fact is that on important occasions they are likely to be swayed by influences in which interest, prejudice and partiality may largely enter. This opens an immense door to abuse and oppression. The higher officers are not often in a position to discriminate between the reliance to be placed on these lower officers and are often carried away by the initial taint. This is why we say that the task of exempting and discriminating should not be undertaken at all."

The Hon'ble Mr. MEHTA moved that section 5 of the Bill as amended by the Select Committee be omitted. He said :—"I may be permitted respectfully but firmly to say that

I find it difficult to believe that the Government have fully realised the gravity of the step that they ask the Council to take in putting on the Statute-book a provision so extraordinary as that embodied in this section. What is sought by this section to do is to empower the Magistrate of the district, or rather the officer who in other respects is Magistrate of the district, to grant compensation for damages by riots to whomsoever he thinks fit, and from whomever he thinks proper, without trial or judicial enquiry. This is a procedure so repugnant to all systems of enlightened legislation that the Hon'ble Member in charge of the Bill has felt compelled to cite analogy and precedent. He could find none within the length and breadth of the Indian Continent; so with a courage which is almost startling in its utter fearlessness he crosses over the seas to the land, above all others, of free Englishmen. 'The clause,' says the Hon'ble Member, 'is adopted from the English Statute 49 & 50 Vict., cap. 38, and is merely an adaptation of an ancient and existing principle of English law to the circumstances of this country.' My Lord, it is a remarkable fact that when rights and privileges corresponding to those prevailing in England are claimed for this country, it is immediately discovered that the circumstances and historic associations of the two countries are ever so different. But when it is a question of imposing burdens and disabilities, the closest analogy is as patent as daylight. I do not for a moment mean to question that there might not be occasions when both these propositions might not be found to be perfectly true. But, recognising the limitations of the human judgment, it is very desirable that such assertions should be closely scrutinised. Now, my Lord, when the Hon'ble Member drew out an English Statute for analogy, I confess that for the moment it took my breath away, and made me feel extremely foolish and crestfallen about my ignorance. But equally strong was the re-action and the amazement when, on referring to the Statute, I found that the Hon'ble Member's analogy was as perfect as the definition which was once given of a crab, namely, that a crab is a red fish which walks backwards. We know the criticism upon

that definition—that it was perfectly correct, except that the crab was not a fish, that it was not red, and that it did not walk backwards. Similarly, the Hon'ble Member's analogy is quite perfect, except, firstly, the English Statute deals only with counties, boroughs and towns which maintain a separate police-force of their own, and not, as the proposed section does, with districts where the police is maintained and paid by Local Governments out of Provincial funds. Secondly, the police authority referred to in the Statute is as different from the District Magistrate of the section as a European from an Asiatic; the designation technically stands in the Statute for the Common Council of the City of London, for the Mayor, Aldermen, and burgesses of boroughs, and Justices in general or quarter-sessions assembled in the case of counties. Thirdly, the Statute provides for no compulsory award of compensation against these bodies; it only enables parties to lay their claims before them under certain limitations. But, above all, section 4 of the Statute is the most instructive. The local bodies representing the inhabitants of the district may refuse to entertain the claim, and then, says the section, the only remedy is to bring an action against them to recover the claim for compensation. It is difficult to see how anybody could have discovered an analogy between the English Statute and the legislation now proposed, so diametrically opposed are they in their objects, their principles and their operation. The English Statute, recognizing the liability for the inefficiency of the police of those liable to maintain it, provides only for a mode of settlement out of Court if that were possible; it does not dream of compelling the award of compensation without the safeguards of a judicial enquiry.

“ Leaving analogy and precedent alone, the Hon'ble Member in charge of the Bill is not more happy in his attempt to justify it on its own merits. The criticism on it which I find in a petition made by the Indian Relief Society (Paper No. 14) seems to me to be absolutely conclusive and just. In his speech on the last occasion the Hon'ble Member said :—

'The actual perpetrators of the injury committed by a riotous crowd are usually unknown; and, even if they were known, they are often bad characters and men of straw, while the sufferers are, as a rule, poor men, who cannot pay the costs of a civil suit. To relegate them in such circumstances to the uncertain issues and expense of a lawsuit is to give them no redress.'

"Referring to this, the petition of the Society says:—

'The Committee are unable to discover the true meaning of this. Does it mean that, the actual perpetrators being unknowable, other persons near at hand are to be assessed to pay damages, or they when discovered, being men of straw, their rich neighbours are to be mulcted in damages by order of the executive?'

"To understand the full force of this criticism, it must be borne in mind that the Hon'ble Member in this as in the preceding section is not contemplating the imposition of the burden upon the inhabitants generally, but upon them, *minus* the inhabitants exempted for unknown reasons by the executive, one of them perhaps being that the exempted persons are innocent. The argument of the Hon'ble Member really amounts to this that the guilty should be assessed, but they are either unknown or men of straw, therefore give us power to assess people not proved guilty as being guilty and rich. My Lord, it seems to me that this proposal is brought before the Council without being fully considered or thought out. It is absolutely unprecedented in any system of enlightened administration, and it is still more absolutely condemned by the public voice of the whole country, to which is now added the emphatic protest forwarded by the Bengal Chamber of Commerce."

* * * * *

The Hon'ble MR. MEHTA said:—"When the Hon'ble the Legal Member said that the executive authorities may be trusted to deal with claims for compensation under the section in the same manner as the 'police-authority' under the English Statute, I should like to point out that he was forgetting the essential difference between the two bodies. I have already

pointed out that the 'police-authority' of the Statute stands in technical language for the corporations of the towns and the benches of Justices of Counties, that is to say, for the local bodies who maintain their own police and who have to pay the cost from their own pockets by taxing themselves to levy a police-rate for the purpose. They can, therefore, well be trusted to scrutinize claims against themselves. The executive authorities under the section have, on the other hand, only to put their hands in other people's pockets. But what Hon'ble Members who oppose my motion forget most is that under the Statute the claim is made for the purpose of ascertaining whether the party against whom it is made is prepared to admit it, otherwise the only resort is an action at law. That is very different from a District Magistrate awarding compulsory compensation without the consent or, if he likes it, without even consulting the parties who are ordered to pay it. The rest of the arguments of the Hon'ble Members proceed upon a misconception of our position in this matter. We have not said and we do not say that parties who have suffered damage from riots should not be compensated at all. In England, the hundred is liable, because in England the police is local, and the hundred maintains it. In India it is different, and the cost of the district police is not localized, but is paid out of general funds. *Prima facie*, the compensation should come out in the same way. But, even admitting that it were right to make special areas liable, our main contention is that that liability should be adjudged judicially like all other pecuniary liabilities, and that executive officers should not be vested with the power of adjudging it arbitrarily without trial and judicial enquiry, in which both sides could be heard."

* * * *

The Hon'ble MR. MEHTA, with the permission of His Excellency the President, then moved the two following amendments which stood in his name together :—

That the following be substituted for section 10 of the Bill as amended by the Select Committee, namely :—

"10. For section 30 of the said Act the following shall be substituted, namely:—

'30. (1) In any case of an actual or intended religious or ceremonial or corporate display or exhibition or organized assemblage in any street as to which or the conduct of or participation in which it shall appear to the Magistrate of the district that a dispute or contention exists which is likely to lead to grave disturbance of the peace, such Magistrate may give such orders as to the conduct of the persons concerned towards each other and towards the public as he shall deem necessary and reasonable under the circumstances, regard being had to the apparent legal rights and to any established practice of the parties and of the persons interested. Every such order shall be published in the town or place wherein it is to operate, and all persons concerned shall be bound to conform to the same.

'(2) Any order made under the foregoing sub-section shall be subject to a decree, injunction or order made by a Court having jurisdiction, and shall be recalled or altered on its being made to appear to the Magistrate of the district that such order is inconsistent with a judgment, decree, injunction or order of such Court, on the complaint, suit or application of any person interested, as to the rights and duties of any persons affected by the order aforesaid.'

And that the following be substituted for section 11 of the Bill as amended by the Select Committee, namely:—

"11. After section 30 of the said Act the following shall be inserted, namely:—

'30A. (1) The District Superintendent or an Assistant District Superintendent of Police may, subject to any rule or order which may at any time be legally made by any Magistrate or other authority duly empowered in this behalf,—

- (a) make rules for and direct the conduct of assemblies and processions and moving crowds or assemblages on or along the streets, and prescribe, in the case of processions, the routes by which, the order in which, and the times at which the same may pass;

(b) regulate and control, by the grant of licenses or otherwise, the playing of music, the beating of drums, tomtoms or other instruments and the blowing or sounding of horns or other noisy instruments in or near a street ;

(c) make reasonable orders subordinate to and in furtherance of any order made by a Magistrate under section 30.

(2) Every rule and order made under this section shall be published at or near the place where it is to operate or shall be notified to the person affected thereby, and all persons concerned shall be bound to act conformably thereto.' "

The Hon'ble Member said:—"I do not propose to detain the Council at any length on this motion, as I recognize that, on whichever side may be the arguments, the votes are certainly on the side of the Hon'ble Member who protects the Bill. The Hon'ble Member is so much in love with the experiments of the Bombay Legislature, that my amendment aims at substituting the corresponding sections of the Bombay District Police Act of 1890 for those in the Bill. I have copied the sections in my amendment word by word from the Bombay Act. The Hon'ble Mr. Stevens, who says that he has industriously waded through the debates in the Local Council on that Act, will no doubt remember that it was the avowed object of Lord Reay's Government that in imposing new duties, liabilities and restrictions they acknowledged at the same time their obligation to provide safeguards against the abuse of the powers vested in the police and the executive. The difference in the Bombay sections and the sections in the Bill is that the former incorporates safeguards, and the latter does not. For example, the orders of the Magistrate in the Bombay sections are controlled by the decisions of the Courts of law with regard to established rights of the parties. They regulate and control the use of music, but do not place it at the mercy of the executive. If we are to be consistent, let us follow the Bombay legislation on both sides and not simply take it up when convenient and drop it when it does not suit our purpose. My amendment gives the Council the opportunity of showing whether the affection for the Bombay Act is real or not."

*MEETING OF THE COUNCIL ON THURSDAY
THE 28th MARCH 1895.*

Discussion on the Financial Statement.

The Hon'ble MR. MEHTA said :—" My Lord, in presenting the Financial Statement for 1893-94, Sir David Barbour concluded his remarks on the existing position and future policy by saying—

' Even under present circumstances, when the horizon is dark with the approach of what may prove to be the greatest financial convulsion of the present century, I do not draw back from the opinion I formerly expressed that the revenues of India are adequate to meet her wants ; but I wish to say in the most emphatic terms that, if the ship of State is to pass successfully through the storm which she is now entering our measures must be taken in due time, must be regulated by prudence and forethought, and must be carried into execution with strict regard to economy.'

" Many things have happened since then—currency legislation and new taxation—and now in a letter to the English *Times*, dated the 16th February of this year, Sir David Barbour again sees occasion to emphasize the urgent need of practising the old-fashioned virtue of economy. 'I am not one of those,' he says, 'who believe that India is on the verge of immediate bankruptcy, but I hold, and hold very strongly, that the Indian finances require at the present time the most careful and economic management.' It is from ~~the~~ point of view that I propose to offer a few observations on the Financial Statement that has been explained to the Council with a clearness and ability for which we cannot but be thankful. There can be no doubt that the right of discussing it, which has been bestowed upon this Council by the Indian Councils Act, 1892, is a most valuable privilege with large possibilities for the future. At the same time it is difficult not to feel that there is an element of unreality

about it, arising from the peculiar position occupied by the Financial Member in Your Excellency's Executive Council. In a very recent debate in the House of Lords, Lord Salisbury is reported to have borne testimony to the preponderating influence of the British Treasury and the Chancellor of the Exchequer in the counsels of the Ministry, and to have said that 'when the Treasury lays its hand upon any matter concerning the future development of the British Empire, the chances of an Imperial policy are small.' The position of the Indian Finance Minister seems to be very nearly the reverse of that of the British Chancellor of the Exchequer. The vulgar gaze is not allowed to penetrate behind the thick curtains that enshroud the sanctuary, but the priests of the tabernacle are sometimes human enough to disclose partial glimpses of the mysteries within. In a valuable paper on 'The Perilous Growth of Indian State Expenditure,' which may well be styled the Confessions of an Indian Finance Minister, Sir Auckland Colvin says that a 'Financial Member of Council is not at liberty to express in his annual Financial Statement his personal point of view on the collective policy of the Government of which he is a member.' But, freed from official chains, both Sir David Barbour and Sir Auckland Colvin, who between them represent the financial period between 1883 to 1892-93, have recently acknowledged that the constitution of the Government of India is such that there is no efficient control over expenditure, and that every Member of the Council, except the Financial Minister, is not only irresponsible for financial equilibrium, but is directly interested in spending, and as a matter of fact overpower all his appeals for economy and reduction. It is because we can never be sure that the views expressed in the Financial Statement are those of the Finance Minister himself that the unreality of which I spoke creeps in. I do not mean to say that these views are not necessarily his own, but, official as his utterances must be, there can be no assurance that they are also personal. I am aware that last year Sir James Westland took the opportunity of proclaiming the harmony which prevailed between him and the heads of the Military and Public

Works Departments. I think he even went so far as to give expression to his high appreciation of the generosity with which the Hon'ble the Military Member (General Sir Henry Brackenbury), taking pity on him at finding him 'grovelling in the dust: heaps among fish-maws and sharkfins' to meet a deficit of $3\frac{1}{2}$ crores, gave up to him, with tears in his eyes, stray 'kerosine-lamps, sweepers and hob-nailed boots.' And yet wonderful things have happened before, and wonderful things may happen still, and we may yet find the present Minister joining, in not a distant future, the noble band of financial Knights who consider that the great peril to which Indian finance is exposed lies not so much in exchange as in increasing expenditure. I do not deny that he is still firm in the gospel which he preached last year in introducing the Indian Tariff Bill, when he said that exchange, and exchange only, was the burden of his song. It may be that he himself may cherish this faith for evermore, but those who had the temerity to disagree with him can now derive some consolation from the fact that their discredited views are now endorsed by the two eminent financiers who were his immediate predecessors in succession. In a representation addressed last year to this Council (dated 12th March, 1894,) the Bombay Presidency Association ventured to point out that, disturbing as was the factor of falling exchange, the true causes of financial embarrassment lay more largely still in the disproportionate growth of expenditure. In dealing with that representation, the Hon'ble the Financial Member was very facetious over the pretensions of Native amateurs to show the most distinguished service in the world how they ought to govern India, and his mirth was especially aroused at their pretensions to teach him how to manage Indian finance.

" My Lord, I do not complain of the humorous shrift we got at the Hon'ble Member's hands, for it is the old quarrel between the author and his critics. Whenever the criticism is unfavourable, the author turns round upon the critic and contemptuously challenges him to construct instead of simply

finding fault. Still criticism is acknowledged to have its uses and though we may not be able to govern ourselves, we may not be so utterly useless in the humbler task of showing the pitfalls and smoothing the road. A year, however, has not elapsed since the contention of the Association was scoffed at and ridiculed, and we find that that very contention is sustained by one of the Hon'ble Member's predecessors. The representation of the Bombay Presidency Association was reproduced in a note presented to the Secretary of State for India by the British Committee of the Indian National Congress. In his paper on 'The Perilous Growth of Indian State Expenditure' to which I have already referred, this is what Sir Auckland Colvin has got to say about it:—

'The body which calls itself the Indian National Congress has not hitherto shown itself in my judgment very practical in its suggestions, but it is difficult to differ with a great deal of what it has got to say in this matter of expenditure. If this paper correctly interprets the meaning of the figures which are embodied in it, it shows that there are good grounds for the assertion in the recent 'Note' presented to Parliament by Sir William Wedderburn that it is more the growth of expenditure than the fall in exchange which has led to the present difficulties. The charges on account of exchange have become mainly formidable, because the administrative expenditure which has caused in chief measure the growth of those charges has been itself continuously increasing.'

"Though perhaps in a manner not quite so pointed and direct, Sir David Barbour has also since his retirement given expression to similar sentiments. At a meeting of the International Bi-Metallic Conference held in the spring of 1894, he summed up the Indian financial situation as follows:—

'The facts which I have brought to your notice may be briefly recapitulated—an Eastern country governed in accordance with expensive Western ideas, an immense and poor population, a narrow margin of possible additional taxation, claims for additional expenditure greatly in excess of possible additional revenue, a constant tendency for expenditure to outgrow revenue, a system of government in India favourable to increase of, and unfavourable to reduction of, expenditure, no finan-

cial control by intelligent and well-informed public opinion either in India or in England, an insufficient check on expenditure in India, a remote and imperfect control exercised from England, a revenue specially liable to fluctuations from year to year, large and growing foreign payments.'

" These are not the views of clumsy and pretentious Native would-be politicians, who audaciously presume to think that they could govern the Empire better, but those of distinguished men whose mature and tried knowledge and experience must command respect, confirming in the most remarkable manner the contention of the Association that it is the enormous increase of expenditure since 1885-86 which is more responsible even than the depreciated rupee for the embarrassed and critical state of Indian finance. But it has been argued that, though it is perfectly true that the expenditure has increased, the increase is justified by the needs of an expanding and progressive Empire. In discussing the present Budget I propose to go a step further than the Association did last year, and endeavour to show that, even if the need for the increase were academically incontrovertible, still it is unjustifiable, as being a burden beyond the capacity and resources of the country to bear without dangerous exhaustion. In introducing the Tariff Bill, the Hon'ble Sir James Westland tried to satisfy the Council that ' it was not by reason of any laxity in controlling expenditure that it was rendered necessary to ask for increased powers of taxation.' In the debate on the Budget last year, the Hon'ble General Sir Henry Brackenbury, was still more emphatic about the impossibility of reducing military expenditure. In replying to the invitation of the Hon'ble Mr. Playfair, to meet with some degree of fulness the arguments raised in certain quarters for the reduction of the military expenditure, the Hon'ble Member said :—

' My Lord, I have never seen such arguments, I have seen denunciations, I have seen invectives, I have seen statements and assertions, and have seen appeals to the Government of India to reduce

expenditure, but I have never seen one single argument. I have seen no argument put forward by anybody to show that military expenditure in this country could reasonably be reduced.'

"It seems to me that in these utterances both the Hon'ble Members miss one point which is indispensable for sound and solvent finance. Necessity of expenditure is after all a relative term. However great the necessity for a particular item of expenditure, that necessity must be controlled by the ways and means for incurring it and must be proportioned to the capacity for defraying the expenses of it. I have no doubt that if the increase of troops in 1886 had been 40,000 instead of 30,000, the Hon'ble Military Member would have spoken quite as peremptorily against any reasonable reduction of expenditure, and would be still roving quite as much in despair in quest of arguments. But the real question is whether the items of military and civil expenditure bear any just and reasonable proportion to the revenue that can be possibly realized from the country without incurring peril and exhaustion. What is the present position in this respect as disclosed by the Budget laid before the Council? Since 1885-86 the income-tax has been reimposed, or rather the license-tax has been developed into an income-tax and extended to Burma. A duty was imposed on petroleum. A patwari-cess has been levied in the North-Western Provinces and Oudh. The excise-duty on salt has been raised to within eight annas of the highest figure possible if salt is not to be placed beyond reach of the mass of the people. The import and cotton duties, with an excise-duty on yarn have been fully re-introduced. Altogether something like seven crores of fresh taxation have been imposed since 1885.

"Commenting on this state of things, Sir David Barbour wrote only the other day that 'the burden of taxation is in danger of becoming excessive, and that the further margin of resource to which taxation can be applied is incredibly small, both in itself and from pressure of political considerations.'

There is no present hope from exchange ; and loss by exchange can no longer be regarded as something separate from expenditure in regard to which it is incurred. It must be now taken as part and parcel of departmental cost. .

“Now let us see how the revenue raised after leaving a margin of reserve so exceedingly narrow is disbursed. Taking the legitimate revenue as pointed out by the present Secretary of State for India to be the amount realized from what are called the principal-heads of revenue, leaving out such heads as Railways, Irrigation, Post Office and Telegraph, of which the receipts and disbursements balance each other more or less, the total revenue for 1892-93 after deducting the cost of collection, was, speaking in round numbers, 51·6 crores of rupees. The Accounts of 1893-94 published the other day give the total net revenue for that year at 50·32 crores. The Revised Estimates for 1894-95 just given put it down for that year at 53·74 crores of rupees, and the Budget Estimate for 1895-96 comes to about 54 crores. We know that the item of land-revenue is by far the largest single item among the principal heads. In 1892-93 it amounted to 21 crores ; in 1893-94 to 21·67 crores ; and the Revised Estimates for 1894-95 give it at 21·4 crores, after deducting cost of collection. The Budget Estimate for 1895-96 takes it at 22·2 crores. The land-revenue is thus 40 to 41 per cent. of the total net revenue, and still it does not suffice to cover the annual military expenditure of any of these four years. In 1892-93 the cost of the Army Services (23·42), Special Defence Works (·45) and Military Buildings and Roads (1·15) amounted to 25·02 crores, which leaves an expenditure of 24·12 crores after deducting receipts (·9). To this has to be added the charge for interest on account of military railways which cannot be less than half a crore, but I cannot find the exact figures from the Indian accounts or the Parliamentary returns. The above figures leave out of account the cost of special political expeditions, subsidies and allowances to the Amir of Afghanistan, the Khyber Tribes and others, charges for organizing Imperial Service

Troops, and many other items which really and justly should be brought to the head of military expenditure. In 1893-1894 the military expenditure amounted to 23·87 crores of rupees, including and excluding items as in the previous year. The Revised Estimates for 1894-95 put it at 24·87 crores. In the Budget Estimates for 1895-96 it is taken at 25·52 crores.

“ What these figures mean is that military expenditure more than fully absorbs one-half of the whole net revenue of the country, or, to put it in another way, if you leave out of account the opium revenue, which cannot be relied on as stable owing to the competition of the home-grown drug in China, the military expenditure absorbs the whole of what has been called taxation revenue proper, derived from salt, stamps, excise, provincial rates, customs as now fully revived, income and other assessed taxes, forest, registration and tributes from Native States. Such a situation cannot but be regarded with serious anxiety but its gravity is immeasurably enhanced when we remember how the land-revenue is raised to the amount at which it stands. It has been said that the land-revenue is only the unearned increment, and the authority of John Stuart Mill and Professor Fawcett has been cited in support. Possibly it ought to be so in pure theory. But perversely enough in practice it has the knack of mixing up the earned as well as the unearned increment, and of carrying away the raiyat's fruits of his own labour and improvements along with that of his fickle luck. I admit that there are excellent rules laid down by Government for preventing undue severity in settlement and revision proceedings. But the ingenuity of Revenue officers is wonderful, and in spite of limits against over-enhancement the individual cultivator finds the settlement heavy beyond measure. Except in Bengal, four-fifths of the agricultural population is steeped in debt and poverty. If the saukar presses heavily against the raiyat, it is the Revenue-officer who has driven the raiyat into the hands of the saukar. But the tale does not end here. Heavy as the assessment mostly is, the rigidity and inelasticity of the system of collection

is more crushing still. The Commission appointed to enquire into the Dekkhan Agriculturists' Relief Act advocated a more liberal practice with regard to remissions and suspensions of revenue ; but the Bombay Government actually resented the recommendation as uncalled for and imprudent. The serious import of this state of things arises from the consideration that grand military preparations for protection against foreign invasion, or indeed anything else, are nothing to the cultivator unless he has got something appreciable to protect. It has also been argued that the Indian raiyat is the most lightly taxed subject in the whole world. But apart from the circumstance that the assessment he has to pay is both rent and tax combined, is it true that he pays no other tax than the salt-tax ? In debt all his life, does he not pay in stamps and court-fees for every application he makes to a Revenue-officer, for every process that is issued by or against him in the endless resort to Courts of one sort or another, and does he not pay registration fees for his perpetual transactions of bonds and mortgages and transfers ? Insufficiently fed all the year round, does he not pay the excise-duty on liquor and opium, raising the abkari revenue by leaps and bounds ? In a recent discussion in the Belgium Chambers, Mons. Lejeune, former Minister of Justice, pointed out from statistics that the consumption of spirits in Belgium had increased to an alarming extent, raising the excise-revenue from four millions of francs in 1851 to thirty-three millions in the present year, and that the principle reason for the increase was the insufficiency of food procurable by the labouring classes. It is a well-known fact that the cultivating labourer ekes out nourishment by the use of alcohol and opium. If he does not pay the income-tax, does he not pay the road and other cesses ? Has he not, since the new forest policy was introduced, contributed to the forest-revenue by paying grazing and other fees and charges which he never had to pay before ? As a matter of fact, the Indian raiyat goes through life carrying a load of many burdens on his back. My object in referring to these matters is to try to show that,

if revenue can only be raised in this manner, the expenditure for which this revenue is required to be raised, however academically reasonable or incontrovertible in itself, is beyond the capacity and resources of the country.

“In making the above remarks I have no intention of going into the question of the policy which has led to this enormous military expenditure. In answer to the representations in that behalf made in the petition of the Bombay Presidency Association I have referred to, the Hon'ble Sir James Westland said :—

‘I am afraid there is an irreconcilable difference of opinion between Your Excellency's Government and the Association. If the latter seriously mean to describe the policy of ‘preparedness’ on the North Western Frontier, which I admit has cost us very much on frontier railways, frontier road, and special defences, as a policy of adventure which has weakened the strength and stability of the Empire, I am afraid that no argument of mine will succeed in meeting the objections they raise to the expenditure involved.’

“I at once recognize the practically conclusive force of this argument and the consequent futility of further discussion. It is a little remarkable, however, that Sir Auckland Colvin seems to be under the impression, and that too in October, 1894, that ‘since 1885 onwards, so far as he was aware, Indian financiers have never budged from the position on this question of the increased military armaments. They have always uncompromisingly declared them to be hurried on at a cost beyond the resources of India. What has been done, has been done in spite of them and in the teeth of their remonstrances.’

“Possibly the present Finance Minister's acquiescence in the policy may be simply a cry of despair extorted by the utter hopelessness of combating it. The policy, as Sir Auckland Colvin says, is probably popular in England, which not only does not pay the Bill but largely profits by it. Anglo-Indian Society is also largely in favour of it for many obvious reasons.

Even my hon'ble and learned friend Sir Griffith Evans, who had in 1893 uttered words of wise warning in deprecation of the dangerous outcome of a well-equipped army in advance posts and borders pushed forward, and in military expeditions following wave-like one upon another, recanted the heresy last year and obtained full absolution from the Hon'ble the Military Member, with the full countenance and encouragement of my hon'ble friend Mr. Playfair. The cry of those who think otherwise can now only be a cry in the wilderness.

“ But, my Lord, I humbly venture to say that, if it is not possible to reduce military expenditure by any reduction in the Army or any halt in the ‘forward’ policy, then there is no other remedy for the embarrassment of Indian finance than to implore England and the English Treasury to be just and equitable in their demands for the cost and equipment of the troops they supply. In their despatch of 8th February, 1879, the Government of India earnestly represented that—

‘ placed as it was under the serious responsibility of so administering the affairs of the greatest dependency of the British Crown, that, while British supremacy is strictly guarded, the means of securing the end shall not unduly weigh on the people of the country, it was constrained to represent to Her Majesty's Government that the burden thrown upon India on account of the British troops is excessive beyond what an impartial judgment would assign in considering the relative material wealth of the two countries and the mutual obligations that subsist between them.’

“ Since then the British Army in India has been increased, and so has the intolerable hardship of an apportionment more and more one-sided and unjust. So competent an authority as Sir Charles Dilke unhesitatingly declared that in one portion of the charges only the War Office was levying £750,000 a year more than it was entitled to for several years. But the strangest part of the whole affair is that in India, where the entire Financial Statement of the whole Empire is supposed to be formally prepared and declared, there is no check here on

the demands made for the payments in England. Speaking of the Home Effective Army Estimates, the Hon'ble Sir Henry Brackenbury frankly confessed last year that—

' it is always a complicated business, and we can never know how much we shall have to pay in one year, and how much will hang over for the next ; but I can only say that the whole of those Effective Estimates are due to payments under the orders of the Secretary of State which it is very difficult for us to check.'

"In the two debates which took place in the House of Lords in 1893, at the instance of the Earl of Northbrook and the Duke of Argyll, it was abundantly made clear that for the last twenty years and more every Indian Secretary of State, Viceroy and Commander-in-Chief has protested against the gross and scandalous injustice with which India has been treated in this matter, and the Earl of Kimberley, then Secretary of State for India, confessed that ' the Indian Government have not, he thought, the same weight as the Home Government have.' ' Indeed,' he said, ' the India Office had no support.'

"As one instance of the way in which this country has been unrestrictedly overcharged, it will be remembered that in 1870 the British Treasury and the War Office hit upon the extraordinary plan under which year by year the actual pensions this country was supposed to be called upon to pay were capitalized and the actual value paid annually. This plan lasted till 1884, increasing the charge to something not less than four millions sterling, in spite of the protestations of the Secretary of State for India that ' this charge ought not to be put fairly upon the rate-payers of India, and that part of the increase was incurred owing to measures carried into effect by the British Government for purposes unconnected with India, such as the abolition of the purchase system and compulsory retirement of " officers." The fact is that the predominant partner in the concern has taken, and still takes, advantage of his superior position to press heavily on his weak and poor associate. The worst of it is that there does not

seem to be any prospect yet of obtaining a just relief. It is not a satisfactory way of dealing with the question, and, if I may be allowed to say so, not worthy of the honour and greatness of England, to meet all prayers for enquiry and equitable adjustment by mysterious threats of 'something worse and tables turned.' The same threats were held out when the Duke of Argyll protested against the principle of charging India for indirect benefits. On that principle the whole cost of British administration might be thrown on India, for that administration is absolutely indispensable for the existence of British rule in this country. In the present state of Indian finance, when difficulties surround it on every side, it is more than ever necessary to do justice to this country, for it is neither wise nor politic to raise bitter feelings of utter helplessness against financial pressure from all quarters. If the enormous military expenditure cannot be reduced by reducing the Army or by moderating the Home Army estimates, then who can say that Sir Auckland Colvin may not after all be a true prophet when Cassandra-like he says that 'Russia without moving a man or a gun need only bide her time, and that if slow and sure is her game, slowly and surely we shall be playing her hand for her. Your policy will in that case only succeed in strengthening the outposts at the heavy cost of irretrievably weakening the base.

"My Lord, I have spoken freely in the firm consciousness of a true and sincere loyalty, for if by loyalty is meant a keen solicitude for the safety and permanence of the Indian Empire in which I am persuaded lie implanted the roots of the welfare, prosperity and regeneration of this country, then I claim to be more loyal than Englishmen and Anglo-Indians themselves, who are sometimes led to subordinate the interests of that safety and that permanence to the impetuous impulses of a singularly brave spirit, to the seductions of conquest and imperial vain glory, or to the immediate gains and temptations of commercial enterprise.

“ Passing from military expenditure, I shall refer briefly to other burdens also too great for the capacity of the country. It is difficult to make out what portion of the sum of about seventeen crores represents the salaries of Civil officials drawing Rs. 1,000 and more, who are not already included in the Departments which are not taken in account in arriving at the net revenue and expenditure. But that it must be an enormous amount can be seen from the superannuation Retired and Compassionate Allowances and Civil Furlough and Absentee Allowances paid in England. In 1892-93 they amounted respectively to 2·7 crores and ·33 crores of rupees. The accounts just issued for 1893-94 do not give separately the charges paid in England and in India for the Superannuation and Pension Allowances ; but, making an approximately fair deduction of ·9 crores from the joint total of 3·86 crores, there remains very nearly three crores of rupees for the Superannuations, etc., charges paid in England. The Civil Furlough and Absentee Allowances, etc., the same year amount to ·32 crores. The Budget Estimates for these items for 1895-96 show an approximate total increase of half a crore. There can be no doubt that a very thick slice of the net revenue must go to pay the salaries, pensions and allowances of the higher officers of the Civil Departments ; the amount in a rough estimate can scarcely be less than twelve crores. The burden is heavier by the grant of the Exchange Compensation Allowance. Last year it amounted to Rx. 1,235,900, *i. e.*, a crore and twenty-four lakhs. I do not propose to say anything about its justice or propriety, for I recognize that it is as natural for those who helped themselves to it to be convinced of its absolute justice as for those who have to pay it to be sceptical about its necessity. But still there is the burden, and the outcome of these enormous payments on a few heads is that you have very little left for the most necessary purpose. There was a confession made the other day in this Council that the police-force in every district is ordinarily kept at the lowest strength and cost compatible with the discharge of ordinary functions in quiet times, though

indeed when the greater portion of the cost can be taken from another body like the Bombay Corporation, then no cost is too heavy for a liberal margin of strength. The separation of executive and judicial functions pronounced by Lord Dufferin to be a counsel of perfection, and admitted by past and present Secretaries of State to be a most desirable reform, cannot be carried out for want of means. You are unable to spend more than the fiftieth part of your net revenue on the education of the whole country ; in fact, it is just about equal in this year's Budget to the exchange compensation allowance. The Government resolution on the progress of education finds satisfaction in a gradual increase of the number of schools and pupils, in the same spirit in which the efficiency of criminal justice is sometimes estimated by the number of convictions and the severity of sentences. But it is forgotten that the equipment of schools and colleges is as important a factor in their valuation as numbers, just as the vindication of innocence is as important in the efficient discharge of criminal justice as the conviction of guilt. There is not a school or college in all India that can bear any comparison with the schools, colleges and lycées of England, France, Germany and other civilized countries. In that spirit of humorous banter which I am glad the heavy monotony of figures and statistics has not driven out of the Hon'ble the Finance Member, Sir James Westland, was last year pleasantly sarcastic over 'the united wisdom of the Native gentlemen interested in politics, who met at Christmas at Lahore to show us how we ought to govern India,' and enjoyed a hearty laugh over their proposals to reduce revenue and increase expenditure at one and the same time. Though of course they could not bear comparison with members of the most distinguished service in the world, these gentlemen are still not altogether devoid of logic and sense in their suggestions. It is not very difficult to understand that, if you economise in the right directions, you can reduce revenue and increase expenditure in others. If you could reduce your military expenditure

to reasonable proportions, if you could steady your 'forward' policy so as not to lead to incessant costly expeditions, if you could get your inflated Army Home Estimates moderated, if you could devise ways by which the huge burdens of salaries and pensions could be lightened, then it is not chimerical to imagine that you could improve your judicial machinery, strengthen your police, develop a sounder system of education, cover the country with useful public works and railways, undertake larger sanitary measures, cheapen the post and telegraph, and still be in a position to relieve small incomes, to press less heavily on the land, to give the cultivators breathing time, and to reduce the salt-tax.

"It is from the above point of view that the Financial Statement which the Hon'ble Member has presented to the Council can scarcely be considered wholly satisfactory. While fully recognizing that he is surrounded by adverse and difficult circumstances, and that his hand is not free, still the fact remains that the new Budget is a hand-to-mouth Budget, and not based on enduring principles of sound finance. Fortune has smiled on him during the past year, and it is difficult not to read beneath the lines that he still entertains a lurking faith in windfalls and miracles for the new year. He shows a surplus of four and a half lakhs of rupees, but it is a speculative surplus. It is obtained after the imposition of taxation to the tune of over three crores, after putting the Famine Insurance Fund in abeyance, after taking the rate of exchange probably higher than it is likely to be maintained, and after shutting his eyes to the heavy cloud that is looming in the North-West. And all this in a year of prosperity and peace, when the country has remained free from famine and war, barring of course the frontier expeditions, which, as predicted by Sir Auckland Colvin, must now be accepted as a trouble quite as constant and irremediable as exchange. The prospect before us is really neither hopeful nor cheering; and, in spite of his efforts to administer some grams of

consolation, the real note that the Hon'ble Member strikes is unmistakably when he winds up by saying 'that many causes for anxiety still remain and we may again be in difficulties before many months are over.' What then? is a question whose gravity it will be more easy to appreciate than to solve.'



MILITARY EXPENDITURE.

I.

(Being the Speech made at the FIRST INDIAN NATIONAL CONGRESS, held at Bombay in December 1885. See Resolution V.)

GENTLEMEN.—Our Madras friend, the mover of the Resolution, has just pointed out to you in general terms the alarming growth of the military expenditure during the last few years. And I would now endeavour to place before you the causes and nature of that growth in details. The particulars I am about to bring to your notice will, I am sure, convince you how burdensome, and even partially unjust, is the present expenditure of 17 millions sterling per annum, and how great is the necessity of reducing it to the figure of 14½ to 15 millions which was with little fluctuation maintained till 1871-2. It is superfluous to say that the net increase during the last twenty years has been 3 millions sterling or an annual average growth of £150,000. Contrast, gentlemen, for a moment the 17 millions expended in 1884 on an army of 189,000 men, British and Native, with 11½ millions in 1856 on an army of 254,000 men. Admitting all that has been urged as to the organic changes that have been introduced into the British army for better efficiency, the rise in prices of food and forage and clothing, and the dearness of recruits—admitting all these facts, none who has impartially studied the question and given some thought to the cost of the various armies maintained by the great military monarchies on the Continent of Europe can fail to acknowledge the extravagance of the army services as maintained in India. No subject demands greater attention than the cost of the army at this juncture when the Indian revenues are threatened with a further charge of 2 millions sterling per annum on account of the 30,000 more soldiers who are now being rapidly enlisted. I trace the root of the continuous growth in the military expenditure to the amalgamation scheme of 1859. It has been the main cause of financial embarrassment to the Government of India. Sir George Balfour regretted that he took

a part in that scheme. Sir Charles Trevelyan observed that it was based on a principle which has been found to be extravagant and crushing in practice. It is in the nature of a one-sided partnership in which India was not allowed freedom of contract. What the exact nature of this partnership is may be best stated in the words of the late Mr Fawcett :—“A few years after the abolition of the East India Company what is known as the Army amalgamation scheme was carried out in direct opposition to the advice of the most experienced Indian statesmen. India was thus, as it were, bound hand and foot, to our own costly system of army administration, without any regard apparently being had to the fact that various schemes of military organisation, which may be perfectly suited to a country, so wealthy as England, may be altogether unsuited to a country so poor as India . . . A partnership has been established between England and India, and as one of these countries is extremely rich, and the other extremely poor, much of the same incongruity and many of the same inconveniences arise as if two individuals were to join in house-keeping, one of whom had £20,000 a year and the other only £1,000. An expenditure which may be quite appropriate to the one whose income is £20,000 would bring nothing but embarrassment to the one whose income is only £1,000. The money which is expended may be judiciously laid out, but if the man with the smaller income finds that he is gradually becoming embarrassed with debt because he has to live beyond his means, it is no compensation to him to be told that he is only called to contribute his proper share of the expenses. His position would be the more intolerable if like India, after having been compelled against his wish to join the partnership, he is forced to continue in whether he desires to do so or not.” This, gentlemen, is the precise condition to which India has been reduced by the amalgamation scheme. No doubt, it has certain advantages but these are greatly overbalanced by the many disadvantages India has to put up with.

So far, I have dealt with what I may call *the* cause of the present costliness of the Indian army. I hope you will be good enough to give me a patient hearing for a few minutes while I briefly dilate on the broad *results* of that one sided contract to which I have referred. They are deduced from official facts and statements. Indeed, I shall try throughout to support my observations by placing before

you overwhelming official testimony to convince you beyond the shadow of a doubt how excessive is this expenditure and how far is it incurred without due regard to the interests of the country. In their report, the Simla Army Commissioners state (p. 185) —“ We think that the portion of the army employed in this country should be organised and administered with due regard to the interests of the people of India, and not for the purpose of supplying defects in the system of home defence, and, above all, that it should not be made the means of obtaining, at the cost of India, advantages for the army at home which do not entirely affect the interests of the country.” I do not think the justice of this principle can be impugned. But to give a fair idea of how the process of increasing the charges on the European forces in India has been carried on, it is needful to cite the testimony of the Government of India itself. It should be remembered that in the aggregate these charges have thrown an additional permanent burden of £800,000 per annum—charges in levying which the Indian Government has had no voice. In the 45th paragraph of their despatch of 21st November 1884, it is stated —

“In 1864-65 increased rates of pay were granted to medical officers of the British service in India, amounting to £20,000 a year; and a revised scale of clothing and compensation to the British army was introduced costing £20,000 a year.

“In 1865-66 increased rates of pay were granted to veterinary surgeons, amounting to £3,500 a year.

“In 1866-67 gymnastic instruction was introduced for British troops at a cost of £15,000 a year.

“In 1867-68 an increase of 2d. a day was made to the pay of British soldiers, and an additional penny on re-engagement, the cost being £250,000 a year.

“In the same year skeleton companies of Royal Engineers were formed in India, at a cost of £2,500 a year.

“In 1868-69 increased pay was given to paymasters, quartermasters, and riding-masters of British regiments, amounting to £15,000 a year.

“In 1870-71 the grant of good-conduct pay, at earlier periods, to British soldiers, increased our Army estimates by £35,000.

“ In 1871-72 instruction in army signalling and telegraphy was introduced at an annual cost of £4,000.

“ In 1871-74 garrison instruction was introduced, at a cost of £20,000 a year.

“ In 1871-74 the appointment of additional subalterns to regiments in India, to allow others to attend the course of garrison instruction, formed a new charge of £5,000 a year.

“ In 1873-74 improvements in the regimental schools of British regiments in India by the application of Home regulations, increased the estimates by £7,000 a year ; the grant of band allowance to British regiments in India by £14,720 ; and the readjustment of ranks of the British Medical Service in India by £48,000.

“ In 1874-75 the raised rates of pay of British troops in India added to the estimates £64,000 a year.

“ In 1875-76 the grant of pay of rank to majors of Royal Artillery and engineers in India created a new annual charge of £27,000.

“ In 1876-77 the increased pay of non-commissioned officers and lance ranks amounted to £40,000 a year.

“ In the same year prospective charges for deferred pay were introduced, the maximum to be reached in 1890 being £165,000.

“ In 1876-77 also the promotion of British medical officers after 12 years' service, and non-effective charges by changes in the rules for compulsory retirement, introduced a new item of £29,000.

“ In 1879-80 the readjustment of veterinary surgeons' pay cost £1,900 a year.

“ In 1880-81 a reorganisation of the army Medical Department non-effective charges involved a new annual charge of £13,320.

“ In 1881 the Royal Pay Warrant of 25th June 1881 raised a fresh charge for the pay of non-commissioned officers and men of £30,000 a year.”

The Despatch goes on to say that “ these additional charges amount to more than £800,000 a year. Some of them were necessary for improvements ; others were imposed with little or no reference to Indian wants, and in most cases without the Indian Govern-

ment having any voice in the matter." It will be seen from the above facts and figures how costly and how ruinously one-sided is the partnership, which the Imperial Government has obliged India to enter into, in the matter of military administration, without giving her the smallest voice in the conduct of that partnership.

I hope I have made it clear to you from the extract just quoted the fact that almost all the charges were fastened on this country in consequence of the exigencies of the organisation of the British army in England. Home demands for payments have been steady and persistent. In their Military Despatch (No. 168, dated Simla, 22nd May 1879) the Government of India observed — "A large part of the Home expenditure is for pensions, furlough allowances, the over-land troop transport service, and stores. The remainder is for payments to the Imperial Government on account of Imperial troops which have been repeatedly investigated, but with results we have not been able to accept as satisfactory... . Justice to India requires the reduction of these payments to a consolidated yearly payment of £850,000." Two years later, the Government of Lord Ripon remonstrated on the burden of these charges in a manner so telling that I would best make you understand their gravity by quoting the paragraph on the subject (44, Despatch No 401 of 1881). "It has to be observed that whereas the British garrison in India has practically remained unaltered in respect of numbers and efficiency for many years past, its cost has been in course of constant increase from the various changes which have been made in the organisation of the British army, *changes made entirely, it may be said, from imperial considerations in which Indian interests have not been consulted or advanced.....* It has to be remembered that charges which do not cause any very serious addition to the English estimates, and which are carried on without the least reference to India involve very much larger charges on the Indian revenues by reason of the much more liberal allowance enjoyed by officers in this country. The conversion, for example, of the first Captains of the Royal Artillery into Majors gives the officer so promoted an increase of only 5 shillings a day in England in this country the difference between the pay of a Major and a Captain of artillery is Rs. 342 a month " Gentlemen, look at the immense difference in this one item of military charges alone. Fancy, a poor country like India being screwed

by a wealthy country like England to pay Rs. 292 more per month for the promotion of officers in *one grade only of one branch* of the army¹ But, the enormity of the heavy charges thrown upon this country in the matter (a) of home depôts, (b) of recruits, (c) of non-effective services, (d) of transports, and (e) of short service will be perceived at its full from the sequel. As to Home Depôts, the *Westminster Review* observed as far back as 1866 or 1867 —“ England bears the expense of maintaining an army for the use of India whereas the truth is that India is maintaining a vast army which, though paid by India, is available at any moment for the service of England. Of these troops paid from the revenues of India, no less than 10,000 on the average are stationed in the Home Depôts and form a part of the defences of England at all times. Now, India is not merely required to pay for the transport of troops both to and from India but is made to pay a consolidated charge of £10 per annum to the Horse Guards for *every British soldier serving in the country upon the pretext* that it is necessary to keep these depôts in England to maintain the force. This charge of late years has amounted to nearly £700,000 a year, and must be held to be a most *unwarrantable exaction* when it is remembered that these depôts form an important part of the garrison required for the defence of the United Kingdom At the very time the Colonels of the French army were threatening the nation with invasion (1859) on account of the Orsini plot, the Ministers and publicists of England were congratulating themselves upon the presence in England of some 20,000 to 22,000 soldiers in depôt the cost of whom was being defrayed *by the Indian tax-payer* on the ground that the regiments to which the men belonged were serving in India. *The pretext was true, but the exaction was surely disgraceful ...* Thus was the defence of the richest country in the world *shabbily* devolved upon the very poorest.” Gentlemen, this is the true history of the cost of home depôts. After the vigorous manner in which the reviewer has criticised the gross injustice of the burdensome charge, an injustice which, I regret to say, they have done but little to repair even now, it is unnecessary for me to further comment upon it.

As to the extravagant cost of recruits, I may mention that a continued controversy has gone on during the last 25 years as to the mode of calculating on a fair and equitable basis the charge for their

enlistment and maintenance prior to their embarkation for India. And though one method after another has been adopted and discarded, they have not yet come to any satisfactory arrangement so far as this country is concerned. Meanwhile, it would not be un instructive to quote here the reports of General Jamieson and Mr (now Sir Thomas) Seccombe on the extraordinary dearness of a recruit, as supplied by England to India. "We feel it to be our duty again to refer to the fact that the East India Company were able to send efficient artillery and infantry recruits to India at a cost of £26-7-5 per man, instead of £136-13 11 for cavalry and £63-8-5 for infantry recruits as now proposed. We are fully aware that the changes made in the terms of enlistment, pay, clothing, would have increased the charge, as incurred by the East India Company, but the proposed establishments for, and the period of training which have formed the basis of this Third Report of the Committee, appear to us to be *enormously in excess* of what can possibly be required for the purpose of properly recruiting the British Army in India." According to Colonel Sykes the maximum in one particular year was as much as £376! So strongly impressed were General Jamieson and Mr Seccombe with the "enormously" excessive charge of recruits per man, that they raised the serious question why India should bear the whole burden of maintaining depôts which virtually form a part of England's home defences, and why should that burden be increased by the long periods of training enforced on recruits for service in this country? For further particulars I would refer members to the evidence taken by the Parliamentary Select Committee which sat from 1871 to 1874 to inquire into the questions relating to the finances of India. Suffice to say that the experts who were examined and cross examined on the subject failed to give any satisfactory explanation.

Coming now to the burden of the non-effective services, I would ask you to refer to the blue-book on the subject published by order of the House of Commons, on 12th August 1884. It gives a succinct account of how the charges have grown year after year and how vigorously the Government of India has been fighting for years past to bring these charges within a reasonable limit. I would not, therefore, tax your patience further on this head beyond informing you in a few words how alarming is the growth. "Prior to 1822 India paid nothing for non-effective charges, that from 1822 to 1861 the

principle which governed the division of non-effective charges between England and India was one of a fixed payment by India to England of £60,000 a year, that from 1861 to 1870 this latter principle was abandoned in favour of a capitation payment; and finally, that in 1870 the principle of capitation was abandoned in favour of a system under which the capitalised value of the pensions was paid by the Indian to the English Treasury." This latter is the system which is still in force. Gentlemen, here are the figures of the enhanced charges between 1871 and 1884. In the former year they amounted to £1,775,133, in the latter to £4,158,780. The increase has amounted to £2,383,647 in 14 years or 134 per cent. In other words, the charges on account of non-effective services have steadily increased at an annual average of £170,260! The iniquity of the charges however does not end here. While disputes as to the fairness of the demand by the War Office for charges from year to year have gone on, during which the Government of India continued to pay large sums in part, a claim for arrears was made for a million sterling and more which, as you all know, has had to be paid only last year by the Indian Treasury. Nay, you will have some idea of the gross injustice of their demand when I tell you that £100,000 were claimed for interest alone—interest on arrears which remained unadjusted on account of the delay at the War Office alone! This is the treatment which India has to suffer from the military authorities at home. Moreover, the injustice of the charge is greatly enhanced when it is considered that *the Crown Colonies are never charged a six-pence for non-effective services*. I will just read what the Government of India has said on the point "We believe also that we are correct in saying that Crown Colonies pay nothing towards the non-effective charges." It is one of the heaviest items of Army charges, and entails besides a large loss by exchange.

Coming to the overland transport service, it may be mentioned that the East India Company incurred on an average £70,000 per annum, net. Of course, the troops came via the Cape in ships. But though the opening of the Suez Canal has revolutionised the whole transit trade between Europe and Asia, though freights have in consequence been lower than they were prior to 1870, and though immense facilities of communication now exist, the charges are indeed very extravagant. In 1864-65 they came to £182,244; in 1883 to

£365,000 or fully double! Besides, it must be remembered that India has been saddled with the cost of five transport vessels amounting to £1,200,000. Some years ago public feeling on the subject was very vigorously expressed in the columns of the *Englishman*. "There is one item of military expenditure touched upon in General Norman's excellent financial analysis of the Indian Army Bill for the past year which deserves instant attention and correction. As a bit of senseless extravagance, it is solely chargeable against the home authorities who make India pay for the patronage and political capital it affords to the Admiralty. We allude to the transport charge of £400,000 for the carriage of, let us say at hazard, some 4,000 soldiers ... being at the rate of £100 per man. . . Nor is the exorbitant nature of the charge its only objection. The ordinary carrying and other trade is injured by it. It is in the nature of competition without containing one of the elements of competition." Another veteran journalist of great experience observed. — "the truth seems to be that the Home Government is utterly reckless what it spends on Indian account. That the building of this fleet was an act of extravagant folly when the circumstances of the country are remembered who can doubt? India is not in circumstances to afford *this wanton outlay of public money*" Gentlemen, it is again needful to remember that England *never charges a six-pence for the transport of her troops to her foreign possessions* in every part of the civilised world. In a minute on this subject, Sir Charles Wingate recorded as far back as 1859 as follows — "The cost of transporting British troops to India, is also charged upon the British shipowners, and as it is made for the maintenance of British authority in India it would clearly be reasonable and fair that the charge, as in the case of troops sent to any of our foreign dependencies, should be borne by the British Exchequer." It may be fairly admitted that public criticism has had the effect of getting the expenditure somewhat reduced of late under this head. Still it is not all that is desirable. The Simla Army Commission recommend in their report, (para. 210) "that the system whereby all reliefs and drafts of British troops are sent by British troopships to Bombay, should be revised. . . We advise that steps be taken to ascertain at what rates the great English Steam Companies would convey troops regularly to the several ports Calcutta, Madras, Kurrachee and Rangoon. We believe, that, if a

contract were made for a considerable number of troops and for a term of years private companies would convey troops regularly and comfortably to and fro from the several ports nearest their stations, at considerably below the cost of transport by the troopships "

I now come to the last of those charges fastened on India in consequence of the changes in the organisation of the British Army, namely, the short service system. It would be presumptuous for me as a layman to pronounce on the merit or demerit of the system. I would, therefore, content myself by again quoting the testimony of experts. The Simla Army Commission (paragraph 209) state —“ It has been already mentioned that the short service system recently introduced into the British Army has increased the cost, and has materially reduced the efficiency of the British troops in India. *We cannot resist the feeling that, in the introduction of this system, the interest of the Indian taxpayer was entirely left out of consideration.*”

Gentlemen, I fear, I have already trespassed too much on your time by referring to the several details of the army charges which have increased the total cost to 17 millions sterling. But I trust you will bear with me a few minutes longer before I sit down. I ask you to remember that the home Military Charges are divided into two parts—the one includes the expenditure under the control of the Indian Government, and the other the expenditure not under such control and regulated by the War Office. While the former has been steadily maintained at an average of £2,500,000 since 1874-5, the latter, that is the expenditure controlled by the War Office, has risen since that year from £800,000 to about £1,400,000 and there is no saying how rapidly it may swell to £2,000,000

View, then, this expenditure of 17 millions sterling as you may from every point, you cannot help admitting its appalling enormity. It means 39½ per cent of the net revenue of 43 millions. In other words the Army service charges absorb the whole of the net land revenue save a million. While the normal growth of the latter is estimated at about £57,000 per annum, the growth of the former is more, £150,000—that is to say, one year's growth of military expenditure absorbs the growth of the net land revenue for nearly 2½ years. Consider the weight of this burden on so poor a country as ours—a country which has no true surplus of revenue to fall back

upon and has no ordinary means to provide for unforeseen contingencies like war or famine. Consider the burden from another point also. Out of the total expenditure of 17 millions, 4 millions on an average are annually disbursed in England. The amount has to be paid in gold. So that, we have to pay nearly one crore of Rupees more to meet the loss by exchange, under this one head only. I will not detain you with the economic aspect of this fact. But I may mention that every million sterling that is expended in England on account of India involves a loss by exchange of about 25 lakhs of Rupees at the present rate. The larger the amount annually of the bills drawn by the Secretary of State on the Indian treasury for Home Charges, especially military, the larger the exports of the products of this country. In other words, India has to grow more and part with more products in exchange for home remittances. The significance of this economic fact I leave it to you to realise. But while this military expenditure is growing apace, while all India to a man has been loud in denouncing its crushing burden, the authorities have determined to add 10,000 more British and 20,000 more Native troops at an estimated cost of 2 millions sterling per annum, and that, too, without any cogent reasons. How is this additional permanent expenditure to be provided for? For months past the air has been rife with rumours of the imposition of an Income tax. Indeed statements have lately been freely made on authentic sources that we may very soon expect a Bill being introduced into the Viceregal Legislative Council for the purpose. As, however, another member of this Congress will speak to the general question of revenue and taxation I will refrain from dwelling on this subject.

But I hope, gentlemen, I have made it quite clear to you how great is the strain on Indian finance on account of the maintenance of a small army of 1,89,000 men—an army which, I unhesitatingly say, costs twice as much and a little over as any army in any part of the civilised world. In fact there is no parallel to its extravagant cost. The growing charges on the army services are a source of perpetual embarrassment to the Government of India. Viceroy after Viceroy and Finance Minister after Finance Minister have remonstrated with successive Secretaries of State for India on the urgent necessity of curtailing the expenditure but they seem to have remona-

trated to little purpose hitherto. In fact, the evidence taken before the Select Committee on Indian Finance in 1872-3, conclusively shows that the Secretary of State himself is almost powerless to prevent the War Office perpetually making inroads under one pretext or another on the revenues of India. That part of the expenditure which is not under the control of the India Office, needs to be brought under control by a Parliamentary statute, apart from an honest retrenchment all round in the various branches of the army administration. I cannot help believing that Mr. Laing was perfectly correct when he said that "India is the milchcow of England" and that Indian revenues are encroached upon "to suit the exigencies of English estimates."

The Select Committee to which I have referred, stated, in their Report, that they "could not lay down too strongly, the position that the English estimates ought not to be relieved at the expense of the Indian revenues, but that the Secretary of State for India in Council has the constitutional right of refusing to pay for objects in which he considers that India has no interest." In this respect it has been admitted that India was better situated during the administration of the late East India Company, though, it has been observed, that even then the authorities at the Horse Guards did not fail, in spite of the most formidable opposition offered by the Court of Directors, to saddle 10 millions sterling of the cost of the first Afghan War on the revenues of this country. Mr. Fawcett observed:—"It should, however, never be forgotten that when the East India Company was abolished, the English people became directly responsible for the Government of India. It cannot, I think, be denied that this responsibility has been so imperfectly discharged that in many respects the new system of Government compares unfavourably with the old There was at that time an independent control of expenditure which now seems to be almost entirely wanting. It was no doubt, intended, when the Government of India by the Act of 1858 was transferred from the Company to the Crown, that the Council of the Secretary of State should exercise the same control over Indian expenditure as had formerly been exercised by the Directors of the Company and by the Court of proprietors. But gradually the influence and control of the Council have been so completely whittled away that it is now openly declared by the Secretary of State that he

can spend the revenues of India, beyond her frontiers, without obtaining the consent, or even bringing the subject under the notice of his Council Nothing can be more unsatisfactory than the present state of things. When the Secretary of State desires to avoid responsibility he can shelter himself behind his Council, when he desires to act untrammelled by their control and unhampered by their advice, he can ignore them as completely as if they did not exist" The root of the evil lies here and active steps must sooner or later be taken, the sooner the better, to bring an end to it, highly injurious as it is to the material interests of the country and its people. It is to be earnestly hoped, therefore, that the Resolution which this Congress will now be asked to adopt will be turned to practical account by the various political organisations For unless a vigorous remonstrance is sent up to the authorities against the burdensome character of the total charge, and the injustice of a portion of the charges, I am humbly of conviction that this growth of the military expenditure alarming, and in certain matters uncontrolled as it has been in the past, will grow more burdensome and uncontrolled, and seriously embarrass the finances of the country in future. This contingency our united efforts must at all hazards legitimately attempt to avert—relying on that stern sense of justice which pre-eminently distinguishes the British among the great nations of the civilised world.

MILITARY EXPENDITURE.

II.

(Being the Speech made at the SEVENTH INDIAN NATIONAL CONGRESS, held at Nagpur in December 1891. See Resolution III.)

MR. PRESIDENT, LADIES, AND GENTLEMEN,

I fear that, suffering as I am from a severe cold and sore throat, I may, perhaps, not be heard distinctly in every part of the pavilion, but I trust you will excuse me for any shortcomings, arising from this complaint, in the discharge of the duty that is entrusted to me. But for the fact that the question of the growing military expenditure of the country in all its branches, on which I am called upon to speak, is of the highest importance to our national well-being, I would have fain foregone the pleasure of addressing you.

With this preliminary observation I now proceed with the subject in question. The speakers who preceded me have made you fairly acquainted, more or less, with the question of the prevailing poverty in India; and none, I think, has brought more vividly home to us the miserable condition of the masses, mostly the agricultural population, than our old friend Mr. Murlidhur, who has just left the tribune. The lifelike picture which he drew, and the object lesson he tried to convey to you thereby, were indeed most heartrending. They were such as might have moved even celestial hearts to pain. This, gentlemen, is the condition of the country to be witnessed from year to year, and if any person in India has devoted a lifetime to the study of the facts relating to this harrowing condition, and incessantly laboured to make us and our rulers understand the true causes of that poverty, it is our noble and patriotic countryman, Mr. Dadabhai Naoroji. *(Cheers.)* It would be supererogatory for me, therefore, to refer to them at any length here. But if I may be briefly allowed to touch on the most salient causes of it, I would observe that two

circumstances, above all others, have greatly contributed towards it. They are the system of land revenue assessments and land legislation. These have been mostly instrumental in bringing unnumbered woes on the peasantry. The impoverishment has so far increased and become general that the Government of India has thought it prudent and expedient to appoint a Land Indebtedness Commission and direct it to inquire minutely into the whole question connected with the debts of the peasantry and the impoverishment consequent thereon. Not only the condition of the ryots of the Deccan, but of the Punjaub also, is to form the subject of its investigations. We all trust that the inquiries may be thorough, and that the sores may be probed to their innermost recesses, so that the necessary relief, if substantial relief come at all, be forthcoming. That the system of land revenue in vogue in all parts, save Bengal, has led the peasantry from bad to worse is not denied. It has been officially admitted. Our rulers departed from the old system in vogue in the times prior to British occupation, which was really the sheet anchor of the agriculturists. It had the great merit of elasticity—elasticity in this sense, that in years of prosperity and abundance the ryot was able not only to pay his assessment to the State and maintain himself and his family, but lay by something against a rainy day or the inclemency of a bad season. The revenue, in fact, was paid in kind. But our rulers have changed all that, and introduced in its place the cast iron system of payment in hard cash at one invariable rate. It is unfortunately so rigid that there is no escape out of it for the ryot; while, to add to his misfortune, it has, more or less, to be paid in many provinces on two fixed dates during the year, when he is least able to pay it. In this aspect of the revenue system of British India there always lurks, I fear, great danger. The peasantry is the backbone of the country, and the land revenue derived by the State is the backbone of Indian finance. You have only to conceive, and it is a possibility which is not remote, if things go on from bad to worse, as they do now, what may be the condition of the country, politically and financially, if, out of sheer poverty and starvation, the ryots refuse *en masse* to pay the State dues. The great danger, the great *internal* danger, infinitely more to be guarded and watched against than any external aggression, is, gentlemen, the possibility of a universal agrarian rising. (*Hear, hear*) Surely I need no fur-

ther urge how grave and portentuous is this condition of affairs, this growing poverty of the masses.

Then the second great evil, which in reality aggravates the first evil, is the land laws prevalent in the various provinces of the empire—the laws which Sir James Caird, when visiting this country fourteen years ago in his capacity as a member of the Famine Commission, characterised as “legal chicanery.” You are all so well acquainted with the chicanery arising from the precious land revenue codes that I will not detain you with any description of the growing evils daily arising from them. Sir James has tersely referred to them in his separate report to the Secretary of State for India, dated 31st October 1879. Thus, in the words of that expert authority “Having parted with the two sheet anchors, the native village organisation, and the self-adjusting principle of land tenure, with produce rents, Indian State craft has fallen upon the quicksands of legal chicanery.” I think, gentlemen, you will agree in that statement and not hesitate to attribute to these two causes a large measure of the present impoverishment of the Indian peasantry. There are a dozen other minor causes which I might rightly say would take twelve volumes and twelve years to acquaint you with. So that I would not even whisper them here. The problem presented to us is so perplexing that it would require a life time to study it, and I am afraid there are very few Indian gentlemen—they might be counted on your fingers—who have studied the question in the light in which it ought to be studied. Were it to be studied in the way it ought, I would entertain a hope that the next generation, if not ourselves, might witness a better and less oppressive and harsh system of land revenue assessments, suited to the circumstances and the ability of the ryot.

Coming now to the question of the growth of military expenditure I might remind you that at the first Bombay Congress I was entrusted with the task of seconding the resolution on it. Those of you who have taken the trouble to peruse the proceedings of that Congress will no doubt be able to follow me when I state that it is the amalgamation scheme of 1859, under which the organization of the Indian army was decreed to be uniform in all respects with that of the Queen's English Army, which is at the root of all the woes, troubles and embarrassments to which the Indian treasury is sub-

jected from time to time—troubles and embarrassments which have grown interminable as the interminable Indian jungles themselves since the days of the Second Afghan War—with but a brief respite of economy during the righteous administration of Lord Ripon. (*Cheers*). The period embraced by the Viceroyalties of Lords Canning and Lawrence, say from 1859 to 1869, was one of consolidation, —consolidation consequent on the events which followed the dark days of 1857. The economical and sagacious statesmanship of those two excellent Viceroy (cheers) had really achieved a substantial reduction in our army expenditure. When Lord Lawrence left these shores the cost was 14 crores of rupees. His successor, Lord Mayo, loyally endeavoured to maintain it at that figure. But still, the amalgamation scheme, and the ruinous Staff Corps arrangements, were slowly making their inroads on the national treasury. It was virtually a partnership transaction, as was observed by the late Prof. Fawcett (*hear, hear*) in which the stronger and the richer partner successfully managed to foist on the weaker and the poorer (*shame*) burdens which really did not belong to her. The Government of India itself has from time to time expressed the same sentiments in some of their important military despatches which may yet be read with profit. In my speech at the first Congress, I submitted ample evidence of the growth of the military expenditure as culled from official blue books and despatches. So I will not detain you by reciting them here,—suffice to say that, between 1864 and 1885, they had increased by *five crores*. Since the days of the Second Afghan War of unhappy memory, there has been no limit to that growth. If you ask me the reason of it, I will say that it is the imperial policy of Great Britain which is annually entailing on the poor people of India sacrifices which they are absolutely unable to bear but which they do bear, all the same silently but with a sullen discontent. It is the policy of England in her relations with the politics of Central and Eastern Europe—the policy which leads to complications now and again with Turkey and Russia, and other great European powers —which unhappily leads to military activity or military “preparedness,” so called in this country, entailing crores of wasteful expenditure. Of late, thanks to the Russophobists and the Imperialistic Jingoese, at whose head is the veteran Sir Henry Rawlinson, our frontiers have remained constantly disturbed. It is all a game of

cross purposes ever since poor Shere Ali was driven away from his throne to die in exile. The Russian game is to gain as far as possible a footing on the banks of the Bosphorus, while England tries to thwart her in that desire. As a consequence, the former tries, when even occasion offers, to threaten England in Central Asia. But while Russia idly threatens us, the military tax-eaters at Simla, who eagerly pant for promotions, decorations and kudos besides, do not leave a stone unturned, under one pretext or another, to push forward what is euphemistically called the "scientific frontier" (*shame*)—a visionary frontier leading nowhere but ever plunging the country into greater and greater financial embarrassments. Scares are manufactured which could never be substantiated, and while this sort of manufactured panic is designedly created among us, they push on new schemes having for their object nothing but the conquest of wild border tribes, the despoiling them of their territories, the bribing of the recalcitrant with British rupees and so forth. They thus carry on a warfare of external aggression under the hollow pretence of defending India against so-called attacks from without. (*Shame.*) From what I have stated you will no doubt be able to understand the import of the intense activity going on, on our N.-W. Frontier borders since 1885, and the rapid construction of forts, bridges and so-called strategical railways. There is a whole history of these scares and scientific frontiers, but which it is impossible for me to unfold before you on this occasion.

So I now pass on to the question of actual expenditure itself since 1885. That year was indeed a calamitous year for India. For it was the year which witnessed the forcible seizure of Upper Burmah which brought an additional step in the Peerage to the Earl of Dufferin, the then Viceroy. At the first Congress, we deprecated that seizure as iniquitous and unrighteous; and if you read between the lines all that has been stated in the blue books on this conquest, you will be fully convinced that the Congress was justified in condemning those proceedings. Thus our financial troubles recommenced with the Viceroyalty of Lord Dufferin, a well meaning and, so far as his private morals are concerned, virtuous Governor-General, but ignorant of the true facts and aspects of Indian problems. It was this ignorance which alone prompted him to preceptately rush into Upper Burmah. His ignorance could have been dispelled by

the Foreign Office. But it is this Foreign Office of the Government of India which, more than all the Viceroys put together, since the days of Lord Lytton, is the real *fons et origo* of our woes and troubles on our frontiers, East and West. The secret doings of that mischievous bureau will never be known, though, if disclosed, they might create such a revolution in opinion on the political history of India with Foreign States as to make us stand aghast. But on this subject, too, I will refrain from saying aught save this. Bring to bay the Foreign Office, and you at once bring military expenditure within reasonable bound and control. This is my humble conviction. At present the Foreign Department is more omnipotent than the Viceroy himself.

Well, gentlemen, it was the Viceroyalty of Lord Dufferin which led to the increase of 30,000 additional troops, (10,000 English and 20,000 Native) saddling India with a permanent expenditure of another 2 crores. It was this Viceroyalty which laid the foundation of those financial embarrassments, the consequences of which are to be seen in the enhanced duty on salt and the reintroduction of the income-tax of nearly $6\frac{1}{2}$ d in the pound. How fruitful are these embarrassments for evil may be further perceived in the larger amounts which India has annually to remit to England for the army services, effective and non-effective. When it is remembered that, on an average, we remit 4 millions sterling on this account, or just one-fourth of the whole amount of the bills annually sold by the Secretary of State for India, it will be evident how much heavier this loss becomes with every fall, even of one farthing, in the exchangeable value of the rupee.

But the increase is not only on account of additional troops ; though it is a fact that, inclusive of the army services in Upper Burmah since 1885-86, the additional burden laid on the tax-payers is equal to twenty-four crores. There are again the expenses for special defence works, strategical railways, so called punitive expeditions, mobilisation of the frontier army corps, transport service, new arms and ammunitions, and so forth. It would be tiresome to treat you to a formidable table of statistics ; but if you would only turn to the pages of the current financial statement under the head of army, you would find all the details stated. I will, however, summarise those figures for you. Thus :—

	Crores.
1. Increased Army Expenditure since 1885-86.....	24.22
2. Special Defence Works to date	3.77
3. Strategic Railways to date	7.50
4. Frontier Expeditions to date	1.32
5. Upper Burmah Military Expenses	10.02
	<hr/>
Total.....	48.83

Add.

6. Special Defence Works, balance to complete ...	1.23
7. Strategic Railways yet to be completed	4.00
	<hr/>

Grand Total..... 54.06

I do not think, however, that the limit of the military expenditure will be reached when the special defences are completed and the additional railways, now under construction, are built. Neither do I believe, gentlemen, that Upper Burmah will ever become a paying province. My fear is that there are many troubles still to be overcome there. But the Government is reckless. It is trying to heap on itself more troubles in that direction, while it is madly endeavouring to push the Eastern frontiers to the very gates of Yunnan. You have but little idea of the difficulties beyond Bhamo; while the fixed intention of the Government is to penetrate the southern-most and fertile province of China, in obedience to the call of pious Manchester for the sale of the products of its spindles and looms. Remember, gentlemen, this may soon bring the Indian Government into collision with China. And I need not again describe to you what a Chinese War in that direction may mean. It will be as disastrous and sanguinary as the Second Afghan War or the war of the French with the natives of Tonquin a few short years ago.

You will thus perceive what possible embarrassments there loom in the near future for unhappy India. While your net land revenue is increasing during the last few years at the slow rate of twenty-five lakhs per annum, the *net* military expenditure is growing at the rate of 51 lakhs or at double the pace. The ryot is bled in order that the military tax-eater may thrive and gain stars and medals (*shame*),

but just think for a moment, gentlemen, how contented, how prosperous, how progressive India might have been to-day had she been saved this huge extraordinary extra expenditure of 54 crores in five years. How many productive commercial railways and irrigation canals, branch feeders and lines which are yet a crying want in almost every province of the empire, might have been built. And what blessings these might have brought to our unhappy countrymen. How many crores might have been easily spared to arrest the growth of that gaunt famine which is devastating parts of Southern India and the Deccan. Is there a doubt that all this expenditure is a pure waste—waste of the resources and the labour of the whole population? They might as well have dropped them to the bottom of the sea. (*Hear, hear*)

You heard an hour ago from the lips of my eloquent friend on the right, Mr. Surendra Nath Banerjee, how the question of the reform of the Legislative Councils is closely connected with the entire policy—fiscal, political, and military—of the empire. No doubt this question of reform is the burning and pressing question of the day, and, of course, the Congress allows this question the first rank among its annual resolutions. It is right that it should be so, and I trust and hope we shall go on giving it that premier importance till we have obtained what we want. (*Hear, hear*) But permit me to say that no question presses on this country with such urgency as this question of the appalling growth of military expenditure. The saying of John Bright was quoted by my eloquent friend “Tell me the finances of a country and I will tell you whether the government is good or bad” Had that great friend of, and sympathiser with, the aspiration of Indians been living to-day, (*hear, hear*), I am quite sure that, looking at this appalling expenditure, he would not have failed to raise his powerful voice against and exert his influence to reduce it by denouncing it in the terms it deserved. Looking at the chronic impecunious condition of our finances, he would have certainly observed that it was not one on which he could congratulate the rulers of India. In other words, that India was not wisely governed, or as she ought to be, and that she was not governed in the interests of the people. It is, gentlemen, recorded in black and white in the report of the Simla Army Commission, of which Sir Frederick Roberts was no inconspicuous a member, that the army

seems to exist, not for the people of India, but that the people of India exist for the army. (*Shame*) Truer words were never recorded by an official Commission.

If then our finances are more or less embarrassed, and if military expenditure is the principle cause of that embarrassment, how are you to remedy this growing and uncontrolled evil? This is the practical question which it is our solemn duty to solve. For I repeat, gentlemen, and I repeat with emphasis, that on this question depend grave financial issues, aye, and the gravest political issues, in the near future. We must all endeavour, first, to realise the magnitude of this state of military finance. When you consider that the expenditure of a Government depends on the policy it pursues in its relations both to internal and external affairs, you will at once perceive that it is the present calamitous, nay culpable, foreign policy of the Government of India which dominates the whole condition of finance. And as the financial position of India in turn dominates all its other conditions, especially the material conditions, you will be further able to perceive how imperative is the urgency to agitate for a complete change of that policy. If our Government, therefore, adopts a wise policy you may depend on it that our finances in the near future can be more economically administered, and that the people will immensely advance in material prosperity. If, on the contrary, it persists, in spite of all remonstrances and representations, in adhering to its present fatal policy, it goes without saying that the material condition of our people will grow worse and worse till one day some appalling disaster (which God forbid) overtakes the Government. I think, therefore, you will agree with me that it is time for us all by our persistent agitation to bring about a healthy and wholesome change in the military policy of the Government. The military activity, which has been unceasing and restless since 1885, will never cease until we make it clear to the British electors at home that it needs to be altered. If we are only true to ourselves, we ought from this time forward to take every legitimate and constitutional means in our power to expose the utter wickedness, the absolute madness, of the course on which the Government are embarked. We must din it, not only into the ears of our rulers, for they seem to be of those who having ears hear not and having eyes see not, but into the ears of the public in Great Britain, that this growing

military expenditure is eating away the vitals of the people, and can only lead to the ruin alike of India and of England. (*Hear, hear*)

Those who have followed the annual financial statements of recent years will have noted the tone in which this question of military expenditure is referred to by the Finance Minister. It is indeed satisfactory to note that following Sir Auckland Colvin and Mr Ilbert, Sir David Barbour has not been unmindful of its great evils. I think in all fairness and justice it must be said that he has been a true friend of the people, (*applause*) and has manfully endeavoured and is endeavouring, so far as he possibly could, to resist, the uncontrolled and uncontrollable demand of the military advisers of the Viceroy for a larger and larger expenditure. And I beg you to specially mark the clear way in which he has given a warning in his latest financial statement. Finance Ministers and Viceroy have regretted the expenditure, but it is our great misfortune that they have hitherto done so little towards mitigating its appalling burden. A tone of helplessness pervades the financial statements whenever the question is referred to, as if a change in the policy could not bring about a better state of matters. In support of my statement allow me please to quote to you one or two short paragraphs. It is observed in the 23rd para of the financial statement of 1886-87 as follows:—"By the events of late years, in Central Asia, India finds herself almost in contact with one of the greatest European powers, and she cannot hope to escape the necessity which the position imposes on her of increasing her military strength." The question here is this. *Who created the necessity?* Did the people of India create it? Did they appeal to their rulers to cross the natural but impregnable boundaries of the country on the north-west, and thoughtlessly rush into the open to meet the Russians half way? Did they say that benefit was to be derived from such a course; that India would be assured of greater external security and internal contentment? No. The people have all through condemned the procedure. They have still to be convinced of the "necessity" on which the Government grounds the increase in the military strength of the empire in a variety of ways. Gentlemen, it was the wise policy of the earlier generation of Viceroys, beginning with the ever sagacious John Lawrence (than whom no other Viceroy has more fully grasped the true significance, of confining our line of defence within the natural boundaries of the

Empire), and ending with Lord Northbrook, never to cross the Indus. The weighty reasons urged in favour of this line of policy may still be read with profit, in those ponderous Bluebooks on Central Asia which have been published since 1864, and which have been so well summarised in that book issued by Lord Lawrence and his coadjutors, entitled "Causes of the Afghan War." To go beyond our natural line of defence, gentlemen, is to court defeat. We expose ourselves needlessly and fritter away the resources and strength which we ought to conserve for defence from within our impregnable boundaries whenever the dreaded external attack becomes a real one, which, I think, is still a remote contingency. At present we are creating an artificial ring-fence in which to entrap ourselves. Just imagine what may be the result in case of a defeat. Let us assume the worst. Does it not stand to reason that the very lines of strategical railways, the very outposts and forts which we take to be our special defence works; would be in the hands of the enemies, and that these would be the very means whereby Russia would sooner become master of India than she could possibly have done had we left the natural physical difficulties of the country, untouched as Providence gave them, to our hands? Ordinary common sense tells us that this policy is a most fatal one. It has not the merit of ordinary sagacity, let alone statesmanship. It is the maddest policy which a wise Government could be led or betrayed into adopting by its irresponsible military advisers. The late Mr. Slagg, whose memory we should always keep green, condemned it in that memorable debate he had in the House of Commons in the early part of 1889, as a "mad" policy. I go a step further and denounce this policy, this feverish military activity to checkmate Russia, halfway beyond the natural boundaries of India, as "epidemic lunacy," to quote the words of Professor Seeley. For verily, gentlemen, there seems to prevail a sort of epidemic, allied to madness, on this trans-frontier question at the head quarters of the Government.

But to pass on. Here is another statement from the speech of Mr. Westland, Acting Finance Minister, while introducing the Indian Tariff Act Amendment Bill in the Supreme Legislative Council on 27th January 1888 :—

"We might shut our eyes to events in Central Asia and refuse

the increases of political and of military expenditure forced upon us by the approach of a great civilized power on our north-west frontier. In short, we might have refused to discharge the duties and responsibilities of a civilized Government, either with respect to our own subjects or to the nations which lie beyond our frontier, and those who think we should have observed this attitude are, to this limited extent, right in pointing to our increase of expenditure as evidence of want of financial control. With such people I do not care to argue, and the Legislative Council is not the place where such arguments are called for."

Here, gentlemen, it may be reasonable to ask again whether the Government of India is correct in observing that the increased expenditure is forced upon it by the progress of Russia in Central Asia? Can this statement be substantiated? Who is it that prompts Russia to approach nearer India? It is the Government of India which first takes a forward aggressive move under one pretext or another, supplied by the Foreign Office, a pretext which can never be verified because it is only an *ex parte* one. Russia only responds to the British move: Outpost answers outpost, and gun answers gun. Thus, is it not intelligible, nay manifest, to take the latest instance, that it is the occupation of Kashmir and Gilgit and other secret expeditions beyond that outpost which have brought the Russians on to the Pamirs? And yet a responsible official of the State complacently observed that it is not the business of his Government to argue with people who question the wisdom of its trans-frontier policy! The fact is, that Government is unwilling to argue with its critics, that is, the people of the country itself. Of course, we have a voice next to none in the present Legislative Councils, but if we had our reformed Councils, I dare say, my good friend Mr. Surendra Nath Bannerjee, and others might have risen in their place, and compelled the Government to listen to the arguments of those who condemn, and, in my opinion, justly condemn, this bloated army expenditure and this frantic trans-frontier policy. In such an eventuality India might have been better off to-day, for at least a greater portion of that wicked waste of 50 odd crores might have been saved to her. The whole question hinges on this: Are the trans-frontier defences required? Is it a wise policy to advance beyond the natural frontiers of India? They say it is a question for military experts. In

the first place, I deny that proposition. *It is a question of policy and not of experts.* And on questions of policy those who have studied and given thought to them are as competent to pass an opinion as the Government itself.

But leaving this argument alone, may it be asked if even military experts are all agreed? Gentlemen, there are able military experts who have condemned the defences on which so many millions have been spent. They have demonstrated that in the long run these will prove a "death trap." There are experts like Colonels Maurice and Home who have written in the public journals on the question. And, if I am not misinformed, there is a very able minute of the former which is pigeon-holed in one of the secret bureaux of the India Office. It is stated therein that these strategical defences are entirely misconceived, and that the monies spent on them are a pure waste of public monies. (*Hear, hear.*)

I will now pass on to other experts, though not military experts, who speak with authority from the position they occupied as the responsible members of the Executive Government of India during the Viceroyalty of Earl Dufferin in its earlier period. Their names are held in the highest respect. I allude to Sir Auckland Colvin and Mr. Ilbert, who have recorded a joint minute of dissent on the subject of increased troops and trans-frontier defences, which is as much remarkable for its independence as for its close reasoning and logic. It is not possible to read the whole of that minute, but I will refer to some of the salient points—points which show conclusively the absence of any necessity for increased troops; and, secondly, the aggressive character of the policy of the Government. They also direct attention to certain military despatches and show their apparent inconsistency. In fact the sum and substance of their argument is: That the increase of troops and other measures would "prove a weapon less of defence than of aggression." (*Hear, hear.*)

This memorable statement, so forcibly and tersely put, changes the whole aspect of the policy pursued by Government. On the one side the military advisers say: "These are for your good; we are going to make you secure against external attack." On the other hand, the two members, who have based their opinion on the strength of the opinions of various military critics themselves, observe:

“No, do not believe what these military advisers say, we have read the despatches, minutes and other papers on the subject, and we have come to the conclusion that the Government is pushing forward and extending its frontiers under the hollow pretence of repelling Russian invasion, and thus squandering away millions of monies of the tax-payers.” (*Hear, hear.*)

The Simla Army Commission had distinctly and categorically asserted that 50,000 troops would at any time suffice for repelling external attack. This was stated after mature deliberation and after the dire events and incidents connected with the disastrous Second Afghan War. The Commission was fully aware of the nearer approach of the Russians, and, in spite of the knowledge of that fact, deliberately recorded that no increase of troops was at all necessary or even expedient. Sir Frederick Roberts was a member of that Commission and had signed that report. But within a few short years he has strangely changed his mind. It is a matter of deep regret that as the Commander-in-Chief of India he has wholly ignored his previous opinion as a member of the Simla Army Commission. But to proceed with the minute. In the very first paragraph, the dissentient members sound the keynote. “We have no desire to dispute the claim of our military colleagues to speak on the point with greater authority than any to which we can pretend, but we perceive that there is a *great divergence of opinion* on the subject among *military men*, and we think that, in the consideration which has been now given to the subject, the obligation of the English Government to contribute towards the safety of the Indian empire has been unduly minimised. The Indian Army Commission, who were appointed by and reported to Lord Lytton’s Government, who wrote with perfect knowledge of the rapidity, and the direction of the Russian advance in Central Asia, and on whose recommendations are based some of the most important proposals of the Despatch, summarised as follows, in their report of November 1879, the purpose for which the Army in India is maintained (a) Preventing and repelling attacks or threatened aggression, from foreign enemies beyond the border, (b) making successful or armed disturbance or rebellion within British India or its feudatory States impossible, and (c) watching and overawing the armies of native Feudatory States.” “It appears indisputable from the report,” proceed the dissentient

members, "that, in their enumeration of these purposes, the Commission contemplated the contingency of operations beyond the frontier, not merely against Russia with Afghanistan as our ally, but against Russia assisted by Afghanistan. They say: "The external foes which the Indian army may have to meet on its land frontier are Russia and Afghanistan on the North West. . . . For operations against Russia or Afghanistan assisted by Russia, a force of two army corps, or 50,000 to 60,000 fighting men, might possibly be necessary. No one has ever suggested that the army of India should be maintained at a strength necessary to put into the field a larger force than this." They were of opinion that the army of India, if properly organised, was sufficient to provide for the purposes thus enumerated, without any addition to its numerical strength. They expressly made the reserve that, in making this estimate they "did not take into consideration the contingency of a permanent or lengthened military occupation of Afghanistan."

So much, gentlemen, for the now-a-days alleged necessity of an increase in the Army. But to add emphasis to their argument, Sir Auckland Colvin and Mr Ilbert observe. "It is necessary, on the contrary, to remember that, since the Commission wrote, a large scheme of strategical frontier railways has been sanctioned, and is being vigorously pushed on Apart altogether from the immediate purpose which they serve, these works will add indirectly, but not inconsiderably, to the mobility and fighting strength of the force." Then, speaking of the frontier fortifications, they observe: "The frontier fortifications to which we refer cannot require, for their occupation, an increase of the Indian Army of 27,000 men. We fail to see why any force needed for this purpose should not be obtained in the mode contemplated by Lord Lytton's Government, that is to say, by withdrawing the necessary troops from other parts of India." Then follows the most significant part of the minute, to which I beg to draw your special attention, as it is the kernel of the whole subject. "If the above reasoning is correct, there seems to us every reason to apprehend that the increases of our forces beyond the needs enumerated by the Army Commission may prove a weapon less of defence than of aggression. The presence in India of so strong a force as is desired may even suggest the permanent occupation of some part of Afghanistan. Against the policy of extending to

a point beyond Kandahar, the frontier, formal or practical of British India, and the area which must be permanently held by British troops, weighty arguments, moral, political and financial, have been, and may still be, urged. But whatever may be the merits of such a proposal, it forms no part of the grounds on which an increase to our Army is now advocated, and is foreign, we have every reason to believe, to the desires or intentions of our colleagues."

Here then, gentlemen, are some very important statements made and arguments urged from which you will no doubt be able to infer that the increased army strength adopted in 1885 was absolutely uncalled for, and that it is altogether unnecessary, even at this day, bearing in mind all that is going on on the frontier, and all the other military changes and organisations since brought into play. This being the situation, is not the following observation in the same minute prophetic! "We are further of opinion that the proposal is open to the objection that it may lead to the advocacy, and possibly to the adoption, of projects for the extension of our present frontier. The question then narrows itself to these: "Is it the duty of the Government of India to maintain and charge to Indian revenues a permanent addition to its forces, not required for India, but available for the purpose of extending and securing its dominion beyond India?"

There are many other points which for want of time I must give up. But I cannot conclude this most important part of my observations without drawing your special attention to the caution and forethought displayed by the two members as far as the financial aspect of the question is concerned. In this respect they have rendered an invaluable service to India for which we must publicly acknowledge our warmest gratitude. (*Applause*) "We agree entirely with the opinion of those who hold that, as an alien people, our best claim to the regard of the natives of the country, and therefore one of our main sources of security, lies in the fact that taxation is light. We believe that this is a principle which has been admitted by all Governments foreign to their subjects, and that it has been uniformly recognised and adopted by our predecessors in the administration of British India. It seems an axiom which at the present time it is singularly incumbent on the Government of India

to bear in mind. If it was important when India had no European neighbour, it becomes much more so when she has at her frontier a power whose agents will make the most of all our mistakes, and will bid against us, by every means at their disposal, for popularity. We are aware that it is easy to push this consideration too far, and that the Indian Government must be prepared to risk a certain unpopularity if it is convinced that the measures which it has in view, and for which the imposition of burdens is required, are of so urgent a character as to necessitate their adoption, all drawbacks notwithstanding. But we have given in this minute our reasons for holding that in the present instance no sufficient case is made out for departing from the policy above indicated." (*Hear, hear.*)

Gentlemen, I have, I fear, taxed too much your patience already, and I am loth to tax it any more. But if you will kindly allow me the indulgence I would just read a short but pertinent extract from the pen of a German military critic on this trans-frontier defence question. It is meet that you should know what even Europeans, who are not Englishmen, think on the subject. "England may either await an aggressor on her Indian frontier or move against him across it. Political considerations plead in favour of the latter course, while on military grounds, the former might be preferable. An Anglo-Indian army, which awaits the invader on the Indus is in close communication with its depots, magazines, and its present sources of reinforcement. Above all, it would be nearer the sea, which is England's principal base in all her expeditions, and a numerically stronger English force could there be assembled than could be put forward to Kandahar or Herat. On the other hand, a Russian force, which had to advance to the Indus ere it could get within striking distance of the enemy, would be so far ahead of its base that it could with difficulty preserve its long line of communication. It would have to cross a wild mountain range after a long and weary march, part of which would be through barren desert, and on emerging from the passes, it would find itself exposed to the fire of hostile forts, and the assaults of the fresh troops of the enemy." Here, gentlemen, is the opinion of a military foreign expert on the military aspect of the trans-frontier policy of the Government. Is it not in accord with the opinion of all common sense people? He plainly informs us that it is far better that the Indian Government

should remain *within her line of defence* than rush forward beyond it and court defeat. In fact, that it can give a defeat to any aggressor coming from the other side if it only remains where it ought to remain.

You will thus be able to judge for yourselves from what I urged in my speech on the same subject at the First Congress, and from what I have adduced before you to-day, how crushing is the growing burden of military expenditure and how uncalled for it is. It is fast increasing and it will go on increasing unless we are true to ourselves and legitimately and constitutionally resist further burdens in the same direction. We must agitate, firstly, for a complete change of the present unwise and aggressive policy—a policy which, under the hollow pretext of defending the empire, secretly aims at extending its frontiers and is really courting untold disasters—in fact a policy of external aggression pure and simple. The pressure caused by the absorption of our resources, consequent on this mischievous policy, transcends in its cramping and distressing effects all other financial errors of the Government. And I repeat, we must earnestly agitate for either an outright reversal of that fatal policy or security against repetitions of similar disastrous sacrifices of our country's best and truest interests. If the policy is to be persisted in, then we must demand that England shall contribute a substantial share towards the cost entailed by that policy. I will not expatiate on this question, for I have taken up too much of your time. Moreover, I must leave many other points unsaid because they demand a greater occupation of the time of the Congress which, after all, is only very limited. I must therefore conclude with the earnest appeal to you to persist in raising and agitating this question in all places and on all occasions, if we are at all intent upon diminishing the present appalling burden on the shoulders of the Indian tax-payers. But before I sit down permit me to read a few verses from the pen of Dr. Pollen, a distinguished member of the Bombay Civil Service, who had stayed for some months in Russia to study the language of the country. From his intimate contact with the people there he was of opinion that there was a great deal of exaggeration and misrepresentation as to the intentions of Russia. I believe there is a great deal of truth in his observations. If Russia's political necessities goad her on forward in Central Asia, is it not true that the

same necessities have in times past been alleged as compelling the British, first to seize Sind, then the Punjab, then Lower Burmah, then Upper Burmah, and so forth? For my part, gentlemen, I believe that there is not in these respects a pin to choose between the practical political morality of the English and the Russians. (*Loud cheers.*) Here then is Dr. Pollen's appeal to Englishmen which is indeed worth remembering. I am sure every right-minded Englishman who is not biased, would admit the force of the observations to which that liberal-minded and honest Bombay Civilian has embodied so eloquently in rhyme :—

Then, England, pause ! know friend from foe !
 Where, when, has Russia crossed thy path ?
 That she doth ever greater grow
 Is this the only fault she hath ?

Thou callest her " a Giant Liar "
 Did Briton never stoop to lie ?
 Is Prussia's moral standard higher ?
 Did Austria's ever range so high ?

Nay ! Diplomatic lies have streamed
 Since first the Tower of Babel fell,
 That Diplomat the best is deemed
 Who dexterous falsehoods best can tell.

In truth, the " Teuton " is thy foe !
 Thy rival he in every field ;
 His power thy Court, thy Councils know ;
 Thy commerce nought from him can shield.

His Princes lead thy Daughters forth
 Dowered deep in dowers of English gold
 His merchant vessels sweep thy North ;
 Thy " silver streak " his warships hold.

He threatens thee on every side,
 While thou dost cringe to him and yield,
 Surrendering to his armed pride
 The best of thy Colonial field.

He stirs the Russ against thy power,
 Pointing to plains of Hindustan,

Hoping to stay the dreaded hour
 When France will meet him, man to man.

But why should England cross the Russ ?

We both have kindred work to do !

Asia is wide ; for him, for us,

There's space to spare, and high aims too.

Redeem the Cradle of our race,

Let commerce circle everywhere,

Let Love regain its pride of place,

Let Eden once more blossom there !

Let "great White Tsar" let "great White Queen"

Stretch forth o'er Asia healing hands,

Touching the sere leaf into green,

Blessing with bloom the barren lands.

England and Russia—friendly Powers,

India secure, and strong and free,

Over the West no warcloud lowers,

The East regains its liberty.

(Cheers.)

Minute by the Honourable Sir A. Colvin and the Honourable Mr. C. P. Ilbert on the proposed permanent Increase to the Strength of the Indian Army.

(From Return.—East India Army. Ordered, by the House of Commons, to be printed, 16th September 1887.)

1. WHILEST fully agreeing in the proposals of our colleagues for a better organisation of the Indian Army, we regret that we are unable, for the reasons given in this Minute, to concur in the recommendations of the Despatch which it accompanies, regarding a permanent increase in the numerical strength of that army. We have no desire to dispute the claim of our military colleagues to speak on the point with greater authority than any to which we can pretend, but we perceive that there is great divergence of opinion on the subject among military men; and we think that, in the consideration which has been now given to the subject, the obligation of the English Government to contribute towards the safety of its Indian Empire has been unduly minimised.

2. The Indian Army Commission, who were appointed by and reported to Lord Lytton's Government, who wrote with perfect knowledge of the rapidity and the direction of the Russian advance in Central Asia, and on whose recommendations are based some of the most important proposals of the Despatch, summarised as follows, in their Report of November 1879, the purposes for which the Army of India must be maintained :—

“(a) Preventing and repelling attacks, or threatened aggression, from foreign enemies beyond the border.

“(b) Making successful armed disturbance or rebellion within British India or its feudatory states impossible.

“(c) Watching and overawing the armies of Native feudatory states.” (Report, Paragraph 17.)

3. It appears indisputable from the Report that, in their enumeration of these purposes, the Commission contemplated the contin-

gency of operations beyond the frontier, not merely against Russia with Afghanistan as our ally, but against Russia assisted by Afghanistan,

They say "The external foes which the Indian Army may have to meet on its land frontier are Russia and Afghanistan on the north-west. . . . For operations against Russia, or Afghanistan assisted by Russia, a force of two army corps, or 50,000 to 60,000 fighting men, might possibly be necessary. No one has ever suggested that the Army of India should be maintained at a strength necessary to put into the field a larger force than this." (Report, Paragraph 17.)

4. They were of opinion that the Army of India, if properly organised, was sufficient to provide for the purposes thus enumerated, without any addition to its numerical strength.

5. They expressly made the reserve that, in making this estimate, they did not take into consideration the contingency of a permanent or lengthened military occupation of Afghanistan.

"We have not considered," they say, "the question of the future military occupation of Afghanistan proper, or any part of it not embraced in the conditions of the Treaty of Gandamak. We are well aware that, if there is to be a permanent, or even a lengthened, military occupation of Afghanistan, it can no more be provided from the Army, or the distribution of the Army that we propose, than it could be from the Army as it now is. There can be no doubt that the duty of garrisoning Afghanistan will not be popular with the regular Native troops, and that if the occupation of the country is of any duration, constant relief of regiments will be called for, which will involve the maintenance in India of a number of regiments extra to the present establishment. We presume, therefore, that if Afghanistan is to be occupied for any great length of time—a matter on which, as far as we know at present, no decision has been arrived at—regiments will be specially raised in India, and perhaps to some extent in Afghanistan itself, for local service in that country, thus obviating the necessity for a system of constant relief from the regular Native Army."

6. The data on which the Army Commission based their estimates have not, so far as we have been able to learn, been proved insufficient. Nor is it suggested that, in consequence of any changes which have been made since the Commission's Report was presented,

the fighting power of the Indian Army is less than it then was. On the contrary, our honourable military colleague, in a Minute dated 10th September 1884, which was forwarded to the Secretary of State under cover of a Despatch dated the 10th of March last, expresses himself as follows in respect of these points. "Until she (Russia) is much further consolidated on the Herat frontier, she will, I believe, make no further attempt to advance towards India; and then her task is gigantic" (paragraph 45). He considered a small increase in the strength of the Army necessary, which should not exceed 10,000 in all, of whom 4,000 would be Europeans; neither was he disposed to say that this increase should take place immediately. He wrote further:—

"Thus the general result of what was effected in 1882 has been that the strength of the Native and British troops remains what it was before the changes were made, but the Army is organised on a more economical, efficient, and useful basis, better adapted to war and the general requirements of the country, and, from the increased strength of the battalions, more in accordance with the recommendations of some of our most experienced officers. Thus, in considering the present strength of the Army, it must be prominently kept in view that the result of the changes carried into effect in 1882 did not bring about a reduction in the total strength of our fighting power in India" (paragraph 34).

The contingency which the Army Commission, when it submitted its Report, thought possible has now become more possible, but this furnishes no ground for believing that the precautions then recommended as sufficient, in the event of such a danger overtaking us, are insufficient now. It is necessary, on the contrary, to remember that since the Commission wrote, a large scheme of strategical frontier railways has been sanctioned, and is being vigorously pushed on, while an elaborate plan of frontier defensive works is also about to be put into execution. Apart altogether from the immediate purpose which they are expected to serve, these works will add indirectly, but not inconsiderably, to the mobility and the fighting strength of our forces.

7. The frontier fortifications to which we refer cannot require, for their occupation, an increase to the Indian Army of 27,000 men. We fail to see why any force needed for this purpose should not be

obtained in the mode contemplated by Lord Lytton's Government, that is to say, by withdrawing the necessary troops from other parts of India. [See Paragraph 13 of the Despatch of 22nd May 1879 : Blue Book on East India (Army System), p 3]

8. If the above reasoning is correct, there seems to us every reason to apprehend that the increase of our forces beyond the needs enumerated by the Army Commission may prove a weapon less of defence than of aggression. The presence in India of so strong a force as is desired may even suggest the permanent occupation of some part of Afghanistan. Against the policy of extending to a point beyond Kandahar, the frontier, formal or practical, of British India, and the area which must be permanently held by British troops, weighty arguments, moral, political, and financial, have been and may still be urged. But, whatever may be the merits of such a proposal, it forms no part of the grounds on which an increase to our Army is now advocated, and is foreign, we have every reason to believe, to the desires or intentions of our colleagues

9. We are thus of opinion that as no circumstances have arisen which, from a military point of view, have not been already foreseen and guarded against, the proposal to increase the strength of the Army by 27,000 men should be negatived. We are further of opinion that the proposal is open to the objection that it may lead to the advocacy, and possibly to the adoption, of projects for the extension of our present frontier. The question then narrows itself to this. Is it the duty of the Government of India to maintain and charge to Indian revenues a permanent addition to its forces, not required for India, but available for the purpose of extending and securing its dominion beyond India?

10. We are wholly unable to admit that the Indian Government is under any obligation to maintain a standing army beyond the numbers indicated by the Army Commission, or for purposes other than those enumerated by them. They can draw on England, as in practice they always draw, should necessity arise for a temporary increase to the forces in India; obtaining what is required, paying for it so long as it is needed, and dismissing it when the need is over.

11. Where is the line to be drawn if India admits its liability to maintain a force strong enough, not only to fulfil the purposes which have been enumerated in this Minute, but to acquire and

maintain against all comers positions in Afghanistan, or elsewhere? It is desired, apparently, to have a force for home use, and a force for exterior use. The necessary strength of the former can be measured; but where is a measure to be found for the latter? It has to deal with that unknown quantity, the assumed military possibilities of the Russians in Central Asia and Afghanistan. If the principle is admitted that an army is to be maintained from Indian revenues for exterior use, it is difficult to see how its numbers are to be controlled, or why we shall not presently be told that 100,000 men are as necessary as 10,000. It has been already pointed out that the existence of such a force would be no mean agent in bringing about the very risk which it is meant to obviate. A standing army which is larger than is necessary for home requirements will be a tempting, and almost an irresistible, weapon of offence beyond the border.

12. It is asked how provision is to be made for an increase of native troops should a merely temporary addition to the English force in India in the event of war be advocated. We reply that, unless our frontier is to be extended, we are unable to see the necessity for any such increase. If, on the other hand, the frontier is to be extended, the new territory acquired must, we believe, be held by the aid of local levies. Experience, it is agreed on all sides, has shown that Indians will not enlist for service beyond the frontier. It must be further remembered that a system of reserves such as it is proposed to initiate, will gradually furnish us with the power of increasing our native forces to a considerable extent.

13. It can hardly be contended that the mere establishment of a reserve necessitates, of itself, an increase in the English force, and that the latter must be proportioned, not only to the native force actually under arms, but to that force *plus* the reserve.

The Appendices to the Despatch prove how large a number of young men trained to arms annually leave the army, and are scattered about the country. These men, though unavailable for the purpose of increasing our military strength, are as much an element of danger as the proposed reserve will be. No count has been hitherto taken of their existence, we believe, in fixing the strength of British troops in India. Nor, whatever may be urged as to English troops, can the existence of a Native reserve possibly furnish arguments for an addition to the number of our Native Army.

14. Finally, it is stated that, even were all we have urged to be admitted, we cannot depend on England for reinforcements, and that we must not risk the Indian Empire on the ability of the English Government to furnish us with troops at the moment we may happen to want them. The alternative appears to us unquestionable; if India is to maintain troops additional to those needed for her own requirements, solely because England cannot be trusted to supply them, our military and financial arrangements with the English Treasury should be so altered as to set free a sum equivalent to that required for the additional to our forces in India.

15. So far we have dealt with general considerations. The financial effect of the proposals makes the case against them, in our opinion, more cogent. It is not contended even by those who desire to add no more than 10,000 to our English and 17,000 to our Native troops, that the total ultimate cost will be less than about 1,500,000 £. a year. There can be no doubt that, to meet this cost, we shall be compelled to resort to taxation of a considerable amount, and seriously to burden our finances. So far, on the other hand, as we effect our object without taxation, it can only be by charging to loans the very costly unproductive military works in which we are at present engaged, the execution of which, at least in part, we believe to form an obligatory charge upon our revenue.

16. On the subject of taxation, we desire to draw attention to paragraphs 9 to 14 of the late Viceroy's Minute of 22nd September 1884. We agree entirely with the opinion of those who hold that, as an alien people, our best claim to the regard of the natives of the country, and therefore one of our main sources of security lies in the fact that taxation is light. We believe that this is a principle which has been admitted by all Governments foreign to their subjects, and that it has been uniformly recognised and adopted by our predecessors in the administration of British India. It seems an axiom which at the present time it is singularly incumbent on the Government of India to bear in mind. If it was important when India had no European neighbour, it becomes much more so when she has at her frontier a power whose agents will make the most of all our mistakes, and will bid against us, by every means at their disposal, for popularity. We are aware that it is easy to push this consideration too far, and that the Indian Government must be pre-

pared to risk a certain unpopularity if it is convinced that the measures which it has in view, and for which the imposition of burdens is required, are of so urgent a character as to necessitate their adoption, all drawbacks notwithstanding. But we have given in this Minute our reasons for holding that in the present instance no sufficient case is made out for departing from the policy above indicated.

17. There is considerable probability of our being called upon after a term of years during which our precautions have proved uncalled for, and our taxation has appeared vexatious, to relax our precautionary measures, and of our then being tempted to pass from the extreme of precaution to the extreme of negligence.

18. We do not deny that there may be force in the contention to which we have alluded, that, if we look to England for reinforcements in the event of war, we may find the English Government incapable, when called upon, of meeting our requirements. But there is at least an equal risk that if we accept from such an apprehension burdens which do not belong to us, we shall find ourselves keeping up, at the cost of the Indian revenues, a reserve which, in the event of circumstances arising that necessitate the action of troops for extra-Indian purposes, as in the case of Egypt, Abyssinia, and the Soudan, will be drawn upon by the English Government.

19. To sum up: Regarding, for the reasons we have given, the proposed increase of the Indian Army as unnecessary, we adhere to what are described by the late Army Commission as "the principles so strongly enunciated by Lord Mayo, and reiterated by his successors, that the people of India ought not to be called upon to support or pay for one single unnecessary soldier" (paragraph 575). We cannot admit that it is the business of the Government of India, under the apprehension that reliance cannot be placed on the Government in England, to assume more than its hitherto recognised share of the common obligation. We would not accept as a charge upon Indian revenues any single item of expenditure which should be undertaken by the Government at home.

A. COLVIN.

C. P. ILBERT.

Simla, 14 August 1885.

**THE
SPECIAL SESSION OF
THE INDIAN NATIONAL CONGRESS**

28th, 29th & 30th August 1918, Bombay.

SPEECH OF

The Honourable Mr. V. J. PATEL,

Chairman of the Reception Committee.

BROTHER AND SISTER DELEGATES, LADIES AND GENTLEMEN,

On behalf of the Reception Committee of this Congress I tender you a cordial welcome. This is the thirty-third time that the Indian National Congress has met in session, and on the present occasion it has met in special session, convened for a single purpose which is a vindication and justification of this great national organisation. We are gathered here to-day under a profound sense of the gravest responsibility. In these thirty-three years of its existence the Congress has never had a weightier duty to discharge than the one that has been laid upon it at this special sitting, and you, the elect of the people, are here to decide an issue which may affect the future of our Motherland, one way or the other, for perhaps half a century.

THE CHANGE IN THE POSITION OF THE CONGRESS.

From the small nucleus of less than a hundred men who first met in this city in Christmas, 1885, the Indian National Congress has rapidly grown to be what it is to-day, a splendid *Bodhi* tree whose roots have reached down to the hearts of the nation, whose branches are the resting place of all patriotic thought, and whose shade is prophetic of the peace of the future when the destiny of this Ancient Land will have been fulfilled and the nation will have come into its own in the federation of the Empire

But from the day of its coming into being down to the present the Congress has ever been in the position of a claimant. It has formulated and repeated demands, and it has year after year reaffirmed its resolutions. It has been scoffed at and held up to contempt, but it has held its course unfaltering and unrelenting till the 'microscopic minority' of Lord Dufferin has grown into the irresistible majority of Educated India with the uneducated masses ranged behind them in a serried phalanx. Yet the function that the Congress has for so many years performed has been that of knocking at the gate, iterating and reiterating the demand to be admitted into the hall of the nations and to be given a seat by their side. To use a familiar legal figure the Congress has so far and for so many years been in the position of the plaintiff and the Government has sat in the chair of the Judge holding the right of decreeing or dismissing the claim. To-day for the first time, the position has been reversed. It is the Congress, it is you, the representatives of the people, who sit in the chair of the Judge to adjudicate on the merits of the case as stated in the Report on Indian Constitutional Reforms prepared jointly by the Secretary of State for India and the Viceroy of India. I say, therefore, that a grave responsibility rests on each of us individually and on the Congress collectively to arrive at a right decision in respect of these reforms

PROPOSED REFORMS DUE TO THE CONGRESS.

It may be unhesitatingly asserted that this scheme of reforms, such as it is, is the outcome, to a large extent, of our own endeavours. The steadily growing pressure exerted by the Congress, the widespread and persistent agitation by other bodies that have grown out of the Congress, the strength and weight of public opinion and the constructive character of constitutional agitation have made it impossible for the legitimate demands of the country to be denied any longer with prudence, and hence the mission of Mr. Montagu to India, the preoccupations of the war notwithstanding, and the Report which we have met here in this Congress to consider. I do not say this in any spirit of exultation, for indeed the time for exultation is not yet, but merely to point out that if we are true to ourselves now and in the future as we were in the past, and realise the gravity and importance of the issue that depends on our efforts we shall proceed in the right spirit and do our duty by our country and our people.

THE SEPARATISTS.

Brother Delegates, as you are all aware our responsibility has been very greatly increased by the decision of a few leading and other Congressmen to abstain from attending this special session of the Congress. I have no desire to utter one word of bitterness at this grave and critical juncture in the

history of the Congress, but I must frankly regret this decision of some of our leaders and fellow Congressmen. They have assumed—an assumption for which I find no justification—that this special session of the Indian National Congress has been convened merely to reject the Montagu-Chelmsford scheme of reforms, that you have travelled long distances and have assembled here at considerable sacrifice for the sole purpose of denouncing the scheme by book, bell and candle, and that your deliberations will be concluded without the formulation of any constructive scheme. Now, whatever individual views may have been expressed on the proposed reforms they are certainly not binding on the Congress, nor is there any valid reason for anticipating as inevitable any decision of the Congress. It is not as if any section of the Congress, or, for the matter of that, any section of Indian public opinion is agreed that the scheme as presented in the Report should be accepted by the country in its entirety, without challenge or qualification, or in a spirit of devout thankfulness. In no single instance has any Indian politician or patriot declared the scheme perfect or has recommended its acceptance without hesitation or question. The illustrious authors of the Report themselves have nowhere claimed that their scheme should be accepted as final. They have laid stress on

the need for criticism and have invited it freely. They have even foreshadowed some of the possible objections to their scheme, which is fluid and transitional, and is not intended to crystallise and become permanent. This makes the attitude of the Separatists all the more difficult of comprehension, because there may be a fundamental and radical difference of opinion on something which is positive and final, but such a difference of opinion is wholly unjustifiable on anything tentative and transitional. After the publication of the Report the Right Honourable the Secretary of State has publicly declared that both he and Lord Chelmsford would gladly give up their scheme if a better one could be devised. In view of this fact, and the other equally important fact that there is no question of the wholesale acceptance or rejection of the Report there would have been no difficulty in finding out a *modus vivendi* if the few absentee Congressmen had agreed to a preliminary conference for an exchange of views and a comparison of notes, instead of incontinently running away from the Congress and seeking safety in the undefined region known as Nowhere. They have forgotten the rule in the constitution of the Congress that the minority have their rights as well as the majority. At the worst, they could dissociate themselves from the Congress if it utterly rejected the Reform Scheme. In the plenitude of their wisdom they have not waited to do so. They have dealt Jedwood justice to the

Congress ; they have condemned it out of hand without waiting to see what it is going to do, and they have decided to hold a Conference—after this Congress has concluded its sittings. Should the unexpected happen and the Congress refuse to reject the Reform Scheme summarily what will be the position of those who have of deliberate purpose elected to sit on the fence ? May I here crave leave to quote a sentence from the speech of the Hon. SRI D. E. WACHA as Chairman of the Reception Committee of the Congress in 1915 ? That sentence is itself a quotation from Buckle's " History of Civilisation " — " Men have recently begun to understand that, in politics, no certain principles having yet been discovered, the first conditions of success are compromise, barter, expediency and concession " Was this wise precept borne in mind by those who have refused to attend the Congress, and have rejected all suggestions for a compromise, or even a consideration of the resolutions that may be brought forward at the Congress ? The Seceders have undoubtedly followed in their own way Buckle's teaching in declining all proposals of compromise, barter, expediency and concession.

THE BURDEN OF THE CONGRESS

Speaking for myself, I should be quite content to accept the Hon. Pandit Madan Mohan Malaviya's criticisms of the scheme and to demand that it should be recast in the light of those criticisms. Where, then, is the line of cleavage between those

who have left the Congress and those who are still loyal to it? Brother Delegates, events move in cycles and incidents, small and great, like history, repeat themselves. Speaking from this Chair, which I am not worthy to occupy, the late Sir (then Mr) Pherozshah Meherwanji Mehta said in 1889 —“ In a country so vast and varied as India, “it would be impossible, it would be unnatural “to expect perfect and absolute unanimity. It is no “wonder that we have our halt, our lame, and our “blind, and that they should hobble off to what “I may call the Indian political cave of Adullam at “the call of——” well, names are better not mentioned and still better forgotten. I shall not have the impertinence to suggest that the proposed Conference of a few Moderates, which will be timed to wait upon the deliberations of the Congress, will be another cave of Adullam, but I shall respectfully venture to ask whether any Conference of Moderates or Immoderates can serve as a counterpoise to the Indian National Congress, and whether any assembly claiming to hold all the wisdom in the country can be a fulcrum of the magnitude of the Congress and exert the same leverage. We have come to the parting of the ways, but I do not see either in the near or the distant future any prospect of the two paths commingling, and running out straight and wide to the goal we are striving to reach. If some have declined to bear their share of the burden we must broaden our backs to bear

the additional weight, and resume our march along the road that leads to full responsible government within the Empire.

THE APPLE OF DISCORD.

Turning from what to most of us must be a somewhat painful subject I come to the actual work before us, the call of the country and the nation that has brought you here at an unusual time, without allowing twelve months to intervene between two sessions of the Congress. This special session, however, has not been sprung as a surprise on the country, for at the time the Right Hon. Edwin S. Montagu and Lord Chelmsford were engaged in receiving addresses and granting interviews to the representatives of all shades of public opinion in India, Indian and non-Indian, it was announced that the Report issued by them on Indian Constitutional Reforms would be considered at a session of the Congress specially convened for that purpose, and that would be the only business transacted at that Congress. All parties were united as regards the special session of the Congress, and no one had the remotest suspicion that the Report itself would prove a veritable Apple of Discord. And this discord is all the more extraordinary since the apple is not a Golden Apple, and though some have nibbled at it gingerly and meticulously, I have seen no attempt anywhere to swallow it entire, and everybody wants to exchange this particular apple for another.

The genesis of the Montagu-Chelmsford scheme of reforms is to be found in the Congress-League Scheme. That scheme embodies the carefully weighed and considered opinion of the whole country, and has been accepted by the thinking portion of the entire community. The two great national organisations, the Indian National Congress and the All-India Moslem League, which represent Educated India and contain the best national forces of the country, have drawn up the scheme in collaboration, and much careful and anxious thought has gone to the elaboration of the details. In order to satisfy to some extent the aspirations of the country and allay agitation any scheme of reforms that may be formulated by the highest authority must take into account the Congress-League Scheme on which the country takes its stand, and which is the first step towards the realisation of progressive responsible government in India. Chapter VII of the Report which we have met to consider is devoted to an examination of the Congress-League Scheme, some principles of which are accepted by the distinguished authors of the Report and the rest are rejected. An examination of the Report will show that the essentials of the Congress-League scheme have been rejected and only the non-essentials have been accepted.

THE REPRESENTATION OF THE TEN.

In this connection I may be permitted to refer to the Note justifying and supplementing the Congress-League Scheme of Reforms prepared by the Hon. Sir Dinsha Wacha and nine others, and submitted to the Secretary of State and the Viceroy while the inquiry into the question of Indian Constitutional Reforms was in progress. Referring to the announcement made in the House of Commons on August 20th, 1917, by the Secretary of State for India on behalf of His Majesty's Government the Note stated :—“If the goal announced “is not to be a mere pious wish but is to be treated “as an end attainable within a reasonable time and “to be strenuously striven for, the immediate substantial steps to be taken in that direction, at the “close of the war, can scarcely fall short of the “essential features of the Congress-League scheme, “which contains devolution of powers, especially “those relating mainly to financial matters, from the “Secretary of State to the Government of India and “those relating to legislative, financial and administrative matters of a provincial character from the “latter to the provincial Governments so as to create “statutorily autonomous Provincial units federated “under the Government of India as the central authority exercising general supervision over them,—this “devolution of powers being necessarily accompanied “by a reform of the Legislative and Executive machinery of the Government of India and of the Pro-

"vincial Governments, so as to invest,—subject, in
 "all cases to a reasonably restricted veto of Govern-
 "ment,—the elected representatives of the people
 "with effective control of the administration *in so*
 "*far only as domestic matters are concerned*, leaving
 "altogether untouched the present powers of the
 "Government of India in regard to the 'direction
 " 'of the military affairs and the foreign and
 " 'political relations of India, including the decla-
 " 'ration of war, the making of peace and the
 " 'entering into treaties,' as also 'in respect of
 " 'military charges for the defence of the country' and
 " 'tributes from Indian States'; that is to say, con-
 "fining popular control, under proper safeguards, to
 "matters of internal administration only, leaving
 "unimpaired the authority of the central executive
 "Government to hold the country in subjection and
 "to protect it against external aggression. A careful
 "and dispassionate consideration of the proposals
 "embodied in the Congress-League scheme will thus
 "show that there is nothing in them to cause alarm
 "to those who are anxious to preserve intact the
 "power of the Government of India to maintain law
 "and order within, and avert aggression from without,
 "the borders of India." If in the Report there had
 been an approximation to the Congress-League
 Scheme there would have been a greater likelihood
 of its acceptance generally by the country As it is
 the scheme adumbrated in the Report will have to

be radically and materially modified before it can be made acceptable to the country.

NEED FOR FISCAL AUTONOMY.

Brother Delegates, I should be encroaching on the inaugural address of the President and your own deliberations if I were to attempt an exhaustive or elaborate review of the proposed reforms which have been sponsored by the Secretary of State and the Viceroy of India. At the same time, considering the important and unique nature of the object for which we have assembled here I think I may claim your indulgence for a brief expression of opinion on the scheme as set forth in the Report. It is obvious that it has failed to satisfy the country and has proved disappointing, and if the assent of Educated India is essential to its success even as a transitional measure important modifications will be necessary. The first thing absolutely needed for even a beginning in responsible government is Fiscal Autonomy, but the scheme makes no provision for it anywhere. In a letter dated the 24th November, 1917, and addressed to the Political Secretary to the Government of Bombay for being forwarded to the Secretary of State and the Viceroy the Hon. Sir Ibrahim Rahimtoola, who was not at that time a Member of the Bombay Executive Council, laid particular stress on the urgent need of granting full fiscal autonomy to India to make it self-contained and self-reliant. After elaborating an argument for an Indian Army and Navy sufficiently powerful to prevent all apprehensions of aggression from outside India Sir Ibrahim wrote: — 'It ought not to be difficult, with the unrestricted powers of her Government, to organise means to bring about the industrial development of

“India, which will result not only in supplying to a large extent her own requirements, but also enable her to export her manufactured goods to other countries. For this purpose full fiscal autonomy is necessary” It is necessary for all purposes if the substance and not the shadow of responsible government is to be conceded to us, but, as I have said, the scheme makes no provision for fiscal autonomy of any kind

THE GOVERNMENT OF INDIA.

The authors of the scheme have chosen the province as the unit for the progressive realization of responsible government. They recommend no alteration at present in the responsibility of the Government of India to Parliament. We contend—and on this point there is no difference of opinion anywhere—that the progressive realization of responsible government must proceed in the Government of India simultaneously with the Provinces and the two must synchronise. Unless the whole fabric of the administration from the foundation to the top is informed and influenced by the new idea the isolation of the Government of India and its complete detachment from all popular influence and control will inevitably tend to make it more centralised and case-hardened, and progressively diminish its amenability to popular control in future. This tendency will be accelerated by the creation of a second Chamber, or the Council of State, which will not be a representative assembly in the sense of the Legislative Assembly, but which will hold all real power, including that of emergency legislation, which will be passed without reference to the Legislative Assembly and will be merely reported to it as an accomplished fact.

The Legislative Assembly would be reduced very much to the position of what the Canada Assembly was when the Earl of Durham was commissioned to report on it. The Legislative Assembly of the proposed scheme will be reduced to a state of impotence more marked than the present Legislative Council.

THE PROVINCES.

In the provinces also the Legislative Councils will be shorn of real power by the provision made for Grand Committees in which the Government will have a majority and which will practically have the same status and powers as the Council of State in the Government of India. A Bill passed in Grand Committee will run the gauntlet of the Legislative Council unchallenged since no amendment may be made except on the motion of a member of the Executive Council and the Legislative Council will have no power to reject a Bill passed in Grand Committee. In fact, every proposed reform is hedged round with so many safeguards that it looks as if a system of barbed wire fencing had been set up to keep out an interloper or an enemy.

DISTRUST OF THE PEOPLE.

Mr Montagu has publicly denied that distrust of the people of India has inspired the Report. We must accept his disclaimer, but if that is so, part of the Report should never have been written. As it is the Report is full of distrust of the people of India. In Chapter VI of the Report are collected and enumerated all the familiar and oft-repeated shibboleths of those who are opposed to the legitimate aspirations of the people of this country.

The cumulative effect of all this is to make out a case against the granting of responsible government to India. Considerable stress is laid on the poverty, ignorance and helplessness of the people of India. Prominent attention is drawn to the cleavages of religion, race and caste. After emphasizing the difficulties and complexities of the problem facing them, the authors of the Report expressly declare that a great majority of the people do not ask for responsible government, and are not yet fit for it. No wonder therefore that the proposed first step towards responsible government instead of being firm and bold is feeble and faltering, while along the path of progress there are a number of pitfalls which it will be difficult for us to escape. Not only is the beginning of responsible government confined to the Provinces, but it is distinctly stated, to guard against any possible misunderstanding, that the proposal for the appointment of a Commission does not imply that complete responsible government in the Provinces will have been established by that time. As regards the Government of India there is not the faintest suggestion of a beginning of responsible government, and the authors of the Report make no mention of the possibility of making that Government amenable to popular control in the enumeration of the functions of the Commission to be appointed ten years after the first meeting of the new legislative bodies. In these circumstances, he must be a very bold prophet who could venture to fix the approximate or probable date when full responsible government will be granted to India under the proposed scheme of reforms. In fact, the distinguished authors of the Report themselves have not given the remotest indication of any time-limit for the attainment of complete responsible

Government in India. Is India prepared to accept this scheme, without revision and modification, as the first substantial step towards the progressive realisation of responsible government?

MODIFICATIONS.

Passed through the alembic of public opinion the proposed reform scheme will have to shed several ingredients if it is to form a basis of mutual trust and co-operation between the Government and the people. Full responsible government must be given to advanced provinces at the outset; in other provinces reserved subjects should be as few as possible and provision must be made for their automatic transfer within a period of, say, five years. A substantial beginning of responsible government must be made in the Government of India at once, and that Government should come within the purview of the periodic commissions appointed by the approval of Parliament, at intervals of less than ten years. A time limit must be fixed for granting full responsible government to India and that limit should not exceed fifteen to twenty years. Full fiscal freedom must be given to India at once. If these and other alterations that will doubtless be suggested by the Congress are accepted by the Government a substantial step will have been taken towards the progressive realization of responsible government in India.

THE WORLD WAR.

In concluding their Report the Right Hon Edwin S Montagu and Lord Chelmsford have referred to the world-war and have rightly said 'it is upon the battle fields of France and not in Delhi or Whitehall that the ultimate decision of India's future will be taken.' The struggle in the West is a travail of the world, the Creation-old conflict

between Light and Darkness, the ordeal of blood and fire for every nation, great and small, to live and to be free. The issue of this long-drawn and deadliest of campaigns is the submergence or emergence of Liberty. If the Central Powers were to prevail Liberty would vanish and the whole world would be in one red ruin blent. But Freedom's battle, though baffled oft, is ever won. Brother Delegates, the longest lane has a turning and the highest tide has an ebb. There is reason to think that the prayer of the whole civilised world has been heard, and the tide of the battle has definitely turned. Marshal Foch, the greatest soldier living, has justified his selection as Generalissimo of the Allied Armies and his brilliant strategy is steadily driving back the Germans all along the Western front. We may take it that the German offensives have been spent and will not be resumed, and with the steady influx of the heroic American troops the war will soon enter on its last phase, and the world will finally emerge from it, bleeding and battered, but free—freed from the blood-sucking tentacles of the octopus of Prussian Militarism.

ELECTION OF PRESIDENT.

Gentlemen, I call upon you now to ratify the election of the President, who has been already elected to preside over your deliberations by the unanimous vote of the All-India Congress Committee.

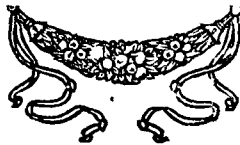
Behar Provincial Conference.

Gaya Session, 1911.

PRESIDENTIAL ADDRESS

By

The Hon. Mr. MAZHARUL HAQUE, Bar.-at-Law.
6th November 1911.



Presidential Address.

GENTLEMEN,

Words fail me in adequately conveying that sense of deep gratitude which I feel towards my brethren of Behar for conferring this high and signal honour upon an individual so unworthy and undeserving as myself. To be elected President of the Behar Provincial Conference is no small honour, indeed. We claim, and rightly claim, for this assembly of ours a position unique in the whole of India. Search, and you will search in vain, throughout the length and breadth of this great country—where in all conscience there is no paucity of congresses, conferences, leagues, associations and sabhas—for one gathering where all classes, castes and creeds join on one platform and contrive, with single-mindedness of purpose, means for the betterment of the people. Here we are not hide-bound by old conventions, pious resolutions or inconvenient pronouncements. We watch the trend of public opinion in India, digest it, learn many things and then chalk out a line for ourselves. Our deliberations are carried on in that spirit of forbearance, tolerance and brotherly feeling, which is the very essence of political discussion. We refuse to be sectarian, aggressive or obstinate in our views. We give expression to the feelings and sentiments of united Behar. Every one who is anybody in our province, be he a Hindu or a Mussalman, attends the meetings of our Conference and takes sincere and intelligent part and interest in its deliberations. Such are the traditions of this Conference and I do earnestly hope that we shall maintain them during our lives and pass them on intact to coming generations. Is it a mean honour to preside at such a Conference? By your suffrage I have been put to-day in the proudest position a Beharee can aspire to, and I can only offer you my thanks—my most sincere and heartfelt thanks.

But in spite of the proud position that I am filling to-day, I cannot help feeling that you have acted rather unkindly towards me in placing me in this presidential chair. Pardon me a few words about myself and their apparent egotism. I am not indulging in mere formality or false modesty when I assure you that I am a man naturally of diffident and reserved temperament—so much so that on occasions some friends have taken my conduct as positive breach of recognized conventions. I hate any public exhibition of myself and love quiet, unobtrusive spade-work. But no man is master of his own destiny and, I am afraid, that mine is carrying me in paths where I would have hesitated to go of my own free will. After this confession imagine to what terrible ordeal you are subjecting me to-day. And when I recollect that trinity of able, brilliant and stalwart sons of Behar whose seat I am occupying to-day, I am overwhelmed with the sense of my extreme unfitness and incapacity. You have had for your presidents that true patriot and born leader of men, the Hon'ble Mr. Syed Ali Imam; that sagacious statesman and genuine Beharee, the Hon'ble Mr. Sachchidananda Sinha; that philanthropic Indian and brilliant orator, the Hon'ble Mr. Deep Narayan Singh. To attempt to surpass them would be a foolish delusion, to try to equal them an unrealizable dream. Gentlemen, I pray you to overlook my shortcomings and help me with your unstinted and ungrudging support in guiding the deliberations of this great gathering to a successful issue.

Gentlemen, the usual time for the sittings of our Conference is during the Easter holidays, but unfortunately our brethren in Gaya, who had so generously and hospitably invited us to this town were, during last Easter, stricken with that terrible and dire calamity—I mean the plague—which has been so cruelly devastating our dear province, and they had most reluctantly to postpone the meeting of this year's Conference till the present Sonepur holidays. Hence the period which falls to my lot to survey is increased by at least half as much. During the last 18 months, events of the gravest and most far-reaching import have occurred. To mention only a few: our dearly-beloved sovereign, King-Emperor Edward VII., has been called away by his Maker, and his son George V.

has ascended the Throne of the British Empire ; that greatest of the Secretaries of State for India, Lord Morley, has resigned and has been succeeded by Lord Crewe ; that noblest and most sympathetic of the Viceroys, Lord Minto, is gone and Lord Hardinge of Penshurst has assumed charge of the viceroyalty ; that most gifted of the Indians, Mr. S. P. Sinha, has given up his portfolio and his place is occupied by the Hon'ble Mr. Syed Ali Imam ; while nearer home Sir Edward Baker, our able Lieutenant-Governor, has resigned the Gadi of Belvedere. You will readily see that these changes are full of meaning and significance for our country and province. The creation of an Executive Council for the Lower Provinces and the appointment of an Indian as one of its members, the introduction of certain important measures in the Local and Imperial Councils, the working of the Reform Scheme, and the approaching visit of Their Imperial Majesties for their Coronation Durbar at Delhi, are all events of exceptional importance and deserve our very best consideration. But it is utterly impossible for me to deal with most of these in any detail, and I shall have to content myself with touching the very fringe of some of them.

Gentlemen, you will agree with me that our first duty in this Conference is to offer on behalf of the people of Behar our most loyal and respectful welcome to their Imperial Majesties, the King-Emperor and the Queen-Empress, on the occasion of their approaching visit to India. This is an incident unique in the history of British Empire. Never before has a British Sovereign visited his dominions beyond the seas in person. Indeed, even the self-governing colonies have never had this honour conferred upon them. To me this visit is pregnant with immense potentialities for the great good of our country. It proves that when His Majesty had visited India a few years ago as Prince of Wales, he had carried away a genuine love and affection for the country and its people, and now after his accession to the Throne he has taken the very first opportunity of proclaiming to the world that his heart throbs with sympathy with this ancient land of Ind. He is demonstrating by his act that famous passage in his Guildhall speech in which

he pleaded for sympathy for the people of India. Said His Majesty—"The task of governing India will be made the easier if we on our part infuse into it a wider element of sympathy." These words of wisdom completely summed up with a rare insight into human affairs the situation in the country. They have gone straight to the heart of the people and become household words in India. The forthcoming Royal visit will impress upon those who are entrusted with the government of the country, that if they desire to win the approbation of their Sovereign, they must fulfil his commands. It would not be possible any longer for Indian questions to be shelved or Indian aspirations to be ignored. Their Majesties will come in personal contact with the Princes and the representatives of the people—a thing which has never happened before in the history of British connection with India. This will give an impetus to the already existing feelings of loyalty and affection of the Indian people to the Person and Throne of their Sovereign. This will show to the Europeans and Indians alike that they are all "equal subjects" of His Majesty. India will take its proper place as the most brilliant and precious jewel in the Crown of British Empire. To us Indians, no matter to what religion or persuasion we may belong, loyalty to our Sovereign is a sacred duty and the disloyal can have no place in this or the next world. Some people say, "We are all loyal, why proclaim our loyalty?" My reply is that I am not ashamed of being loyal and I do not want to conceal a feeling which is uppermost in my mind. I would be false to myself and to my conscience if I did so. We in Behar are loyal and faithful to a man and we most humbly and loyally lay our welcome at the feet of the Imperial Throne and hope that Their Majesties will carry away with them a happy and pleasant impression of their Royal visit to India.

Gentlemen, although it is late in the day to extend our welcome to His Excellency, Lord Hardinge of Penshurst, our present Viceroy—about a year having already passed since his assumption of his high office—still as this is the first opportunity that we have had of doing so, and on the principle that it is better late than never, we offer our most hearty welcome to him. Lord Hardinge has succeeded a Viceroy

who will go down to posterity as one of the greatest Viceroys that India ever had. The reforms that Lord Minto initiated will ever remain as the turning point in the history of the progress of our country. In spite of the severe criticism to which these reforms have been subjected—some of which are in my opinion justifiable, but others puerile and childish—I consider them a great step forward in the direction of that self-government which India must achieve, at some future period, however remote that period may be. In the present Viceroy, if I may venture to say so, we have a ruler entirely sympathetic towards our aspirations. He will do his best to push us on in the path of advancement and prosperity. But at the same time let me tell you that he will not stand any nonsense. Our future is in our own hands. If we stop these wretched and useless bickerings that are going on in the name of Hindu-Mussalman question, amicably settle our differences, prove ourselves worthy of greater trust by making the present reforms a success, show ourselves a people possessed of character and capacity and co-operate with the Government of India in the good administration of the country, then we shall find in our present Viceroy a friend indeed. And I assure you it is worth our while to acquire this friendship.

Gentlemen, the year 1910 would always be reckoned as the most auspicious year for Behar. It was in this year that the first President of this Conference, that able and patriotic Indian, the Hon'ble Mr. Syed Ali Imam, was elevated to the position of a Member of the Viceroy's Executive Council. This is high compliment to our province and we are proud of it. We are prouder still that it is by sheer, personal ability and not by any favour that our friend has reached this high position, and from what we know of him—and who knows him better than we do?—we may safely say that in his exalted rank he will work strenuously and wholeheartedly for the good of our country. We are confident that he will keep the political balance even between different communities, look to the larger interests of India, and if necessary, fight for the rights of his people in the circle of official bureaucracy. His responsibilities are enormous, but his abilities are vast, indeed. He can hold his own amongst

the ablest and best of men and we can rely upon his discharging his trust faithfully. We congratulate him upon securing this high office and we congratulate ourselves upon providing India with her second Law Member from the Province of Behar, especially when we remember that he was the first President of our Conference.

Gentlemen, my next duty is to refer to certain sad incidents which have occurred in the life-history of our province—the saddest of which is the untimely death of the Secretary of this Conference, our late lamented friend Babu Brahmdeo Narayan. It was he who initiated the movement, organized it, and brought it to that perfection in which we see it to-day. Though advanced in age, his energy and hard work in the cause of Behar were simply astounding. He may truly be called the father, the nurse, and the friend of the Behar Provincial Conference. It would be extremely difficult to fill his place. Other notable deaths which have thinned the ranks of Beharee prominent men are those of the able leader of the bar of this town, Rai Bahadur Sital Prashad, of that eminent and distinguished leader of Tirhut Division, Babu Vishunath Pershad Mahtha, and last but not least of that lover of Beharee education, Babu Harihar Pershad Singh, the son of that great educational philanthropist, the founder of the Behar National College of Bankipur, Babu Bisheswar Singh. The passing away of such eminent men would be calamitous to any country, but to us, the people of Behar, it is specially so, as there is such a dearth of capable men in the province.

II.

Now, gentlemen, this Conference being a provincial one, I should like with your permission to deal first with some questions immediately affecting our province. The modern history of Behar is rather interesting. While other parts of India were rousing themselves up and plunging into vigorous activities, Behar was sleeping the sleep of—what shall I say, the just or the unjust? It appeared as if she would ever remain the Beotia of India. But this lethargy was more superficial than real. She was quietly but surely preparing herself by arduous and unostentatious work to fit herself to

take her rightful place in the company of the sister provinces. And a time came when she became conscious of her individuality and began to assert herself and claim her rights and privileges. More, at this very psychological moment she found such level-headed and liberal-minded leaders as the Hon'ble Mr. Syed Ali Imam and the Hon'ble Mr. S. Sinha, who guided her young activities into proper channels. This self-consciousness on the part of a backward and hitherto ignored province has been misunderstood by our brethren in Bengal and perhaps a little by the Government as well. Let me tell them from this place that our activities are not based upon any hostility to any one. We simply desire that our legitimate rights and interests should be recognized. We have been shamefully ignored in the past and we can tolerate it no longer. Gentlemen, you who know me so well, will bear me out that in my life on all questions regarding my motherland—barring, of course, my religion—I have made no distinction whatever between Hindus and Mahomedans, Bengalees and Beharees. I strongly deprecate any such narrow-minded splitting up of our national strength. In a young but living community questions will always arise, upon which different views will be held, but as yet I have failed to see any reason for jeopardising our solidarity as a united nation, by introducing bitterness and uncompromising hostility in our discussions. There is no problem in this world which cannot, in my humble opinion, be solved, by the policy of give and take and a little toleration. And while I am on this subject, please permit me to mention a matter, which I have always considered as a great drawback in the success of our Conference. How is it that our Bengalee brethren who have been for generations domiciled in our province, have abstained from joining this provincial gathering of the people of Behar? Is it anything in the constitution that prevents them from joining us and giving their help? If so, the sooner the constitution is changed, the better for our good name and for that liberalism for which we have gained a reputation in India. As far as I know there is absolutely nothing in the constitution of our Conference to preclude any class of people living in Behar from joining this movement. Please just think for a moment. These gentlemen have left their homes and cut

off their connections from Bengal. They have built residential houses, acquired large properties and become for all practical purposes as true and genuine Beharees as ourselves. Am I to be told that a set of able, intelligent and patriotic men are to withhold themselves from taking active interest in the regeneration of their motherland, simply because they at some remote period in the history of their families came from a different part of the country? If any one tells me that, I shall at once give him the reply that I have no patience with such narrow-minded views. In our laudable anxiety to uplift ourselves, let us not forget the deep debt of gratitude which we owe to the sister province.

I believe, that the awakening of Behar is largely due to Bengal. We may not agree with each other on certain points, but I cannot help feeling that we would be ungrateful and untrue to our traditions, if we did not frankly recognize the numerous benefits we have undoubtedly derived from contact with our Bengalee brethren. Their aloofness from our Conference I have always considered as a great source of weakness. But I hope my domiciled brethren will pardon my presumption in giving them a little straightforward advice. They have been charged with being exclusive and clannish, and I certainly think that the charge is not altogether unfounded. They have made Behar their home and they ought to thoroughly enter into the spirit prevailing in the province. It is their duty to identify themselves completely with the questions affecting their adopted country and cooperate with us in bringing Behar forward and in getting her grievances redressed. This sacrifice—if sacrifice it be—territorial patriotism demands from them and I have no doubt that when tried they shall not be found wanting. In Behar, all her sons should be one and united. There is no room for any hostility or sectarianism within her confines. The same advice I give in all humility to my Hindu and Mahomedan brethren. Happily up to this time we have lived like brothers and there has been no friction worth the name. But I am afraid I see the danger signal ahead and we shall have to try our mightiest to avoid it. I fully realize that it is difficult for Behar to escape altogether the poisonous influence and deplorable example of the adjoining provinces, but it would be a day of

humiliation and shame if she ever gave up her noble and glorious traditions and joined the reactionary ranks. If my Hindu brethren gave up that habit of mind which revels in hair-splitting and philosophical niceties and if my own co-religionists of Islam became a little less militant, there is no question, to my mind, which cannot be solved amicably. The difference between the temperaments of the two communities lies in the one being hardly practical and in the other being too practical. A happy mean would prove the salvation of India. I hope you will forgive me the straight talk which I have allowed myself to indulge in. The *role* of a critic—and I have never claimed for myself any higher position in life—is not a pleasant one, and he is liable to be misunderstood. However it is necessary sometimes that plain truth should be boldly told by somebody. It is quite possible that it may do some good.

III.

Gentlemen, a change in the *personnel* of the lieutenant-governorship of a province is always a fitting occasion for reviewing the administration which has closed and taking stock of the results achieved. Sir Edward Baker has just resigned and it would not be out of place here if I said something about the fate of Behar during his *regime*. But first let me offer Sir Edward and Lady Baker on my behalf and yours our sincere sympathy in their domestic trouble which has been the chief reason of Sir Edward's untimely and early resignation. Let me assure them that their friends in Behar fully share their anxiety and pray the Almighty Father to soon relieve them from their trouble.

Sir Edward Baker took over the charge of the province at a time when it would have been difficult, if not impossible, for a man of ordinary ability to govern it. Some parts of Bengal were seething with unrest and a section of the people had unfortunately persuaded themselves into the belief that the salvation of India lay, not in constitutional agitation, but in the use of physical force. No doubt this section was composed of a few hair-brained youths and of men having no influence or stake in the country. But they were exceedingly active in their foolish propaganda and

kept the whole country in a state of nervous apprehension. Sir Edward Baker had to exert all his masterly abilities and unrivalled energy in keeping his charge quiet and counteracting the mischievous activities of these lunatics, and it cannot be denied that his success was marvellous. We remember with pleasure and gratitude his advice to the members of the Civil Service that, after the introduction of the reforms in the legislative councils, they " will have to resort to the more difficult arts of persuasion and conciliation, in the place of the easier methods of autocracy." For the present, the advice has fallen on deaf ears, but in time it is bound to produce its effect and teach the officials, especially in the mufassil, the folly of their present autocratic methods. It was mainly through Sir Edward's firm advocacy that we alone, of all the provinces under Lieutenant-Governors, have an Executive Council and his appointment of the Hon'ble Rai Bahadur Kishori Lall Goswami has given satisfaction to all, both in Behar and Bengal. We in Behar are specially grateful to Sir Edward for his graceful act of pardoning most of the prisoners of the Champaran riot cases. I shall never forget the day, when my friend the Honourable Mr. Syed Ali Imam and myself went to the Belvedere to plead the cause of these unfortunate people. Sir Edward with his usual urbanity of manner, patiently heard us and at once granted our prayer. Such signal services and acts of sympathetic administration will ever be remembered with gratitude. But as ill luck would have it, he was so engrossed with the political problems of West Bengal that he had hardly any time to devote to the needs and wants of our province. His predecessor, Sir Andrew Fraser, was the first Lieutenant-Governor who took any interest in Behar and realized its possibilities. You remember that in 1908 the representatives of the province went in a body and laid their grievances before him. The representation supported by official facts and figures, was couched in such unmistakable language, that Sir Andrew Fraser had to admit the shabby treatment meted out to us in almost every department of administration. His reply on that famous occasion has been well called the Magna Charta of Behar. Let us pause for a moment and see whether the large promises he

made have been kept or buried in the rubbish-heap of the archives of Local Government. Our first prayer in our address was that the Lieutenant-Governor should spend at least 3 months in Behar, so that he may become familiar with the people and their grievances, needs and aspirations. Sir Andrew Fraser in his reply said : " I have a very strong conviction that it is essential for the Lieutenant-Governor to stay for some period in Patna every year." He went on ; " Realising this I acquired the Chhajubagh House . . . The Government of India approved of my proposal to acquire the house ; and they approved of it on the ground that, in their view as in mine, it was distinctly desirable that the Lieuenant-Governor should make a practice of residing in Patna for some little time at least once a year." In the beginning of 1909 when Sir Edward Baker visited Bankipore, the request was repeated to him and he was good enough to endorse the promise of his predecessor in clear language. He said " I shall hope to spend an appreciable time each year in the capital of your province." These solemn promises have not been fulfilled and we feel the neglect and the disappointment keenly. It is one of the anomalies of British administration in this country that Lieutenant-Governors are thrust upon an unwilling people who do not want them, while those who are eagerly anxious to have their rulers in their midst, must be content with broken pledges. We hope that our next Lieutenant-Governor will be pleased to bear in mind our prayer and spend at least sometime in Behar and acquaint himself with the people and their feelings and sentiments.

IV.

Again, take the vital question of education. What has been done in this respect ? Almost nothing. There is only one Government College in the whole of Behar with a population of 30 millions of people and that also not a model college. The admission of students as to numbers is limited, and I have known an instance in which a promising young man could not get his admission either in Patna, Calcutta, Allahabad or Aligarh and had to be taken to the Agra College for his studies. There must be something radically

wrong in a system in which such cases are possible. Again, it is in contemplation to raise the fees in Patna College, which is bound to further reduce the number of students. We really do not know what we shall do, in the near future, with our boys who have successfully passed their Matriculation. It is a problem which will have to be solved sooner or later. I am told that lately some professors in the Patna College have been allowed to deliver University Lectures in History and Economics to M. A. students and several students are already attending them. This is not what we wanted. In the latest report on Public Instruction in Bengal, the Hon'ble Mr. Kuchler remarks about the Patna College :—"The entire absence of M. A. and the almost entire absence of Honours candidates in Science and Arts subjects was an unusual feature." Precisely so. That has been our greatest grievance. The Government and the University refuse to provide us with an M. A. Class, and then are surprised that we do not produce M. A's. What we really do require is that the Patna College should be made into a first-class residential college, with chairs for all the important branches of knowledge. Short of this, we shall not be satisfied with. The fact of the matter is that the representation of Behar in the Senate of the University is wholly inadequate. I believe we have only three out of one hundred. Under the circumstances it is impossible for the educational problems which are peculiar to our province to receive proper consideration and due recognition. After the retirement of Sir Andrew Fraser this important question, like many others, was relegated to the waste-paper basket. Technical education has fared no better than the Arts education. The Behar School of Engineering and the Temple Medical School are still schools and have not been raised to the status of a college. It is idle to blame the people for being apathetic towards technical education. The facilities which have been so copiously and generously given to Calcutta and Bengal have been studiously withheld from us in the past and I see no immediate prospect of any change in this attitude. I am aware that a few seats have been reserved for Beharee students in the Calcutta Medical College, but this would hardly meet the demands of the situation. Boys hesitate

in going to Calcutta and their parents and guardians have serious objections to urge. The climate is enervating, manners, customs and even the language are different, surroundings are not congenial and the boys, away from their home and guardians, are liable to fall into undesirable company. Over and above this, the expenses are much too heavy and beyond the means of men possessing average means. The usual reply we receive is that the Government are short of funds and cannot embark upon expensive schemes of education. Gentlemen, of all the provinces in India, Behar has contributed perhaps the largest amount of revenue to the Imperial Exchequer and still the plea of want of funds is flaunted in her face in season and out of season. The three private colleges that we have are starving. Private generosity has done much to make their financial condition a little stable, but the Government are satisfied with doling out small sums, which are wholly insufficient for their growing requirements and absolutely disproportionate when compared with grants to other educational institutions in the Lower Provinces. I am afraid in this matter of education, the people cannot be acquitted of the charge of apathy. They have slept over the matter and never taken the trouble of making respectful but firm and repeated representations to the Government. In this age of agitation and competition no community can afford to sit silent and then expect to be treated fairly. We must bestir ourselves and put our wants before the Government on every suitable occasion. Then, and then only, can we hope to succeed.

V.

Another question which affects our province most seriously is the question of sanitation. This fair country of ours, which has been happily styled as the garden of India, is every day becoming worse and worse in the matter of health. Cholera, small-pox, plague and malaria have taken a firm grip of several districts and are claiming their victims in thousands and tens of thousands every year. The other day I was reading the report for the year 1910, of Major Clemesha, the Sanitary Commissioner, and I was astounded to find that the districts of Behar head the list of mortality in all these fell diseases, except the small-pox, in which they hold the second place. A few sentences from this report are of painful interest to us.

Referring to the mortality from cholera, Major Clemesha says :—“ Shahabad, which was much lower down the list last year, now heads it with a rate of 9·15 against only ·43, the former rate being more than double the corresponding figure of 1909. It was followed by Muzaffarpur, Patna, Gaya and Champaran with a ratio of 8·71, 8·38, 6·72 and 5·43 against 1·00, 1·52 76 and ·89 respectively. The other two districts in the Tirhoot Division, *viz.*, Darbhanga and Saran, also suffered heavily, the mortality from this cause amounting to 4·23 and 3·56 against 1·36 and ·23. Ranchi, which was at the bottom of the list last year, now occupies a few steps higher being displaced by Sambalpur which returned the lower rate, *viz.*, ·01 against ·05.”

About plague he says :—“ During 1910 Saran was the worst sufferer from this disease and lost 8·72 per mille of its inhabitants, against 1·53 in the previous year. Patna and Shahabad which stood third and fifth last year now come next with ratio of 5·22 and 3·65 against 1·03 and ·51, while Monghyr maintains the fourth place it occupied last year Among other districts Darbhanga suffered somewhat severely where 1,690 persons (ratio ·58 per mille) fell victims to this disease, its prevalence being in fact chiefly confined to the Behar districts, *viz.*, Gaya, Mazaffarpur and Champaran.”

Gentlemen, you would have expected that from malaria, at least, the Behar districts would show greater immunity than the districts of West Bengal, but here we hold the terrible position of being the worst of sufferers. Would you believe that Shahabad, which had the reputation of having the healthiest climate in the whole province, has the unenviable reputation of being the most malaria-stricken district? I will read out to you the whole passage of the Sanitary Commissioner's report, which, though long, is interesting. Here is what he says :—“ The loss of life from this cause was over thirty per mille during 1910 in three towns in 35 rural areas as compared with 2 and 43 during the previous year. Of the former, Sahibganj in Sonthal-Parganas, which suffered most from this disease during the two preceding years, was again the worst sufferer this year, but the mortality was somewhat lower, *viz.*, 35·06 against 40·75 and 36·51. Kotechandpur in

Jessore and Kurseong in Darjeeling were the other two towns in which the disease prevailed with considerable severity and killed 33·53 and 32·22 per mille of their respective inhabitants. Among rural areas Siliguri in Darjeeling recorded the highest rate for the third year in succession, *viz.*, 59·06 against 59·92 and 56·06. Almost the whole of this thana consists of Terai land and must therefore continue to be very unhealthy. Bickramaganj in Shahabad comes next with a ratio of 38·49 against 32·55 and was followed by Palkot in Ranchi, Gopalpur in Purnea, Kharghar in Shahabad and Daudnagar in Gaya with a ratio of 38·46, 35·86, 35·74 and 35·09. On the whole the mortality was over 505 per mille in only one thana as in the year before, in none between 40 and 50 against 4, and in five between 35 and 40 against 9. Of the 35 thanas which were severely affected by fever during the year under review 7 belong to Shahabad, 5 each to Purnea and Murshidabad, 4 to Gaya, 3 each to Muzaffarpur and Darbhanga, 2 to Hooghly, and 1 each to Jessore, Darjeeling, Sambalpur, Hazaribagh, Ranchi and Palamau." What a terrible tale of devastation and misery does this passage disclose !

In small-pox, after Bankura, comes Purnea. Patna and Balasore compete for the third place with equal number of deaths and Bhagalpur is an easy fifth. In diarrhoea and dysentery, Patna has the seventh place out of the 33 districts mentioned in the report. These statistics are anything but reassuring and a great and serious responsibility rests upon the Local Government to look to the sanitary conditions of Behar and to devise means for combating the ravages of these terrible diseases. The time has long gone by when the people used to consider them as pure visitations of God and submit to them patiently. Education has taught them that these diseases are preventible and can be successfully combated by measures of sanitation. I am far from saying that the Government is sitting idle and doing nothing. No. They are certainly stirring, but our complaint is that the speed is not proportionate to the gravity of the situation.

VI.

Another question which agitates the Beharee mind considerably is their proper share in the public services of their

province. On this subject it is impossible for me to improve upon the language and the matter of the reply given by Sir Andrew Fraser to our deputation. With your leave, and at the risk of tiring you, I shall read the whole passage which I consider as a charter of our rights and which in my opinion should be translated, printed and distributed broadcast throughout Behar. Said Sir Andrew :—“ I most certainly think that in engineering and medicine preference should, as you request, be given to Beharee graduates for appointments in Behar. I am also clearly of opinion that the Provincial Civil Service and the Judicial Service ought, in Behar, to be manned almost, if not quite exclusively, by Beharees and that we ought to keep that ideal before us in the rules we make in regard to appointments to these services. I shall carefully consider what further modifications of the rules for appointment to the Provincial Services are required with a view to give full effect to these views. The matter of appointments to the Judicial Service rests with the High Court; but I am glad to be able to inform you that the Hon'ble Judges, as might have been expected, are sympathetic with you in your desire to secure the recognition of your reasonable claims and are anxious to do justice to the people of Behar. Action will also be taken in regard to the Education, Police, Opium, Post Office, Court of Wards, and other departments to which you refer. I do not think that it is either necessary or advisable for me to state to-day precisely the lines on which I propose to issue instructions in regard to the departments under my own control. These instructions will be of a public character and will be made known to you all in good time.

“ Meanwhile I say most strongly that the state of things which at present exists is both unjust and injurious to the interests of Behar; that Government ought to set before itself consistently and definitely the determination to give due recognition to the claims of Behar and to provide in Behar a public service, as far as possible, of the people themselves. There is not one of all the departments to which I have referred in which the mere fact of being a Beharee is not itself a claim to appointment in Behar. It is not the only claim that must be considered; and you will have

to see it that other qualifications are forthcoming; but it is a claim which ought not to be ignored. A man is a better judge, he is a better executive officer, he is a better school master, if he talks the vernacular of the people among whom he is working, if he understands them and sympathises with them thoroughly. Other claims, other qualifications are necessary; but this claim is a greater qualification for service and is certainly not one which ought to be ignored. Gentlemen, as I have said that it is necessary for the Government to keep this determination to do right consistently and definitely before it in making appointments, so I say to you that you ought to remain united in your determination to advance the interests of Behar, and that you ought to be ready at all times, in a courteous and reasonable way such as you have adopted at the present time, to lay your views before the head of the Government and the officers who work amongst you."

May I respectfully ask the Local Government what, if any, instructions, have been issued by them in this important matter? We are not aware of any such instructions. At least they have not been communicated to us as promised by Sir Andrew Fraser. May I further ask whether any attempt has been made to man "the Provincial Civil Service and the Judicial Service," "the Education, Police, Opium, Post Office, Court of Wards, and other departments, in Behar" by her own people. Again, we are unaware of any such attempt. I brought the whole matter to the notice of Sir Edward Baker this year and he promised me to make enquiries. As far as I am aware, almost nothing has been done and the people are naturally disappointed. And here I should like to respectfully approach his Lordship the Chief Justice of Bengal. Sir Lawrence Jenkins has endeared himself to the people of India, by his stern and unbending but merciful justice. His name will be long remembered in every Indian household after he has left the country. May I plead the cause of my province before him? Behar has suffered badly in the matter of appointments in the Judicial Service. No doubt we were backward in education and the services could not be

recruited from the ranks of incompetent men. But all this has changed considerably now. We can produce men in abundance with the requisite qualifications. Let it be clearly understood that we do not want to invade other people's rights but simply claim our just and legitimate due. I hope that my appeal will not be made in vain and his lordship will give due consideration to your humble representation. To the Local Government my prayer is to fulfil the promises of Sir Andrew Fraser. We want no more.

Another much-felt grievance of Behar is that her sons have no share in the topmost places of administration and justice. With the exception of a solitary High Court Judgeship, we shall not find any high position of honour and emolument occupied by a Beharee. This is a state of things with which the awakened consciousness of Behar cannot be expected to rest contented. There is presently going to be an opportunity when this complaint can be met with and the grievance redressed. The Parliament has passed the High Courts Act and the strength of the Calcutta High Court will be raised by the addition of three more judges. Why should not one of these places be filled by a competent man from Behar? We are not advocates of inefficiency and we do not base our claim upon favoritism. I would suggest that a lawyer of approved ability, learning and experience—preferably a Hindu, because we have already a Beharee Mussalman on the High Court bench—should be appointed. If his Lordship the Chief Justice will only search for such a man I am sure that he will not be disappointed. There has always been a prejudice against recruiting the High Court bench from the rank of mofussil lawyers. This is hardly fair. When we see that the Civilian Judges are all men who have received their training in the mofussil, and have no experience of High Court work, the objection against mofussil lawyers seems to us quite untenable. It is admitted that the members of the Civil Service make most excellent and successful judges of the High Court. Then may I ask in the name of all that is fair, why those men from whom such judges have chiefly learned their work should be considered unfit? What we demand is that the area of selection should be widened and a chance be given to all competent and able men to serve

their province. I repeat that we do not want inefficiency in the higher services. This would be simply disastrous. But what we do want is that our province should not be altogether ignored. The ambition of the Beharees is to enjoy their full and adequate share of the higher posts in the public services of the Lower Provinces and who can say that this is not a legitimate and laudable ambition ?

VII.

The next question which I intend to shortly deal with is the working of the municipalities, the District and Local Boards and our representation upon these bodies. Our views upon this question coincide entirely with the report of the Decentralization Commission and I need not deal with them at any great length. Suffice it to say that our claims are that these bodies should be largely unofficialized, the element of election should be introduced in all of them and a greater measure of control should be allowed to the representatives of the people. The manner in which these institutions have been worked has completely defeated the good intentions of their noble author, the great viceroy, Lord Ripon. It is quite time that the people were allowed to manage their own affairs without any officious interference by the officials. Look at the District Boards of the Tirhoot Division and see how the Indian element is represented in them. The planting community have simply monopolized these bodies. Please let me not be misunderstood. I have the highest respect for the planters of Tirhoot Division and I have some of my best and truest friends among them. They have done good and brought prosperity to the trans-Gangetic districts of Behar. Failure of indigo has been a disaster to the ryots and labourers of these districts. The methods of some in dealing with the people may not be all that is desirable, but it is unjust to condemn a whole community for the faults of a few. What I really mean to say is that their representation on the local bodies is much too large in proportion to their interests. After all, the children of the soil have their rights, which ought to be properly safeguarded. In this respect too the promises of Sir Andrew Fraser have hitherto unfortunately remained a dead letter.

VIII.

Having dealt with some of the principle questions affecting our province, I should like now to say a few words about that much-vexed question of the partition of Bengal. In this my object is not to drag a contentious and highly controversial subject into discussion but to explain the position of Behar as concisely and clearly as possible. I am fully aware that any mention of partition creates great excitement in the ranks of our Hindu brethren of Bengal. But I bespeak their patience for a short while. My own views and I may say, the views of the Mussalmans of Behar and for that matter the Muslims of India, have been expressed by me from my place in the Imperial Council. Since then nothing has happened to bring about any change in my opinion. I am as much opposed to the undoing of the partition as I was last year. I believe the present arrangement to be immensely beneficial to Behar and immeasurably superior to the old, crude and unwieldy administration. But the modification of the partition is a different thing, and there is no doubt that it can be so arranged that both the Bengalees and the Beharees can accept and be satisfied with it. The views of the people of Behar on the question of modification have been so forcibly voiced by my friend the Hon'ble Mr. S. Sinha that I cannot do better than quote him. In the September number of the *Hindustan Review* my Hon'ble friend writes:—"We are equally sure that the suggestion of bringing all the four provinces under one administration, under that of a Governor in Council—with Commissioners for Behar, Orissa and Assam, vested with the powers of local government as in the case of Sindh—will evoke the strongest opposition in Behar, the reasons of which are not far to seek. In the new Lower Provinces, as reconstituted since the partition, Behar occupies the position both in area and population of the predominant partner, enjoying all the advantages which have accrued to it thereby, and this vantage ground the Beharees are not prepared to lose for any consideration whatsoever. So far as a Council Government is concerned, they are already enjoying its benefits; at the same time they have at present a powerful voice in the

Provincial Legislative Council, which would be drowned in a joint council of both the provinces—in which the voice of Bengal will again prevail, it being numerically the larger of the two.....If the partition of Bengal is to be modified, it can only be with the consent and co-operation of Behar, on such conditions only as will commend themselves to the leaders of public opinion in that Province. The Government of India are not likely to do anything now which would alienate the sympathies of the representatives of the nearly thirty millions of Beharees—that too with a Beharee Law Member in the Council.....It is, therefore, in the interest of the Bengalees themselves that they should not indulge in writing or speaking such as that we have quoted above. If Bengal publicists will but put their case moderately on the merits and not display any jealousy of either their Mussalman fellow-countrymen of East Bengal or their Beharee and Ooriya fellow-subjects, they will have a better chance of success.” This is the opinion of united Behar. It is worth remembering that it is no new position that we have taken up after the partition. Eighteen years ago, when the *Behar Times* (now the *Beharee*) was started, our late-lamented friend Babu Mahesh Narayan wrote a series of powerful articles on the question of separation of Behar from Bengal, and in 1894 an address was presented to Sir Charles Elliot in which the idea was formulated in a concrete shape. In 1896, a definite demand was made for separation, here at Gaya, in an address to Sir Alexander Mackenzie who characterized it as a “silly season” agitation and compared it to discussions in the English newspapers of such questions as “Is Marriage a Failure?” The press of Bengal condemned and ridiculed the movement. Later events have proved us to have been in the right. We were foresighted enough to see that the old unwieldy province could not be managed by a single man, however high his abilities may be. We saw that a time would come when the administration would have to be split up and we gave out a scheme which is now considered by many as perfect in all its details. Its acceptance would have kept up the solidarity of Bengal and made us self-contained. But at that time nobody would condescend to hear us. Last year, I tried my best to have a conference of the interested parties,

but I failed in my attempt. Please let me here explain my own position in this matter and in all questions affecting my motherland, which I am afraid has been a little misunderstood. I am a Beharee, a Muslim and an Indian, and on no occasion can I divest myself of these three factors of my personality. I do not believe in the cant of such set phrases as "I am a Muslim first and an Indian afterwards" or *vice versa* that "I am an Indian first and Muslim afterwards." To me such phrases have no meaning and what is more they are untrue. If a Hindu or Parsi brother of mine told me that I should not sympathise with the troubles of my Tripolitan Muslim brethren in the unjust and piratical war which is being waged against them by an European power, which claims to be civilized, I would be angry with him. If a Bengalee friend of mine asked me to give up my opposition to the undoing of the partition and go against the declared wishes of my Beharee brethren, I would not listen to him. And if a co-religionist of mine pressed me not to support the Elementary Education Bill of my friend the Hon'ble Mr. Gokhale, I would politely ask him to make himself scarce from my company. Gentlemen, I am a Muslim in religious and international affairs, an Indian in Indian affairs and above all I am a Beharee in my own provincial affairs. Holding the views that I do, is it possible for me to oppose the Partition of Bengal? And as far as I have been able to gauge the feelings of my province I have no doubt that Behar is absolutely united on this point. We fully sympathise with our brethren of Bengal, but let them remember that new interests have been created or rather old interests have been revived, and practical politics demands from us that we should not ignore them. We are quite ready to give our consent to a modification of the partition on the lines sketched out in the pamphlet issued, in 1906, under the joint editorship of the late Babu Mahesh Narayan and our friend the Hon'ble Mr. Sinha, under the title of "The Partition of Bengal or the Separation of Behar?" On those terms we are quite willing to co-operate with our brethren of Bengal in a demand for the modification of the partition, otherwise not. We do not want a reversion to the *status*

ante quo nor a cancellation of the partition with the bait of a Governor-in-Council thrown in. What we do want is a complete separation, with legislative and executive councils, a High Court and a University of our own. Short of this we shall not be an assenting party to any other proposal. We offer our co-operation to our brethren of Bengal on these conditions, and if they accept it it is quite possible that the Government may hear and give due weight to our joint representation. The idea of creating, under a Governor, a Commissionership of Behar, analogous to that of Sindh, or even a Chief Commissionership, is so preposterous that I hope the Government of India will not entertain it for a moment and will reject it altogether. It will create an immense amount of discontent in our peaceful province, which should be avoided in the interest of all concerned.

IX.

Gentlemen, I have dealt with some of those provincial subjects with which the Government are principally concerned but before I close this part of my address I should like to refer to two matters which have given me peculiar gratification and which go far to show that Behar has awakened to the realities of modern life. The movements of establishing Hindu and Muslim Universities at Benares and Aligarh have evoked unparalleled enthusiasm and received generous support in our province. The most pleasing feature of these movements in Behar is the co-operation of Hindus and Mussalmans in making them successful. I had the honour of going round the province in connection with the Muslim University and many of my Hindu friends gladly and willingly came forward to show their sympathy by offering respectable amounts as subscriptions, while in the numerous meetings that we held, any reference to the Hindu University, was received with enthusiastic outbursts by the Muslim audience. The handsome subscriptions of my friend Mr. Syed Hasan Imam to both movements in equal sums has been rightly appreciated and praised by the whole country. The Hon'ble Mr. Sinha, not to be behindhand, followed his friend and came out with similar amounts. This is the true Behar spirit and may it continue long amongst us! Another pleasing feature was the sympathetic

attitude of the officials in Behar. Several of them presided at and most of them attended our meetings. This is just as it should be. In this connection I have never been able to understand the principle upon which the latest circular of the Government of India, in which they forbid their officers to join such movements, is based. To my mind in the interests of both the Government and the people it is most desirable that the officers should co-operate with the people in all movements which are calculated to uplift the country. Such co-operation will not only help us but will remove many a misunderstanding which have no foundation in fact. The most urgent need of the day is to bring the rulers and the ruled together so that they may understand each other. Most of the trouble in this country arises from a want of appreciation of each others' views and character. And this could be easily avoided if they were allowed to work and mix together much more frequently than they do at present. I hope that Government will reconsider their decision and cancel their orders. On behalf of the people of Behar, I thank those kind and sympathetic officials who have taken so much interest in these two great educational movements, and given us their help and support.

X.

The last point with which I close the provincial questions is the work that has been done by our representatives in the Local Council. We have a full measure of representation in the Provincial Council and we have nothing to complain of. But I am sorry to say that sometime ago a determined attempt was made by the Bengalee press in Calcutta to reduce the number of seats allotted to us. This was rather unkind and it is hoped that no such ungenerous proposal would be made again. At the time of the elections it was a sore point with us whom to elect as our representatives, but we decided to send our very best men, and I am glad too that our selections have been fully justified. Our representatives have done yeoman's service to the cause of Behar and they should have the satisfaction of knowing that their countrymen and constituents appreciate their work and are thankful to them. We know that because of their determined and united stand, certain questions most detrimental to

the interests of Behar have been dropped. Where so many have done such good work, it would be invidious to mention the name of any particular gentleman, but I cannot help drawing your attention to the splendid record of work done by the Hon'ble Babu Braja Kishore Prasad and the Hon'ble Maulvi Fakhruddin. They have borne the brunt of battle well, and upheld the cause of their native province. In future they will have to be still more vigilant and alert, in pleading the cause of Behar from their place in the Council Chamber.

XI.

Gentlemen, I shall now invite your attention, in this concluding part of my speech, to only two of the burning questions of the day. The first of these, is the reforms initiated and carried out by Lords Morley and Minto in the Imperial and Provincial Legislative Councils of India. To my mind, the enlargement of these Councils and the right given to the members of moving resolutions, putting supplementary questions and discussing the annual budgets are such constitutional changes that it is difficult for me to describe their importance or significance. They are forward steps in the ultimate parliamentary government of India. We have got the proverbial thin end of the wedge and if we prove ourselves fit for larger powers we are bound to get them before many years have passed. For these splendid reforms the names of Lords Morley and Minto will go down to posterity as great benefactors of our motherland. But the tale as regards the regulations is different. These have been the subject of much criticism, bitter discussions, wild denunciation and immoderate praise. To me they are merely the handiwork of men with good and bad points in them and susceptible of modification and improvement. There are grave defects in them and the sooner they are remedied the better for the working of the reforms. Take for instance the nature of the franchise in the general electorates. I have always considered them as exceedingly unjust to my Hindu brethren of middle classes, who have absolutely no franchise at all. For elections to the local councils, members of the Municipal and District Boards, most of whom are nominated,

elect delegates who are free to vote for any one they like. This system is liable to much abuse and must be abolished. For the Imperial Council elections the few non-official members of the local council alone can vote. Can we expect our Hindu brethren to be satisfied with this apology for a franchise? Just fancy my friend the Hon'ble Mr. Sinha having no vote. Don't you consider it rather ridiculous and absurd? All this must be changed and the same liberal franchise that has been given to the Mussalmans and the landholders ought to be introduced in the general electorates. But, gentlemen, I have no sympathy with the critics who say that this franchise has been so intentionally framed with the sole object of suppressing the Hindu community. Such criticisms are mischievous and wild. They have no foundation in fact. The chief object of such limited franchise for general electorates was to give an impetus to local civic life. It was considered that by limiting the franchise to the members of the Municipal, District and Local Boards, men of ability and influence will come forward in larger numbers and take greater interest in Municipal affairs. The effect that it has produced upon our Hindu brethren was over-looked. In my opinion the regulations could be easily modified so as to satisfy everybody without giving up the principle upon which they are framed. And in this I most earnestly ask my Muslim brethren to heartily co-operate with their Hindu fellow-countrymen.

The question of special electorates is more difficult and complicated and has caused much heart-burning and bitterness. Behar has solved this question with her accustomed fairness and toleration and decided in favour of special electorates, with special provision for the protection of minorities in all parts of the country. In my humble opinion this is the correct attitude to adopt. My own views are well-known and I have been blamed for them by some of my own co-religionists. I have always considered the principle of separation in the new regulations as exceedingly unsound. You remember that in April 1908 when I had the honor of moving the Reforms Resolution at our first Conference, held at Bankipore, I had expressed the same view, but in stronger language. I had characterized the principle as mischievous.

Subsequent events have shown that I was far from being wrong. But I am not the only unfortunate man who is guilty of holding such an unorthodox opinion. What I have said has been said over and over again by men more influential, more capable than myself. The difference between them and me lies in the fact, that I express my convictions in plain, unequivocal language, without hedging my phrases round with numerous "ifs" and "buts." You will be surprised to know that even the London Branch of the All-India Moslem League which had such a great share in securing special electorates for the Moslem community are in agreement with the views for which I have been so mercilessly condemned. They long for a time when the present conditions will change and, consistently with the interests of the Mussalmans, these separate electorates will be abolished. In their representation to Lord Morley on the reform scheme a passage occurs which I shall read out for the edification and amusement of a Behar audience. This is what they said :—" In common with other well-wishers of India the Committee look forward to a time when the development of a true spirit of compromise or the fusion of the races may make the principle indicated by his Lordship capable of practical application without sacrificing the interests of any of the nationalities or giving political ascendancy to one to the disadvantage of the others. But the Committee venture to think that, however ready the country may be for constitutional reforms, the interests of the two great communities of India must be considered and dealt with separately."

Gentlemen, ponder well over this authoritative declaration of Moslem view. Is there any difference worth the name, between them and me? They look forward to a time when the principles of Lord Morley, that is of mixed electoral colleges, would be of practical application to India. So do I. Do they not, by implication, condemn the principle of separation, and regret that it should be necessary as a temporary expedient? Lord Morley's remarks upon the passage I have quoted are extremely interesting and instructive. Said his Lordship :—" You recognise the very principle which was at the back of our minds when we came to the conclusion of the mixed electoral college..... Therefore, to begin with, the

difference between us in principle about the joint electorates is only this. We are guilty of nothing more than that we were premature; in the views of these gentlemen we were impatient idealists. You say to me: 'It is very fine; we hope it will come true, but you are premature; we must wait.' But though premature I observe that your own suggestion in one of those papers adopts and accepts the principle of the scheme outlined in our despatch." So we are all agreed on one point and that is that the principle of separate electorates is not sound. It may be expedient or even necessary for a short period, but with the growth of the idea of Indian nationality it will have to be done away with. I have myself asked my Hindu countrymen not to disturb the present arrangements. The Moslem community had certainly a grievance in the matter of representation. I will not stop here to examine whether it was just or unjust, imaginary or real. It is sufficient that they had a grievance and after hard struggle, they have got a representation which they themselves consider as satisfactory. The Government of India have declared that the separate electorate will not be abolished as long as the Mussalmans themselves do not want its abolition. Under the circumstances this controversy has been removed from the realm of practical politics and can have only an academical interest for us. To prolong it, is simply to keep an old sore open, which can do no good to anybody.

There remains the question of separate electorates in the District, Local and Municipal Boards. I have been an uncompromising opponent of the proposal and as long as my present convictions remain unchanged, I shall continue to oppose them to the best of my power and ability. I consider them as disastrous to the national cause and suicidal to Mussalman interests. Gentlemen, I have been charged by no less an authority than the last President of the All-India Muslim League of indulging in paradox. He is unable to recognise any consistency in my attitude towards council elections and elections for the local bodies. Why should I oppose special electorates for the one while I acquiesce in the other? I wish that people who are ready to use harsh language towards those from whom they differ, would only study the question upon which they are speaking before

opening their lips. Otherwise they are liable to commit serious errors. Politics require profound study, deep thought, constant application of mind to human affairs and an up-to-date knowledge of political problems of the day. Gentlemen, please bear with me for a little longer and in very few words I shall explain my position. The Councils, both Imperial and local, are for the present constituted on a principle quite different from that of the local self-governing bodies. The former are purely advisory in their scope and effect while the latter are administrative with executive powers. In the Imperial Council the Government have a standing official majority and it is impossible for the non-official members to make a breach in the solid phalanx of official ranks. The local Councils are no better off. There the non-officials have certainly majority on their side, but that is only in name. It has been so contrived and is made up of so many divergent interests that the Local Governments can carry any measure they like and defeat any or all proposals of the representatives of the people. In the local self-governing Boards, we have already a non-official majority and if the recommendations of the Decentralisation Commission be accepted and acted upon, as I hope they will soon be, these institutions will largely be non-officialised. The management of local affairs will be entrusted to the people themselves. May I ask, whether it will be to the advantage of the Mussalmans to keep themselves separate from their Hindu brethren? If the two great communities of India adopt a rigid and unbending attitude towards each other, the working of local self-government would not only become most difficult but almost impossible. In small, petty details of every-day-life there would be constant wrangling and friction. Is it for our good that the Hindus and Musalmans should be confined to two watertight compartments and have no chance of co-operating with each other? And who will be the greatest sufferer from such a state of things? Certainly those who are in the minority. I am for a fair and adequate representation of Moslem interests but not for separation. I believe that a gentleman who has been elected by the joint suffrages of both the communities is a much better representative than the one who had the votes

of only one community. Such a man is in all honor bound to look to the interests of all his constituents and I have sufficient faith in the honesty of my countrymen to reject the oft-repeated insinuation that the interests of any class or creed would suffer because of the difference in the religion of their representatives. Our great fault is that we generalise from isolated instances. Disagreeable incidents will always occur during election time. No country where elective system is in force is free from them. We must look to general results. The old system has worked very well and should not be changed. There ought to be at least some common platform where the Hindus and Mussalmans can learn to work together and mutually co-operate for common good. The truth is that the whole of this agitation is based upon a policy of senseless distrust and suspicion. Unless we change this attitude of mind I see no hope of a reasonable reconciliation. I am afraid I have spoken at too great a length on this question of special electorates, but my excuse lies in the fact that it is one of the most burning questions of the day and I wanted to make my position as clear as possible.

XII.

The last subject with which I will trouble you is the Elementary Education Bill of my friend the Hon'ble Mr. Gokhale. This Bill is so far-reaching in its effect that if it be passed into law it will effect a profound change in the destiny of our motherland. The ignorance of the masses is simply appalling. How to infuse a little knowledge in them is one of the most crucial problems of the day which the Bill proposes to tackle. I have myself given my whole-hearted support to the measure in the Imperial Legislative Council and so far as I know Behar is unanimous in its support. It is an extremely modest and cautious bill. Safeguards are abundant and compulsion is to be introduced not by an order of the Government, but by the express desire and wishes of the people. Funds are to be provided for by a contribution from the Government and by levy of local rates, in accordance with the practice of those countries where the system of free and compulsory primary education is in vogue. The care that has been bestowed upon this bill by its author shows the master-mind

of a statesman. I have no doubt that you will give it a hearty support in your proceedings. But mere verbal support is nothing. I should like you to start an Elementary Education League on the lines started in some other provinces. Of course you will not follow the example of Punjab, where they have a Hindu Education League and, I believe, a Moslem Education League. That would be fatal. The duties of the Behar League should be to popularise the measure, make it appealable to the masses, induce those who come under its operation to send their children to primary schools and generally to help them with advice and funds. If the Government are willing to make the education free, compulsory and universal so much the better. Otherwise we must take this matter in our own hands and make serious and earnest efforts to educate the people. The masses are waking to a sense of their utter degradation and ignorance, and if we wish to avoid the merciless and wasteful war of the masses against the classes, which we see now going on in European countries, we shall have to help them at the very beginning of their consciousness.

Gentlemen I have done. If we keep our duties straight and well-defined before us and try to perform them to the best of our abilities, with courage and moderation, we are safe and our future is assured. In the first place we must be loyal to our Sovereign. Then we must support and help the Government in preserving law and order in the country—otherwise all progress will become impossible. Amongst ourselves we must be forbearing and tolerant towards one other. The keynote of advancement lies in the word co-operation. I mean co-operation all round, co-operation between officials and non-officials, Europeans and Indians, Hindus and Mussalmans, Parsis and Sikhs, Jains and Christians. The task before us is formidable, the work exceedingly onerous, and we cannot afford to waste our time and energies in fruitless discussions and harmful recriminations. A wise Providence has joined the star of our destiny with that of Great Britain, and if we fail to profit by this lucky and favourable conjunction the fault will be ours and the after-repentance will be bitter, indeed. Lastly, awake or asleep, one thought should be ever

present in our minds and pervade all our activities—that is the love of our motherland. . How to raise her in the scale of civilization should be the one aim and object of our lives. These duties willingly, conscientiously and lovingly performed, our mission is fulfilled. To you my brethren of Behar, I appeal to keep up your fine solidarity and let no temptation persuade you away from the path of righteousness. Your watchword for ever should be “ Advance Behar.”



THE
PRESIDENTIAL ADDRESS

DELIVERED BY

P. R. SUNDARA AIYAR

AT THE

SEVENTEENTH
Madras Provincial Conference

HELD AT

Kurnool

On the 9th JUNE 1910.

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ERRATA.

PAGE.	LINE	
7	20	substitute "crystallized" for "crystalised".
20	9	insert "out" after "pointed".
"	16	do "the" before "different".
27	10	substitute "will" for "should".
29	2	do "of" for "in".
32	16	omit the comma after "expenditure".
34	18	substitute "Indian" for "latter".
49	last line	do "Governments" for "Officers".
49	8	insert "the" after "of".
50	14	substitute "hardships" for "hardship".
60	3	from the bottom insert "if" after "that".
61	4	" " substitute "1902" for "1892".
64	5	omit "the" after "of".
65	17	substitute "jurisdiction" for "recommendation", after "their".
66	13	omit "been" before "pointed".
76	17	substitute "reasons the" for "reasonsthe".
79	7	substitute "amelioration" for "ameliorations".
"	14	insert a comma after "sovereign".
"	19	substitute "we are bound to succeed" after "sides".
"	7	substitute "We" for "we".

The Seventeenth Madras Provincial Conference.

THE PRESIDENT'S ADDRESS.



**The King Emperor's
Demise.**

THIS year we meet under the cloud of a great national misfortune—one that has plunged more than half the world in deep sorrow—our beloved Sovereign Lord and Emperor King Edward VII has been called away from this earth to his repose. India will mourn the loss for many a long year to come. He was no mere abstract name to the people of this country. They had the good fortune to see and to hear him and to learn to love him. His genial presence and uniform courtesy, on the occasion of his notable Indian visit endeared him to the hearts of all who came in contact with him. When His Majesty ascended the throne on the death of the dearest of all English Monarchs, he declared in solemn terms his resolve to make his noble mother his ideal, whose footsteps he was resolved to follow. No better assurance could be given by a sovereign, after a period of about nine years had elapsed, and when the plague of thoughtless and reckless disloyalty in some parts of this country was threatening to destroy its political life, His Majesty, with a magnanimity, which will never be forgotten, renewed to us that great charter of liberty, progress and equality, by which the noble Queen

Victoria, the good, declared once for all that England had made it her mission to be the foster-mother and friend, and not the conqueror and mistress, of India. More than one subsequent Viceroy had threatened to degrade her solemn pronouncement into a meaningless sham, and to adopt an administrative policy, which took little account of the sentiments of the governed; and when this was resented by some thoughtless people in a manner, which was absurdly foolish and wickedly criminal, people without insight, including even prominent statesmen, not altogether without reason, began to preach the role of repressive domination, and level-headed Indians entertained grave apprehensions regarding the consequences of the misdeeds of their reckless brethren. But His Majesty the Emperor, with true political wisdom, reassured the people, and declared that the clock of progress would not be set back—an assurance which, more than anything else, attached his millions of Indian subjects to him and to the British nation with the golden bond of undying loyalty and affection. In India, a king is no mere institution, but a living person who is still regarded as the vicerent of God on earth, to whom every subject owes obedience, loyalty, and love, and to whom, everyone looks up in weal and in woe, and Edward VII was specially dear to us. He was a thoroughly constitutional sovereign, but he was much more. He was a great king who took a large part in the moulding of History. He was the friend of kings and kingdoms, and he wished well to all nations of the world, and he gained the appellation, which even kings might covet, of the world's Peace-Maker. Yea, he was not merely a king, but the best and most polite gentleman of his age. Sympathy with all, especially with the weak and suffering, was the primary note of his nature. If the loss to us and to the world is so great, what shall we say of the loss to those who were nearest and dearest to him, to the gracious Queen mother, who has won the hearts of all her subjects by her sympathy and kindness, and who was, to our deceased Lord Emperor so much more than a wife and friend. Our hearts go out to her and

to all the members of the Royal Family and to our Lord King and Emperor George V, who has already laid this country under deep obligation by his call to its administrators for more sympathy towards the people in its government. His true and feeling heart have inspired us all with hopes of progress and deepened our loyalty. His message of affection to the people of India has linked afresh the millions of India to the Royal House of England. Long and glorious may be his reign, and may God inspire and watch over him.

The Situation.

His Majesty has commenced his reign at a time of awful responsibility, when grave political and social problems are pressing for solution, not only in his own country, but in other parts of the British Empire. The communities, subject to his sway, are growing at a very rapid pace now. It is seldom the case that any except the most advanced are able to feel and understand the contemporaneous movement of the world in which they live, but it sometimes moves so fast, that even the man of average capacity and intelligence is able to hear the rumbling and to feel the whirling of the motion. The present is such a time. Moreover, the advance of civilisation, the ever increasing facilities for communication, the railway and the electric telegraph, have made all the world neighbours, and have made it possible for us to take in daily the events of the whole world, to take a comprehensive survey of them from time to time, and to understand, in some degree, the forces of the world movement and their inter-relations. A closer and more careful study of History, than what obtained hitherto, is at the same time breaking down many a fetish and superstition, which even the wise long worshipped. It is no longer possible to suppose that civilisation travels in an unreceding line, or that a nation, which ceases to grow for a time, and shows signs of degeneracy, can never get fresh life, and that it must perforce gradually be dissolved and perish. Some civilisations have no doubt perished, giving over their vitality to younger nations. But such need not be the fate of

all Some may be quiescent for long years, and unhealthy from diseases of various sorts, but they are capable of being galvanised again into life and rejuvenated and reinvigourated They possess too much vitality to be destroyed Again civilisation and progress have no locality Why should they? They may travel to and fro, and they *do* There is no reason why they should abhor the East, where they have stayed long If nations have destinies of their own, then it becomes more and more evident that the eastern nations have still a long and brilliant portion of theirs to work out Who, that pays any attention to present-day history and watches the movements of Japan, China, Egypt, Turkey and Persia, can fail to understand that the East is rousing up and moving with the activity of the man, who is awakened from a long sleep Progress has no partiality for colour, nor has it any aversion for any zone of temperature or degrees of longitude History should demonstrate conclusively that there is no reason in the statements that civilisation cannot flourish well in the East, or that men and women cannot grow and develop in the beautiful Tropics, or that all races of dark colour are ordained for ever to be netherms to those of lighter complexion It has no doubt been the splendid prerogative of the West to revitalise the East, as the East had no small share in contributing to the growth of the West Greece did not scorn to learn from the East Greece taught Rome, and Rome gave its life to the nations of Europe, and the vital fluid has flowed freely thence to America, Australia and Africa and back to the East. Europe is entitled to be proud of these achievements. And amongst the European nations, the great British nation, whom we are proud to call our fellow citizens, has been privileged to take the largest and noblest part in the work of progress Not only have the extent and sphere of its usefulness been wider than that of any other nation, but the greatest of the ancient surviving civilisations of the world was

committed to its care for revitalisation. And nobly has Britain discharged the duties of its trust hitherto. No honest man can deny that from the beginning the East India Company fully recognised that it was its solemn duty to govern the Provinces that Providence brought under its sway one by one, in a manner conducive to the welfare of the people. Earnest Englishmen saw and recognized the Divine hand in the gradual disappearance from this great Continent of other European nations, that exploited it, and the manner in which the British nation was substituted for them in every part of the country. The destruction of the Mahratta Confederacy and the subjugation of the several Mahratta Kingdoms made it manifest that England was chosen to perform a great work in this land. England alone was fit for it. From the beginning, it resolved not to destroy the ancient civilisation of the country, but to conserve and strengthen it, and laid down for itself the rule, that the customs and religions of every race inhabiting the country should be maintained inviolate. It restored order where there was confusion. Individual liberty of person and property were made sacred, impartial administration of justice, where the law was made supreme without respector of persons, was one of the first boons of the new order. I will not attempt to perform the needless task of recounting the work of progress that has been achieved. There is not one in this House, I am sure, that is not fully aware of it, or does not gratefully appreciate it. The grandest act of magnanimity was done when the determination was made, that the future progress of the peoples committed to its charge should be moulded by the best western culture that was at its disposal. Macaulay has immortalised himself in this country as the chief apostle of this new dispensation, which assured the progress of India on right lines. It behoves us to remember that this policy was the result of conscious and deliberate unselfishness on the part of the British Government, which has ever since persevered in it. I do not mean that it has been adhered to always without any back-slidings, or that every

measure of importance has been conceived solely in the interests of the governed, or that those who are entrusted with the administration of the country in all its ranks have been whole-hearted supporters of it. There have certainly been reactionary Viceroys and rulers, who have regarded India chiefly as a valuable conquest, and its people as entitled to no more than good government, without title to any degree of political emancipation, and many representatives of the ruling race have been prone to treat even the best of Indians with rudeness and disdain, and to look upon them as members of an inferior race, not entitled to social equality with themselves; and the highly erroneous notion has been entertained that the best way to win the respect and esteem of the Oriental is to keep him at a distance, that fear and not trust is the proper motive to be appealed to in him, and that prestige is even more important than justice in the administration of an eastern country. It is not in human nature that representatives of a ruling race should not be slow to perceive or recognize the merits of those over whom they rule, that they should not be keen in discovering and emphasising their defects and proclaiming their unfitness for increased privileges. It would be unnatural to expect them to be ready to acknowledge changes that must necessarily lead to the curtailment of their own rights and privileges, the best of them are not likely to admit the necessity for reforms until they have become urgent. Canons of judgment, which they would never think of applying to themselves or to their own country, would be enunciated. Rules of progress applicable to an infant, undeveloped, race would be put forward as applicable to civilised races, who are quite capable of changing their line of motion, without any absolute necessity for changing their pace to one suitable to a race, that has to learn motion in the first instance. But Statesmen of insight who are not partakers in the actual turmoil, are able to judge more correctly, and to feel and act more generously.

And, on the whole, those who had the guidance of the destinies of this country at critical times have been inspired by justice and generosity, and the progress of the country has been on the whole steady. Education has made marvellous progress, the press has been generally unfettered, the people have been allowed the free expression of their views and grievances, they have been allowed to take a substantial part in the actual administration of the country, self governing institutions have been introduced and fostered, and gradually, if cautiously, an increasing share has been given to the people in shaping legislation and discussing the policy of the administration.

Political Progress.

Under these favourable auspices, the people of India have grown up now for about half a century. They learned early to voice their grievances in various ways. A strong and well instructed press has grown up to ventilate the sentiments of various classes of the community and more than 20 years ago, the National Congress was organised by the leaders of the Indian community in the various provinces, with the advice of sympathetic European friends, to give expression to opinions on those important public questions on which the sentiments of the educated section of the people in the different parts of India had crystallised into uniformity. Provincial and District Conferences were subsequently originated to formulate public opinion on questions of Provincial and local interest. Ever since their formation, the National Congress and the conferences have been the strongest and most reliable exponents of public opinion and the most powerful instruments of political education. After an initial stage of neglect, the Congress was recognized by Lord Dufferin as a trustworthy mouthpiece of advanced views on Politics, but later Viceroy's treated it with less confidence. A strange doctrine was propounded that the views of the most educated section as to the

Distrust

condition and wants of the country were no index to the real sentiments and requirements of the people, and the preposterous claim was put forward that the official administrators were better acquainted with the real wants of the country and were even better representatives of the large mass of the people than their own countrymen, though the one undoubted defect of Anglo-Indian officials has been their very imperfect acquaintance with the people, over whom they are appointed to rule, and the absence on their part of any real touch with them, and consequent incapacity to sympathise with their aspirations, their feelings and their foibles. And even when the grievances voiced by the National Congress and other similar bodies were in some measure redressed, a curious and unnecessary degree of solicitude was manifested to make it appear that the demands of the educated section of the people had nothing to do with the useful reforms introduced by Government. Is there really any want of prestige in responding to the demands of educated opinion, even if that opinion is not really representative of the desires of the people as a whole? Is it right principle or good policy to act as if concession to legitimate demands for reforms would breed excessive and improper agitation? The educated people of this country are generally grateful even for small favours, though they do not in consequence cease to agitate for more. Constitutional agitation was a lesson they learnt from their governors, and surely no one can say that there was any harm in it, but a policy of distrust gradually gained predominance, and those who had received the best of western culture came to be regarded as discontented men, agitating for their own personal aggrandizement, regardless of the interests of those who are distinguished from them as the masses. The feeling gained ground in many minds that the petitions of the people for removal of grievances were not treated with consideration. The unhappy

Sedition and
Repressive
measures.

defiance, by a masterful Viceroy, of the pronounced and practically unanimous opinion of the people of Bengal, on a measure of capital importance to them, made a large section of them feel that it was hopeless to obtain any redress for grave mistakes, by any amount of petitioning, and embittered the minds of many who imagined that the Government for the time being intended to smother the political progress of the most advanced province of the country. Then arose the unfortunate cult amongst some against petitions and memorials which were stigmatized as mendicancy, and protests and boycott and passive resistance were substituted. I shall not dwell on the unhappy development of this cult on most objectionable lines, and its melancholy culmination in despicable and anarchical acts of outrage and assassination. The most detestable part of such development was the inoculation of young and immature minds with the virus of unconstitutional and disloyal action. Such a growth the Government was bound to put down with a stern hand in the interests of the people as much as in its own interests. I do not propose to deal with the details of each of the measures devised for the purpose, and their wisdom or appropriateness for the purpose to be accomplished. It is seldom that, in such circumstances, even a government, subject to the pressure and control of a constitutional assembly, does not err on the side of too much caution, or is content with measures of restraint really necessary for the occasion. It is not strange that the same should be the case with respect to the recent legislative enactments passed in India. No sane man can deny that the Government was justified, nay, bound, to nip violence and anarchy in the bud. But there are many, whose opinion is entitled to weight, that are convinced that it is inexpedient and unwise to have permanent legislative enactments to suppress temporary violence, and there are many more who feel that the restrictions on individual and com-

munal liberty, imposed by recent legislation, go considerably beyond the necessities of the situation, especially when it is considered that the officials who have to enforce them are foreigners, whose knowledge of the people is not conspicuous, however just and fairminded they may be. These laws are more drastic than were considered necessary to curb the violence of so determined a people as the Irish. The British Parliament moreover did not allow that government to place permanently on the statute books laws appropriate only to a crisis. The enactments in question affect the whole of this continent and fall properly within the province of the National Congress. But there is one matter with reference to such legislation with which this conference is specially concerned. Sedition and disloyalty arose and became organised in Bengal, and although it is no longer possible to assert that the infection did not spread to some other provinces, it was doubtful wisdom to treat the whole of India as one, for the purpose of the restraints to be placed on freedom of speech and action. Our own province has, I venture to say, been wholly free from any kind of organised sedition, though inflamed speaking and writing began to spread here too. Would it not have been wise to accord differential treatment to a part of the country, which showed remarkable steadiness of conduct, and to abstain from extending to this presidency the drastic enactments demanded only by grave emergencies? Such a course would have marked the confidence of the government in the loyal section of the people and deepened its attachment to government. But I would call upon my countrymen not to feel mortified or unnecessarily alarmed by this act of anticipative caution. In times of excitement, people who are guilty of no fault have often to suffer much inconvenience on account of the conduct of a few, and the innocent and deserving are apt to be confounded with the guilty, a potent reason for abstaining from the

use of exceptional measures of restraint without the clearest proof of necessity against the individuals who fall under suspicion. But the Government, which has the responsibility of maintaining the public peace, is entitled to be judged with generosity by its subjects, and we may hope and trust that it will not allow its inferior officers of the peace to exhibit improper and uncalled for zeal in finding sedition and mischief where there is none.

The Liberal Policy of Government. It is a matter for supreme congratulation that our rulers, who had the destiny of India in their hands, did not make the enormous Russian blunder of maintaining that repression is an adequate remedy for discontent. It has been the good fortune alike of England and of India that in times of grave crises, when the tanning taken might determine the fate of the country for many long years to come, England has possessed statesmen of almost prophetic insight, inspired by the divine qualities of love and generosity, who have had the manliness to take the right path, amidst bewildering and discouraging cries of protests and prejudice. Lord Morley and Lord Minto have enshrined themselves in the hearts of India by the noble part they have chosen. It was urged upon them, that the whole course of action pursued by the British Government, in imparting Western education to the races of India, and fostering Western ideas of liberty and introducing Western political institutions, was a blunder of the first magnitude, that the result of the policy was merely discontent and disloyalty, that force, combined with humane treatment, was the only means of holding India for England, that the East and the people of dark colour could never be fit for self-government, and that there was no use in fighting against the inherited incapacity of the people, and their ingrained genius, which govern their growth and their very being. But fortunately, they knew much better. They recognized that, after giving to a civilised people for

half a century a training in Western culture, and imbuing them with the most advanced ideas of individual freedom and national union, it would be as cruel, as it would be impossible, to take them back to a time when the will of the Sovereign power might have been the supreme factor of their lives. They clearly perceived, that the fifty years of progress under British rule had done much to weld the people into something of a nation—that common laws, a common culture, common lines of progress, common political institutions, common aspirations and common grievances, and not least, fealty to a common sovereign, had introduced a feeling of community of interests, that the railway and the telegraph, the possession of a common language for the interchange of thoughts amongst the educated, the habit of combination for the redress of their common grievances and for the promotion of their mutual interests, had brought the various communities and castes of India a great deal nearer to each other than they were in times past, that it would be a suicidal blunder to accentuate the differences between them in order to check or to retard their growth, and to prevent them from taking a larger and gradually increasing part in the Government of their own country. It was clear to them that the genius of the age was in favour of constitutional government, that the world had become permeated with the spirit of freedom, that the days of purely autocratic government were over, and look where they might, they saw that countries certainly not more advanced than India had already bowed to the changed conditions of the age, and had substituted, or were taking steps to substitute, constitutional government for autocracy. They would not set to themselves the ignoble task of abandoning the high and meritorious work, which England had undertaken, of training India for freedom and self government. They realised fully that the sedition, which was so much emphasised by many, was only on the surface and that there is not a single class of people in the country who really

desire the cessation of the British Raj ; for, what substitute can they desire or think of for it? Are there any in this land that want any other foreign rule to replace the present government? Do the educated people, who are suspected to be breeders of sedition think, that they can construct a republic, or a number of republics, with some of their own number as the Presidents thereof? Do they wish members of their own aristocracy to establish themselves in different parts of the country? Is there one man who fancies, that any power but the British can maintain peace and security in this vast continent, or that is not aware, that the budding national growth of the people can develop under the aegis of British supermacy alone? Nay, nay, the wildest and most crack-brained idealist wishes no more than a much quicker speed in the bringing about of constitutional government than is either safe or possible. Responsible politicians have no doubt attempted to conceive the ideal, which it may be possible to reach a long, long, time hence, whose distance they do not attempt to forecast. It is possible to be of opinion that this is at present unnecessary, and not more useful than disputations on subtle doctrines of philosophy and religion, and that there is work enough for the Indian people to do for a long time yet to come, in educating and consolidating themselves into a real nation, before they are pressed to solve the question of the form of government, which they would wish in the long run to see evolved. But, after all, there is no harm in trying to form an idea of the goal, and it may be useful to do so. At any rate, thoughtful Indian leaders can hardly abstain from it. I would beseech our rulers not to misunderstand the action of the Congress or the people in doing so. Swadeshi, whether the word is absolutely free from misapprehension or not, means to the most red-hot advocate of progress, no more than constitutional government, and the chimera of getting rid of the present Raj has no lodgment in the wildest brain, or any attraction for the most unrestrained imagination. India is loyal to the core, and loyal not merely on account of self-

Swadeshi.

interest, but I say, loyal also from sentiment. Attachment to the established order of things is a prominent trait of Indian character. Attachment to the person of the Sovereign is almost a part of our religion; and that sympathy, which is the key note of the Royal House of England, has attracted to it all the veneration for the throne, which is part and parcel of our nature. We have learned to look to the British Raj as the palladium of peace and good government, and as the instrument designed by Providence to lead us on to progress. Half a dozen years ago, I would have regarded this emphatic declaration of our loyalty and our trust in the great British Government as pedantic supererogation, but it has appeared to me to be not out of place at the present time, and that it may serve to remove misconception and misunderstanding.

There are many who opine that Lord Morley's reforms of the Legislative Councils are premature and that the people are not yet fit for them. These sapient persons are like those who objected to the emancipation of slaves, because slaves were not free before, and were therefore not fit for freedom. I most freely admit that the Indian people are not fit for all the items of Lord Morley's reforms, in the sense that their fitness has not been already proved in the past for these identical measures, but in the sense that a man who has developed sound legs is fit to be set to walk, I have no doubt that the reforms have not come too soon. Such a man may hobble and sustain some falls, but with caution, self-restraint and proper guidance, that will not do him any harm. On the other hand, there are intelligent and thoughtful Indians who hold that the reforms do not go far enough. Indian opinion is more unanimous that some features of the Reform Act are unsatisfactory, and even calculated to retard progress in the long run. The conditions of the country are so peculiar and complicated, that the problem of how to constitute any deliberative assembly so as to balance and advance the interests of the numerous communities cons-

**Political union in
India.**

tituting the people of India is one that might perplex the shrewdest and most thoughtful statesmen. The profession, by the people, of different religions and the division of the people into numerous castes are considered by many even amongst ourselves to make the formation of an Indian nation practically impossible, and the abolition of caste distinctions is considered to be indispensable for the development of corporate political life. But I think, with all humility, that there is an unnecessary amount of despair on this account. So long as the various castes and religionists accentuate their mutual differences, and desire to grab at power for themselves, on the ground of these differences, national life undoubtedly cannot grow; but if they are taught to perceive that their material and political interests are really identical, and that through union lies the road to progress and prosperity, there is no reason why they should not become one political nation. On this question let me quote the views of a most eminent political philosopher. Lord Acton in his essay on nationality, says, "The presence of different nations under the same sovereignty is similar in its effect to the independence of the church in the state. It provides against the servility, which flourishes under the shadow of a single authority, by balancing interests, multiplying associations and giving to the subject the restraint and support of a combined opinion. In the same way, it promotes independence by forming definite groups of public opinion, and by affording a great source and centre of political sentiments, and of notions of duty not derived from the sovereign will. Liberty provokes diversity, and diversity preserves liberty by supplying the means of organisation. All those portions of law, which govern the relations of men with each other and regulate social life, are the varying results of national custom and the creation of private society. In these things therefore, the several nations will differ from each other, for they themselves have produced them and they do not owe them to the state, which rules them all. This diversity in the same state is a firm barrier against the intrusion of the

government beyond the political sphere, which is common to all, into the social department which escapes legislation, and is ruled by spontaneous laws. This sort of interference is characteristic of an absolute government and is sure to provoke reaction and finally a remedy." (The British Government however, has almost religiously adhered to the policy of non-intervention in social matters.) "That intolerance of social freedom which is natural to absolutism, is sure to find a corrective in the national diversities, which no other force could efficiently provide. The co-existence of several nations under the same state is a test as well as the best security of its freedom. It is also one of the chief instruments of civilisation. And as such, it is in the natural and providential order, and indicates a state of greater advancement than the national unity, which is the ideal of modern liberalism. The combination of different nations in one state is as necessary a condition of civilised life as the combination of men in society. Inferior races are raised by living in political unison with races intellectually superior. Exhausted and decaying nations are renewed by the contact of a younger vitality. Nations, in which the elements of organisation and the capacity for government have been lost, are restored and educated anew under the discipline of a stronger and less corrupted race. This fertilising and regenerating process can only be obtained by living under one government. It is in the cauldron of the state that the fusion takes place, by which the vigour, the knowledge, and the capacity of one portion of mankind may be communicated to another. Where political and national boundaries coincide, society ceases to advance, and nations relapse into a condition corresponding to that of men, who renounce intercourse with their fellowmen. The difference between the two unites mankind, not only by the benefits it confers on those who live together but because it connects society

either by a political or national bond, gives to every people an interest in its neighbours, either because they are under the same government, or because they are of the same race, and thus promotes the interests of humanity, of civilisation and of religion." Speaking of the combination of different nations under the government of the Christian Church, the author goes on to say, "A nation was no longer what it had been to the ancient world—the progeny of a common ancestor or the aboriginal product of a particular religion—a result of merely physical and material causes, but a moral and political being; not the creation of a geographical or physiological unity, but developed in due course by the action of the state. A state may in course of time produce a nationality, but that a nationality should constitute a state is contrary to the nature of modern civilisation. The nation derives its rights and its power from the memory of a former independence" Let me ask you to ponder over these thoughtful remarks, and let us not be unduly depressed by the existence of different sects and communities, in our efforts to build up a great political nation in India. Is it not likely that this circumstance has probably enabled several of the communities to rise much quicker than they might have done, if all had been fused prematurely into an artificial whole? But let me cite to you another passage from the same great authority, where he indicates the qualities that different communities, living together, must cultivate, if political unity is to result from their admixture "The difference between nationality and the state is exhibited in the nature of patriotic sentiment. Our connection with a race is merely natural or physical, while our duties to the political nation are ethical. One is a community of affections and instincts, infinitely important and powerful in savage life, but pertaining more to the animal than to the civilised man, the other is an authority governing by laws, imposing

obligations, and giving a moral sanction and character to the natural relations of society. Patriotism is in political life, what faith is in religion, and it stands to the domestic feelings and to homesickness, as faith to fanaticism and superstition. It has one aspect derived from private life and nature, for it is an extension of the family affections, as the tribe is an extension of the family. But, in its real political character, patriotism consists in the development of the instinct of self-preservation into a moral duty, which may involve self-sacrifice. Self-preservation is both an instinct and a duty, natural and involuntary in one respect, and at the same time a moral obligation. By the first it produces the family, by the last, the state. If the nation could exist without the state, subject only to the instinct of self-preservation, it would be incapable of controlling or sacrificing itself; it would be an end and a rule to itself. But in the political order, moral purposes are realised and public ends are pursued, to which private interests and even existence must be sacrificed. The great sign of true patriotism, the development of selfishness into sacrifice is the product of political life. That sense of duty, which is supplied by a race, is not entirely separated from its selfish and instinctive basis; and the love of duty, like married love, stands at the same time on a material and a moral foundation. The patriot must distinguish between the two causes or objects of his devotion. The attachment which is given only to the country is like obedience given only to the state, a submission to physical influences." It is this duty of self-sacrifice that the members of the different communities have to realise, so that it may become their rule of action in all matters of public interest. There should be no question of caste or of community; the common interest of all should be the sole guide. In truth there will seldom be any conflict of interests in this country in public matters, arising from differences of religion or race, unless the narrow

and selfish desire to secure place and power for the members of the particular race or religion, to which one belongs, gains the upper hand of public duty. Nor do the modes of thought and action differ materially amongst the adherents of different creeds or the members of the different races, so as to lead them to different conclusions on public questions. If the aim of all be to secure the advancement of the country materially, intellectually and morally, there will be indeed few topics on which the representatives of the different communities would honestly differ. Self-sacrifice is needed not to sacrifice the sentiments of one community to those of another on any question of public importance, but only for controlling the desire for patronage and power for one's own natural kith and kin. Rigorous self discipline would undoubtedly be necessary to restrain that desire, but believe me, that this is the prime condition for the evolution of political life in India. Are we going to adopt, as our ideal, a state of perpetual scrambling between class and class against our common interests? Are we so divided from each other and so ill-disposed to each other as to afford any justification for such scrambling? Do we really have no confidence in each other, sufficient to put an end to this strife? Does the Brahmin believe that a Sudra Magistrate will not administer justice impartially between one of his own class and a Brahmin? If the Pariah as yet has no confidence in the impartiality of his Brahmin or Sudra fellow subject, then ye Brahmins and Sudras, make no delay in demonstrating that there is no real foundation for his misgiving. On you, the members of the higher castes lies very heavily the duty of self-sacrifice so pointedly insisted on, by Lord Acton for political growth; and on the Brahmin it lies heaviest of all. It behoves him to remove entirely the suspicion that he imagines that he has any preferential claim to place or power. Let him rather show by his actions that, if in reality he had more of the curry and rice before,

he is ready voluntarily to give them up now in the common interests of the whole body politic. In the future political nation, all classes must be political equals, and the higher classes must try to make it clear that they claim no more than equality. No claim to special treatment by any community on the ground of religion or social prestige can be admitted and none must be urged if the country as a whole is to progress. If this be kept steadily in view, each community may be left to deal with its own social and religious problems, and this should be the case as pointed by Lord Acton, it being remembered of course, that it is the duty of every community to practice sufficient tolerance and self-restraint not to make its own social and religious observances a cause of offence to other communities. Let me not be misunderstood however. I do not mean that we should not make all possible exertions to minimise caste differences to facilitate the process of political unification, but if we proceed on the assumption, that different races must be socially welded together before political union can be achieved, we shall be fundamentally wrong, and we shall have to wait none knows how long, before anything appreciable can be done. Improve and purify the character and qualities of each race and sect, so as to make it fit for political co-operation with all other races and sects, and then, as pointed out by Lord Acton, the multiplicity of communities will be a source not of weakness, but rather of strength.

**Representation
under the
Reform Act.**

Lord Morley's Reform Act proceeds on the basis that the Muhummadans and the Hindus are so fundamentally different from each other that they could not coalesce with each other, and that the difference between them requires political recognition by the allotment of special and separate seats for their representation in the Councils of the Empire, and an assumption of a similar character is

made with regard to other communities too, and seats are left at the disposal of each provincial government for making provision for their separate representation when deemed necessary. Now I do not grudge a few special seats in the councils to our Muhammadan brethren. If that were the only matter for consideration, I would exhort the Hindus to yield the point at once, for conciliating and securing the co-operation of the Muhammadans in the political advancement of the country. But what would be the probable result of this policy? Can it be expected that the seats so given will ever be relinquished by the Muhammadans? Is it not rather likely that such concessions would lead to demands for further and larger concessions? Again, on what principle, could the demands of other communities for similar special treatment be resisted? Would not the result be the perpetuation of racial claims and the effectual prevention of the formation of a single political nation? It is contended that this need not be the case, but it is difficult to believe that this policy will not have the effect of isolating the Muhammadans and engendering in them a feeling that separateness is calculated to give them advantages, which they might not otherwise be able to secure. To me, with all deference, it appears to be a matter of regret that the leaders of the Muhammadan Community, who deservedly command the respect of us all, should have chosen to claim legislative recognition of their right to special seats in the Council. They urge that the Muhammadans differ essentially from the Hindus in their modes of thought. This statement, though it has repeatedly been made, has never been elucidated. Speaking of my Muhammadan brethren in the Madras Presidency, I am entirely unable to assent to it. I think the experience of all is just the contrary. No such argument has till now been put forward with regard to the constitution of Municipal Councils, and no complaint has been heard.

that the interests of the Muhummadans have thereby suffered. Hitherto, special privileges have been asked for on the ground of the backwardness of the community in some parts of India in point of Western education. The present claim, I grieve to say, is calculated to lead to new and unnecessary differences between the Muhummadan and other communities. We are one and all willing and anxious that special facilities should be afforded to our Muhummadan brethren, as well as to any other community, that may require special treatment, to enable it to make up for lost time, in the matter of Western culture, for we are desirous that all the great communities should march shoulder to shoulder, and be able to act as members of one political community. I have no doubt that this is the desire of the Muhummadans too. But I would respectfully put to them that their present line of conduct seems to be calculated to lead to permanent wrangling between the different communities of the country. A feeling of political separateness can hardly fail to generate a similar feeling with regard to other matters generally. There might be no objection to allowing the executive authorities, when necessary, to allot additional seats to Muhummadans, until the growing political life of the country should render it no longer required. It would then be clear to our Muhummadan friends that the concession is only temporary.

At an early stage of the discussion of the problem of representation, the Government seem to have thought that in India racial and not territorial representation was the proper method to adopt, but public opinion was almost unanimously against this view. The Government of Madras observed "The Government of India however, suggest that the Local Government should determine how many seats are to be filled by elected representatives of the most important classes into which the population of the presidency is divided by *race, caste or religion*. No part of the Government of India's Scheme has

been received with more general and decided disapprobation than this last suggestion. Apart from the very great practical difficulty of forming class electorates, the proposal to introduce the principle of race, caste and religion, has been universally condemned, as likely to perpetuate differences and to strengthen barriers, which the growth of civilisation is gradually removing. It has been contended that, even now, with the exception of Muhummadans, no religion or caste has any special interests of its own. On the Legislative Council, of which the number of members is essentially limited, there would not be room for the representation even of the larger communities, and even among those, whose position might obtain for them representation in the Council, divergences of interest are so great that, in the absence of provision for eliciting the opinions of sub-castes and sub-sections of communities, absolute equality of treatment could not be secured. The Mappillas have nothing but their religion in common with the Lubbays. The social barrier between the Uriya Brahmin and the Nambudiri Brahmin of the West Coast is more than the continent which separates them geographically." There is some inconsistency in the statements contained in the above extract, for while differences of interest between different sub-castes are referred to, it is pointed out that the various communities have no separate interests at all. What is meant of course is that the social differences between even sub-castes are great, but there are no differences between them in their interests on public questions. But in this condemnation of racial or religious principle of representation, it is assumed by the Government that the professors of the Muhummadan religion may stand on a footing of their own. It would be interesting to be told on what questions coming up for discussion before a legislative council their interests would be different from those of the Hindus. There is much force, on the other hand, in the contention, that special representation as the result of election by a special Mahomedan electorate is not unlikely to lead to the constant iteration of claims for special pri-

vileges on behalf of Mahomedans and possibly to a tendency, in the hopes of getting racial concessions, to judge public opinions not solely on their merits, but with a view, if possible, to agree with the official view. I earnestly hope that this will not be the result in actual practice, and trust that the Mahomedan members will not by their conduct create a gulf that does not now exist between their own and other communities. There is further ground for regret in the persistence by the Mahomedan leaders in requiring not only special representation, but on a further cleavage, by the constitution of special electorates. I would beseech them not to further accentuate racial differences by agitating for special representation and special electorates in the Local and Municipal Councils also. There are other directions in which the rules framed under this statute require important modifications. They are intended to be only tentative, to be amended in the light of experience, and it will be our duty without delay to formulate the views of educated Indians with regard to them for the consideration of Government.

I have considered it right to dwell at some length on this question, because, I think, it is one of great political significance, and I trust that my Mahomedan brethren will accept the criticism in the spirit in which it is offered. But I would earnestly press on my Hindu brethren the advisability of regarding this matter as settled for the present, to accept the situation cheerfully, and not to make a racial question of it, and let us all strive to minimise the effect of it in isolating the Mahomedan community, or in leading other communities to attempt to isolate themselves similarly. Hindus will do well for the present not to complain so long as the Mahomedan community is not allowed an undue preponderance of representation.

There is another feature of the Act which seems to me open to serious objection. The middle class educated men, whether belonging to the learned professions or not, receive very inadequate recognition under it, so inadequate as to lead some to suspect, that it must

have been intended deliberately to discourage them, as the result of a policy of distrust, and it is rightly apprehended that the weakening of the best representatives of culture will considerably diminish the effective power of the non-official section of the councils. Not very long ago, educated Indians were considered the best source of strength to the government, and it was believed that their influence would help to consolidate British rule. The Government of Lord Lytton writing to the Secretary of State in 1880 observed, that "To the minds of at least the educated among the people of India, and the number is rapidly increasing, any idea of the subversion of British power is abhorrent, from the consciousness that it must result in the wildest anarchy and confusion" To this reason we might add that their own position and influence are absolutely dependent on the continuance of British rule. The Regulations under the Councils Act require that a candidate for seats allotted to the Municipalities and District Boards should have served on those bodies himself. While this would have the beneficial effect of inducing educated men to seek opportunities of serving on such bodies, and give them some training in public life, before they can enter the Councils, it is bound to have the effect of shutting the door against many very deserving candidates. In England, while qualifications are prescribed for electors, practically no restrictions are laid on their choice of the man they wish to select to represent them in Parliament. Surely, the electors may be presumed to know which candidate is qualified to serve their interests best, and it would be neither fair nor reasonable to suppose that men of education, not possessing sufficient local knowledge, will generally succeed by improper pressure or other unfair means in persuading electors to return them. Nor can it be contended that the qualifications required for helping in the deliberations of the councils are similar to those desirable in members of Municipalities and Local Boards.

The Regulations further effectively preclude the election, by the moffussil electorates, of non-official men of light and leading in the metropolitan cities, where men of education and culture are concentrated, most of whom undoubtedly possess intimate local knowledge of some at least of the districts, and are often better instructed than moffussil gentlemen whose experience is not seldom confined to a single district. I think that the sound rule is to lay down no qualifications for candidates, except such as may be necessary to keep out undesirable persons. Under the existing rules the landholders cannot elect a gentleman possessed of special knowledge, that might be of great use to them, unless he be a landholder himself, possessed of an extent of land, that only a very small number of people possess in this country.

The Franchise.

Again, high educational qualifications as such do not entitle a man to be enlisted as a voter under the regulations. This may not be a serious defect in a country like England, where the proportion of educated men in the community is very large, and where political knowledge and political spirit have permeated the whole body of the people. But in a country like India, where modern education and good knowledge of public affairs are not yet very common, it is unwise not to recognize the possession of high education as a qualification for political franchise. This principle is already recognized in the constitution of Municipal bodies. Experience has shown that there is no necessity for restricting the right of voting to members of Municipalities and District Boards, and that it is quite feasible to form distinct electoral bodies. This has been done for the seats reserved for landholders and Mahomedans. It would be very desirable to divide the districts into suitable groups and to constitute electorates based on the possession of property and educational qualifications.

Again, the metropolitan cities also receive very inadequate repre-

sentation on the councils. Not taking into account the Commercial and the University Seats, which cannot be properly regarded as given to the people of the capitals, each of them has only a single representative, and he is elected by such a close body as the corporation of the city. One would naturally expect that the widest franchise would first be attempted in the principal seats of government, possessing a large element of men of position and education. I hope that an electorate composed of men of substantial property, (say enough to qualify them to be members of the corporation) and of those of high education, should be created for each of the metropolitan cities.

The official world seems for some reason or other to be in dread of professional men, particularly of lawyers. But in every legislative assembly in Europe and America lawyers have a predominant voice. By their special skill in legislative work, by their experience of men and things, by the wide range of knowledge that every successful lawyer must possess, and their power of debate, they are peculiarly qualified for service in the councils. Besides, what special interests have they to serve of their own? They may have ambition, but it is not of a selfish character, but the infinity of men of capacity and knowledge. It was actually proposed at one stage to restrict the number of lawyers in the council by an express rule, but wiser counsels prevailed. Lawyers, be not discouraged, so long as your motives are pure, and your work is done solely with a view to further the public interests, you are destined to be in the van-guard of progress.

But whatever be the imperfections of the statute or the defects in the Regulations, there is no doubt that the act is on the whole a generous measure of political enfranchisement and a great advance in constitutional government. Its merits and defects have been canvassed with minuteness at the last congress and at numerous confer-

ences, and by public men and writers on various occasions, and it would be supererogation on my part to traverse the same ground.

Our Responsibilities.

There is however one aspect of the question which I think has not received the attention that it deserves. It is our duty to consider and adequately realise *our own* grave responsibilities under the altered conditions brought about by the Reform Act, taken along with the recommendations of the Royal Commission on Decentralisation, which the Government is taking steps to carry out as far as possible. A freer hand is to be given to Local bodies in the management of their affairs, and the principle of election is to be largely extended in their constitution. Village panchayats are to be organised and entrusted with considerable local self-government. Let us consider what all this means, and let us be under no misapprehensions. While it is true that a great advance has been made under British Government in the capacity for mutual co-operation in public affairs between the different communities, it is still true that our internal differences often make our public work a failure. These disagreements are not so much racial as individual. The lesson of organised work has not yet been properly learned. Individual jealousies too often paralyse all work on behalf of the community. Every man has a tendency narrowly to appraise the merits of his fellow-citizens and compare them with his own, and to refuse to submit to the prominence of others, if the result of the appraisement is in his own favour, as it is too often likely to be. The substantial numerical increase in the non-official element of the councils is calculated largely to increase non-official influence in shaping the policy and measures of Government, but this can only be achieved by proper organisation and leadership. Our knowledge of the methods of successful public work in England ought to convince us that no body of men can make its voice felt without strong and tactful leadership. No private animosities or minute

scrutiny of purely intellectual attainments should stand in the way of the selection of the man best fitted to be leader, or in giving him sincere and loyal support. It is to be hoped that the representatives of special interests or particular classes will heartily co-operate with their colleagues in making the non-official section of the council a source of really valuable help to the government, at the same time bringing the pressure of public opinion to bear powerfully on the administration. I welcome the larger opportunities given to the representatives of our aristocracy to take a share in the deliberations of the council. Real national progress requires the active co-operation of that very influential class with the educated middle class. Hitherto they have been content to take a more or less passive part in the general life of the country. I am sure that the middle class will hail with satisfaction their present desire to take a larger share in the administration. Their wealth and influence are calculated to quicken progress in all directions. While their activity will I hope act to some extent as a steadying influence on other non-official members, we may confidently hope that the members of the aristocracy will realise that in almost all matters their interests are identical with those of the rest of the community, and that on the united action of all the sections of the community depends the prosperity of every section. Their position as natural leaders of the community is still open to them if they will qualify themselves to resume it, realise the altered circumstances of the country and strive to discharge the responsibilities of leadership.

The largest and the most valuable extension of power conferred on the members of councils by the new Legislative Councils Act is undoubtedly the right of partaking in the determination of the Financial Budget, and of moving resolutions on questions of general

importance. This has enormously increased the responsibilities of the members. Sound political knowledge, great tact, much self-restraint, and a serious sense of responsibility, are absolutely needed for the proper discharge of these new functions. We must honestly recognize that the information on public questions possessed by many even among the best of us is vague and meagre, and that a large improvement in political knowledge is urgently needed. A wide study of History and a full systematic and accurate mastery of Indian questions must be aimed at by every member of the reformed Council. The moving of ill-thought resolutions and irresponsible suggestions with regard to the Budget are sure to bring the new system into discredit. The time is past, when in India, one could pose as a public man at small expenditure of time and energy. Strenuous work, close study and much self-sacrifice are now needed to enable a public man to be of real use to the community at large. The electorates must learn to insist on proof of these qualities to entitle a man to their franchise, and not regard every Municipal Councillor and member of a Local Board as qualified to sit in the Council Chamber.

But it is not alone of our Legislative Councillor's work that I would speak on the present occasion. The press and citizens generally must recognize in a more adequate degree, than possibly they now do, their own responsibilities in the new order of things. Our representatives in the Council must necessarily, in large measure, reflect the opinions of the public at large. It is natural that in a country circumstanced as ours, the Indian Press should have been hitherto pretty unanimous on most public questions, but having regard to the increased powers of the councils, discussions in the press should in my opinion be freer, and there should be no unhealthy feeling that the Indian Press should present a solid phalanx of opinion to the governing authorities.

But, more important than all, is the necessity for developing the sense of civic responsibility and genuine patriotism in the community. It is usual to say that self-government is an old plant in Indian soil, and that the government has only to restore what was taken away from the people long ago. It is true, in a sense, that local autonomy existed in the country in a much larger degree than is now the case. But I would be perfectly candid and remind you of undoubted defects in our character, for a proper appreciation of them is indispensable for real progress. While the domestic virtues are a prominent trait in the Indian character, there is really no adequate recognition of civic responsibility, of the duties one owes to the town to which one belongs, or to the province or country at large. Readiness to help one's relations and charity to the poor, are qualities of which we are entitled to be proud, but every one in this House must be keenly alive to the fact that it is extremely difficult to make many citizens put their hands into their pockets for institutions intended for the general public. How can we expect a proper sense of patriotism, or duty to the country as a whole, when the sense of duty to one's own neighbours is feeble? Until we realise and act on the principle that it is the duty of everyone to give some portion both of his time and his money to the service of the public, there can be little real development of national life, and there will be no adequate justification for claiming a larger measure of self-government. We must therefore make serious and sustained efforts to train ourselves to recognize on every occasion our responsibilities as citizens of one country.

Let me now turn for a moment to another important responsibility, which the reforms have brought prominently to the front. With the constitution of large electorates for the choice of members to the councils, and the determination of the government to apply the prin-

ciple of election more largely to the constitution of Local Boards (including Taluk Boards and perhaps even Village Panchayats), the necessity for instructing the large mass of the people on public questions has become urgent. It must be admitted that to many of us, our experience causes some anxiety as to the success of the elective principle on so extended a scale. We must make special efforts therefore to make the people recognize the value and importance of their new powers, both of election and local administration, and improve their capacity to exercise them. Seeing that only a minute fraction of the people are as yet literate in the English language, Vernacular newspapers and magazines are the most suitable means at hand for instructing them, and no pains should be spared to purify and develop the Vernacular press and Vernacular literature. Responsible and well-informed men must cultivate the Vernaculars, and realise their duty to instruct their less-educated brethren. The Panchayats are to be entrusted with considerable powers in matters pertaining to sanitation, expenditure, in minor irrigation and water works, the construction and maintenance of school and some control of elementary education and the Taluk Boards with still larger powers.

What a vast amount of work the Congress Committees throughout the empire have to do and how inadequate our efforts in doing it? Taluk Committees have not been established in many districts. Our committees cannot yet claim credit for continuous activity. Men with the readiness, time and energy for the work are conspicuous by their smallness in numbers. Organised effort is practically absent in most places, and division of work has hardly been attempted. I am sincerely convinced that Lord Morley and the Government have given us several years of strenuous work to do, to equip ourselves thoroughly for the measures of Reform now granted to us. There ought to be many Service of India Associations, instead of the single small band of men that is now doing much excellent work.

**The Responsibilities
of the
Anglo-Indians.**

The Reforms however cannot attain much success without the cordial co-operation of the Anglo-Indian community, both officials and non-officials. The harmonious working of the councils depends very largely on the government and the official members extending the right hand of friendship to the enlarged non-official section. That the latter should sometimes try the patience of the former by ill-instructed or tactless criticism is probable. But a little patience will, I have no doubt overcome this difficulty, and beyond doubt, the non-official councillors will, if treated with consideration, bring to the service of government most valuable knowledge regarding the real defects in the administration and the sentiments of the community on matters of great practical importance. It is a matter for deep regret that the council session cannot be made much longer than it now is, on account of the supposed imperative necessity of migration to the Hills for the greater portion of the year. One of the most useful functions of non-official members, is the task of interpellation, which is a constant warning to administrators and officials of all grades that any serious aberration of conduct on their part may be brought to the notice of Government. But interpellation loses half its value, if the necessary questions cannot be put promptly when the occasion arises. Moreover it is uncomfortable to councillors, besides being a strain on government, that each Honourable member should have a long string of questions to be thrown at the government at a single meeting of the council. The necessity for this will be obviated if the meetings of the council were much more frequent than they now are. Moreover, a longer session will afford the non-officials time and encouragement to initiate much useful legislation on topics, with which they are specially competent to deal, a function which they now much neglect. But this is perhaps a suggestion, which at the present day has no more chance of being listened to than a cry in the wilderness.

Even more important than the co-operation of the official councillors, is sympathetic treatment on the part of the large body of officials ruling the Districts. On this depends the success of local self-government and the political progress of the people. The new order calls for much sacrifice on their part. Will they be equal to the occasion and rise to the noble call of Sir Edward Baker and be proud of the opportunity of taking a part in the larger enfranchisement of the people? If I at all understand the English character aright, I think they will, though it is only natural to expect some initial unwillingness to be reconciled to the changed order of things. Need I repeat the plea so often urged for an effort to bring about better social rapprochement between the Indian and the Englishman? If the latter will forget the lesson of the expediency of maintaining a distance between himself and the Indian, and if he will make an effort to penetrate beneath an exterior surface, which may seem to him at first to be repulsive, and to see the essential human nature beneath, I have no doubt at all that he will see much in the Indian character to esteem and to love. The latter admires the stern discipline, the energy and the orderliness in the English nature and will rapidly acquire these qualities by closer intimacy with the Englishman, while the latter will, I venture to think, profit by adding more tolerance, gentleness and refinement to his own temperament. Men are not willing in social intercourse to exercise sufficient self restraint to endure unfamiliar idiosyncracies in those whom they meet. and perhaps, this is peculiarly so with Englishmen, especially in their relations with a subject race. But the Indian attaches ~~more~~ more importance to social equality than to any particular political privilege. It is on this ground, more than for any manifest material advantage resulting from it, that the public attach very great advantage to the admission of even a single Indian to the executive councils of the Viceroy and of the Provincial Officers.

They look upon it as removing the badge of inferiority attempted to be affixed to them as a body, as an external symbol of equality with the ruling race. Government would do well, I think, to make it a rule to treat rudeness of behaviour by its officials as misconduct entailing official punishment, for it is this, more than anything else, that estranges many a self-respecting Indian from the nation of his rulers. The Royal Commission on Decentralisation recommend that "young civilians should at the outset of their career, receive special instruction in the characteristics of Indian sentiment and social life, and to this end care should be taken in the selection of the Collectors under whom their apprenticeship will be passed. They should be made to realise that their value and prospects as Government Officers depend not merely on the performance of their official duties but on cultivating good and friendly relations with the people among whom they move, and confidential reports on officers should lay stress on this point". An experiment worth trying both for this reason and for the purpose of administrative improvement is the holding of occasional conferences of an informal character by District and Sub-divisional Officers, which will afford them opportunities of intimate social converse with the leading inhabitants within their jurisdiction, besides enabling them to acquaint themselves with their views on local administrative defects. Such conferences to be successful must not be too large, nor need the same people be invited to all of them. I need hardly say that the persons invited should be encouraged to open their hearts freely to the officers and to state their views on social and public questions with unrestrained candour.

Informal Conferences.

The South African Question.

This leads me to a question which, notwithstanding the heart-felt gratitude felt by all sections of the community for the reforms granted, fills their minds with feelings of shame, indignation, and disgust, which

are getting intensified with the lapse of time. I mean, the manner in which their fellow subjects are treated in some South African Colonies, and particularly in the Transvaal. I would have considered it expedient to refrain from any detailed reference to this unfortunate and perplexing problem if the public mind had not already been excited about it to an alarming extent. The recent deportation of about hundred men from their homes and kindred in the Transvaal has made it impossible any longer to avoid the public discussion of the question. I have therefore considered it the best course to lay before you the exact situation (as far as I am able to ascertain it) of the condition of our brethren in the Transvaal, and the recent anti-Asiatic Legislation in that country, in the hope that it may be of use to you in enabling you to judge what is the wisest course to adopt in discharging our obligation as fellow citizens to Asiatics resident in those distant foreign countries, and to others who may think of proceeding thither, as well as to ourselves. South Africa happens to be a place fit for the residence, both of Europeans accustomed to a temperate climate, and of Asiatics accustomed to dwell in Tropical regions. It was colonised by European nations, those who colonised the Transvaal consisting chiefly of people of Dutch and British extraction. There are also Colonies of European settlers in Australia and the West Indies, in all, there are more than twenty-five colonies and dependencies, where Asiatics have settled in larger or smaller numbers. In several of them, they are subjected to no restrictions at all. In New South Wales they are admitted to full rights of citizenship, including electoral privileges. With regard to the Australian colonies generally, it may be said, there are few restrictions specially affecting Asiatics. In some there is an Immigration Act intended to prohibit the entry of '*undesirables*,' and though capacity to write in some European Language is made the qualification for admission into the state, and Asia-

tic Languages are excluded, still there is no direct racial insult attached to the condition. There are to be found in the statutes, provisions against the sale of liquors, and certain other provisions which would seem to be intended mainly to protect Asiatics, most of whom are labourers, who have left their country in search of livelihood, but on the whole, there does not seem to be anything seriously objectionable in the treatment at present accorded in the Australian Colonies to Indian Residents. In the West Indies Dependencies, a similar humane treatment is accorded, and in St Vincent and St Lucia, the labourers are even encouraged to make the country their home after the period of their indentured service is over. But most of the African dependencies have dealt less fairly with Indians. There are Municipal restrictions in parts of the Cape of Good Hope curtailing their right of free residence, and allotting special locations for Asiatics. In Natal where the Indian population is the largest, and where Indians have admittedly done most valuable service in the development of the country, a statute of 1896 (Act No VIII) excludes from the parliamentary franchise (not from the Municipal franchise however) natives of countries which do not possess elective institutions founded on the Parliamentary franchise. Another law of 1895 (Act No. XVII) introduced an important disability by enacting that future indentures of service (with regard to Indians) shall contain a condition, that the Indian shall return to India at the expiration of his term of service or remain in Natal under renewed indentures. Any Indian, not entering into fresh indentures, has to take out a yearly pass on payment of £ 3. The curfew law, professing to be aimed against vagrancy, and enacted as early as 1869, also operates against Indians, some other restrictions there are, of a harassing nature, but the Immigration Law of Natal, though it adopts the qualifying test of knowledge of a European language, does not

shut the door altogether against Asiatics or Indians as such. The feeling against settlers from India is gradually growing more bitter in Natal, but in no other colony is the position as yet so grave as in the Transvaal. The Boer government was alarmed by the increase in the number of Indian settlers. They pretended to be afraid of the competition of Indian traders, hawkers, and storekeepers, and passed in 1885 a law (Law No. III) by which power was taken to appoint special streets and locations for the residence of Indians, and they were prevented from being the owners of fixed property except in such locations. In this statute, all natives of India are included under the polite designation of 'coolies', a name which remains stuck on to them to the present day. The British Government then were our protectors against the fanatic Boer Republic, and protested in vehement terms against the treatment meted out to our fellow-subjects, Lord Selborne declaring that the British were trustees for their Indian fellow-subjects, and Lord Lansdowne crying out that British prestige would be tarnished 'if the three hundred millions of British subjects in this country came to know that the great British nation was unable to secure redress for the grievances of the Indians resident in the Transvaal, and that nothing filled him with greater indignation than the treatment of the Indians by the Republic'. The British Ministers insisted on its being expressly recognised in the statute, that the assignment of locations was for sanitary purposes only, it being assumed that Indians might be regarded as a filthy and unclean race and by their influence, they succeeded in making this anti-racial statute practically in-operative, so long as the Boer Republic lasted. One of the main causes, which justified resort to the arbitrament of war was stated to be the great misconduct of the Boers in their ill-treatment of Indians. The Indians admittedly rendered useful service during the war though the generous Smuts sneeringly remarks that they were

camp-followers, not fighters, a fact due solely to their not being permitted to fight. After the war ended, the Transvaal became a Crown Colony. Those who were our protectors and advocates became our rulers, and our rights as British citizens began to be looked at by them from a very different point of view. It was asseverated by the Whites that they would have no Black settlers. The land was good for themselves, and they would keep all Blacks out. A temper like this is likely to draw many weapons in its own favour whether good or bad. The Indians were called names and branded as a semi-barbarous race, unclean in habits, low in their morality, a source of infection both physically and morally. These assertions have been persevered in, but they have also been stoutly denied by unprejudiced White people in the Transvaal itself. It may be taken to be now more or less admitted that the problem is really an economical one. Both the Whites and Blacks are British subjects but the former want the exclusive possession of the country to themselves, they say that it was they that opened up the country and brought it to its present prosperous condition. Our former advocates and protectors during the Republican time had, it must be admitted, a difficult political and racial problem to solve, when they became the administrators, and we should not perhaps press with too much severity against them their own former views and declarations of the rights of British citizens. Those against whom they were willing to go to war in defence of the rights of their Indian subjects, were themselves their own subjects now. Selfishness and prejudice have no law. One high authority, writing in 1904 observed, "I do not seek to justify the prejudices that exist, I merely desire to set them forth," and further on, "of course, in theory, the White residents of South Africa should easily differentiate between the uncivi-

The Problem.

lised Negro of South Africa, and the British Indian, who has always been a temperate, law abiding citizen, but in the mind of the average Colonial, and particularly of the Dutch, a man is either a White man, or a coloured man, and the nicer distinctions of racial origin are completely lost sight of." He adds, "I do not urge that these sentiments are reasonable, but they imbue the mind of every South African, and find expression in the universal cry of 'a White man's country'. The result of any attempt to ignore them would be attended, I fear, with most deplorable results." Let me set out the steps that have till now been taken towards the solution of the question. There are now two principal statutes, which regulate the position of Indians in the Transvaal. After the war, while the Transvaal was still a Crown Colony, and before the grant of the constitution, which made it a self-governing State, the government of that dependency, attempted to pass an Asiatic Law Amendment Ordinance. The South Africanite raised a loud outcry that the country was flooded with Asiatics, who were not there before the war; and had therefore no vested rights of residence, and although the cry was twice found to be false and unfounded after full inquiry, it was held to be true on the third occasion. The provisions of this Ordinance subjected the Indian to a number of degrading and harassing annoyances and made his life in the Transvaal a burden to him. Every one of Indian extraction whether labourer, merchant or lawyer, including infant children, was bound to apply for registration, and the process of registration included the repeated giving of the impressions of all the fingers of both hands, a process of identification, associated in India, ever since the use of finger-prints here, with the identification of criminals; not that finger impressions have not been used in this country at all in other cases, where identification is deemed necessary; but the particular mode adopted by the Transvaal authorities has always been

*Restrictive
Legislation.*

associated with criminality. This was considered necessary for furnishing proper and unmistakable marks of identity of those who were entitled, on account of their vested rights, to remain in the country, and to enable the government to eject those, who had no such right. This was resisted by the Indians, and they preferred to suffer the penalties of non-registration, which were by no means light, and included deportation from the country, besides imprisonment with hard labour. This law was suspended by the Secretary of State for the Colonies, who still maintained that a Colony subject to the authority of the Crown could not be permitted to set at naught the rights of British citizenship, but unfortunately, the Colonists seem to have been given to understand that the position might be different, if after the Colony became a self-governing country, which it was soon to be, the new government should choose to pass a law of exactly the same nature. This of course the Africanites did, the very moment they were granted autonomy under the King-Emperor.

In granting them Sovereignty, care was taken to make a provision, referring all legislation differentiating against particular races for the signification of the Royal pleasure, that is, to the judgment of the responsible ministers of the British Government. But this power was not utilised to Veto the Act passed by the new government against British Indians (Act 15 of 1907). How our country-men met the situation is well-known to you all. They resorted to passive resistance, a weapon which had been expressly pointed out to them by their British Counsellors during the Boer Regime. They offered to get themselves voluntarily registered. This was allowed by the Transvaal authorities, and a law was subsequently passed in 1908 validating such registration, and mitigating the severity of some of the provisions of the compulsory Registration Act, in the case of those

who took advantage of voluntary registration, but the immigrants complain that the earlier law has not yet been repealed, and assert that the Transvaal ministers had promised to do so, and were guilty of a breach of faith subsequently. I do not propose to go into the question of the truth of this contention, and it is really only of minor importance. The compulsory act is there still, and all the annoying and insulting restrictions under it

The other statute which was also passed in 1907 (Act No. XV) and is of vital importance, is the Immigration Restriction Act. The act is not remarkable for the lucidity of its provisions, but we may take it as settled that the effect is completely to shut out any further immigration of Indians to the Transvaal. No compliance with any language test, however severe, would serve an Indian, whatever be his position or education, to enable him to claim the right to enter that Colony acknowledging the supremacy of the sovereign who rules over India. The Transvaalites point to a provision in this statute, which is quite sufficient according to them to enable an educated Indian or an Indian of position, who wishes to sojourn in their country for a time or, to travel for pleasure in that hospitable land, to obtain admission. The provision is one which authorises the government, in its own absolute discretion, to issue a permit, allowing an Indian to reside there for a limited period and capable of being renewed also at the will of the government. The Immigrants made a very moderate demand entitling half a dozen Indians a year, belonging to the learned professions, to enter the colony to minister to their wants. But this has been uncompromisingly refused, not a single Indian hereafter is to be allowed to claim entry to that country as of right. You know the rest of the story. Our countrymen in the Transvaal would not

accept the ignominious position which the Act of 1907 placed them in. In the name of British citizenship, in virtue of rights acquired by long residence dating from before the Boer War, in the name of common fairness and humanity, they claim to be treated as free subjects of a country, which acknowledges the sovereignty of the King of England and Emperor of India. They resolved to fight for their principles, and have set an example of patriotism and martyrdom to the people of India. About three thousand men have gone to prison up to now willingly and cheerfully, many of them men of position including lawyers like the patriot Gandhi, to whom the hardships of prison life, which the Transvaal officers incensed at the defiance of their law, have certainly done nothing to lighten, must have been sorely painful. They have of course had, on going to prison, to leave behind them their wives and children uncared and unprovided for. They have developed a power of organisation and a capacity for agitation which have been a surprise to the people of this country, and their unanimity of action might be an object-lesson to us here. The latest, and perhaps the severest cruelty of the Transvaal Law has been the deportation into this country of about sixty persons as un-identifiable people, but consisting largely of those who are well-known to the officers of their government. The wives and children of these persons were not deported with them, but left to dwell in the Transvaal without any protectors, or the means of living. Most of these people, I understand, were born in the Transvaal, and India is practically a foreign country to them without relations or friends. They could not be treated as immigrants at all, much less as prohibited immigrants. The deported, I understand, include persons who were born or domiciled in other parts of South Africa. What satisfactory reason is there for deporting them all to this country? The educated amongst them were perfectly capable of standing the education tests prescribed for

immigrants in the Cape Colony and Natal ; why were they not deported to either of these Colonies ? The Transvaal Government has carefully avoided passing the deportees through British soil, lest they should invoke the protection of the British Law, and has availed itself of the accomodating government of Portugal and carried them over to India through Portuguese territory. The deportation is against the spirit of the pronouncement of the Supreme Court of the Transvaal¹ that Indians who have been registered at any time since 1907 cannot lawfully be deported from the country. The government repudiates all knowledge of these deportees and all responsibility for them or their families, whom it has not had the mercy to banish the country along with their natural protectors. The cost of the maintenance of the destitute families is, I understand, over Rs 2500 per mensem. Needless to say, the government has made no adequate provision for the education of the Asiatics whom it is unable to deport. Repression stern, unflinching, and heartless has been determined on. To state only a few of their degrading disabilities, an Indian is prohibited from acquiring any franchise municipal or political, he cannot hold land outside of a location ; he must not be seen in the streets after a certain hour at night time ; he cannot in Johannesburg or Pretoria ride on tram cars, he cannot walk over the foot paths in certain towns, he cannot travel in the higher class railway carriages used by the Whites, he cannot reside in mining areas. Is not this condition "perilously near to slavery," to use the language of our distinguished countryman the Hon'ble Mr Gokhale ? It is not indeed strange that the number of the resident immigrants has fallen from about 13,000 to 6,000, or that the Asiatics believe that the government aims at extirpating them.

British Citizenship. Now this African problem raises questions of grave political and ethical significance. Is it open to a self-governing Colony under the

British Sovereign to bar its country entirely against British subjects, not for preventing vagrancy, not for guarding their country against those who are morally, or in any other admissible sense of the term "*undesirables*," not even to protect their self-interests by preventing an excessive influx of foreigners, but simply because they do not *choose* to have a particular class? So far as educated Indians are concerned, no one pretends or can pretend, that there is any danger of a large influx of them into the Transvaal or of their settling there permanently. Is it open to a British Colony to say that it will not admit a class of British Citizens merely on the ground of *race*? It is to be remembered that if such a principle of exclusion is once admitted, there is nothing to prevent other Colonies also from adopting it, and the example of the Transvaal is not unlikely to prove attractive to them. And why should not the inhabitants of Crown Colonies too object to coloured people being foisted on them against their will, when their country is fit for the occupation of Whites, who can resolve to get on without the help of dark people? What, further, will be the effect of it on the government of other independent countries in its judgment regarding the character and status of the people of this country? The colour problem is assuming serious magnitude in many parts of the world. Is it in accordance with Imperial responsibility or International Comity for one country to declare itself closed against the rest of the world or any particular people thereof? No one recognises more keenly the injustice done to Indian subjects than the Indian Government itself or the responsible ministers of Britain, who have in their hands the final determination of the policy of the Indian Government. The Government of His Excellency Lord Minto addressed to Lord Morley in 1908 a strongly worded remonstrance on the subject, and referred to 'the existence in this country of a deep and general feeling of resentment evoked by the legislative and executive

measures recently adopted by the Transvaal in regard to British Indian residents of that Colony' and pointed out that their position now was worse, than it was during the time of the Boer government. Britain's colonial policy was declared by Sir George Napier, Governor of the Cape Colony, in terms which are in accordance with true Imperialism, in a proclamation dated May 1843. He said that "There shall not be in the eye of the law any distinction or disqualification founded on mere distinction of colour, origin, language, or creed, but that the protection of the law, in letter and in substance shall be extended impartially to all alike." This principle has been in theory never lost sight of, and has been reaffirmed by the reservation in the Imperial hands of the power to disallow any law differentiating against any particular race. The power of veto has actually been used by England, to induce the Transvaal to abandon a measure to provide the aboriginal native labourers of the country with beer, and to disallow anti-Indian licensing measures passed by the Natal Parliament in 1908. The question is certainly not one affecting only the domestic administration of the Transvaal, but is one of Imperial Politics, but even if it were otherwise the distinction would be really immaterial. It would be a pity and a grievous hardship, if the British government's right of veto should be regarded as similar to the King's right of vetoing Bills passed by the Houses of Parliament, which can be exercised, few know when, if at all. Lord Milner is reported to have once expressed the opinion that the power would be put in force just in the same manner and as often as is done in the case of Crown Colonies, but a different course was pursued, when the Asiatic Registration Act previously passed by the Crown Colony was repassed by the Transvaal Parliament, and went to the British ministers for sanction or disallowance. Lord Napier's enunciation of policy was acted on in 1895 when the Natal government sought to exclude from the franchise na-

tives of India not already qualified to vote. The act was vetoed, and in doing so, Mr. Chamberlain observed as follows. "It (that is the Act) draws no distinction between aliens and subjects of Her Majesty, between the most ignorant and most enlightened of the natives of India. I need not remind you, that among the latter class, there are to be found gentlemen whose position and attainments fully qualify them for all the duties and privileges of citizenship, and you must be aware, that, in two cases within the last few years, the electors of important constituencies in this country have considered Indian gentlemen worthy not merely to exercise the franchise but to represent them in the House of Commons." Still more emphatic was the same statesman's utterance in his address two years later to the Premiers of the self-governing colonies at the Colonial Conference. Admitting the propriety of preventing by legislation a large influx of people alien in civilisation, in religion, and in customs, such as to jeopardise the legitimate rights of the existing labour population, he went on to say, "But we ask you also to bear in mind the traditions of the Empire, which make no distinction in favour of, or against, race or colour, and to exclude, by reason of their colour, or by reason of their race, all Her Majesty's Indian subjects, or even all Asiatics, would be an act so offensive to those peoples, that it would be most painful, I am certain, to Her Majesty to have to sanction it. The United Kingdom owns as its brightest and greatest dependency that enormous Empire of India, with 300,000,000 subjects, who are as loyal to the Crown as you are yourselves, and among them are hundreds and thousands of men, who are every whit as civilised as we are ourselves, who are, if that is anything, better born in the sense that they have older traditions and older families, who are men of wealth, men of cultivation, men of distinguished valour, men who have brought whole armies and placed them at the service of the Queen, and have in times of

great difficulty and trouble, such for instance as the Indian Mutiny, saved the Empire by their loyalty”

Lord Morley writing through his Secretary to the Colonial Office on 31st October 1907 thus comments on the Immigration Restriction Act not then sanctioned, “I am to say that Mr. Morley regrets that he cannot agree that the Act in question can be regarded as similar to the legislation already sanctioned in other self-governing colonies. He fully recognises that His Majesty’s Government cannot object to the future exclusion of immigrants, who are unable to pass such tests as the Colonial office, following the lines of other Colonial legislatures may think fit. But he must observe that section 2 (4) of the Transvaal Act introduces a principle to which no parallel can be found in previous legislation. This clause perpetuates an arrangement introduced in very special circumstances (soon after the war) and will debar entry into the Transvaal of British subjects, who would be free to enter any other colony by proving themselves capable of passing the educational tests laid down for immigrants” Eleven days later however, that liberal and distinguished statesman gave in with a protest, apparently under pressure from the Colonial office, and unfortunately he did not receive sufficient support from the Government of India, which, while expressing itself as being opposed to the principle of the Bill, stated “that it recognised that His Majesty’s Government must decide by considerations other than the interests of British Indian subjects, and that if the rights of the Pre-war Resident Indians were safe guarded it did not desire to offer any criticisms on the details of the Immigration Restriction Bill” Was the question one of detail only? I cannot believe that by referring to ‘considerations other than the interests of British subjects’ the Government of India could have intended to approve the Transvaal doctrine that Indians have no rights at all as British subjects in countries outside India. Mr. Morley however repeated his protest against the principle of total exclusion

and observed that ' it is unnecessary to point out to Lord Elgin the unfortunate effect upon public opinion in India which must be produced by the present Bill " Bitter as the grievances of Indians now resident in the Transvaal are, the principles of the Immigration Restriction Bill are of immensely more national importance ; for it means that we no longer can say to ourselves ' I am a British citizen '. British citizenship means little to us beyond our own country, nay it means much less to us in other parts of British Empire than in the countries of other nations Imperial Unity means nothing to us, unless it be that other nations of the Empire may unite against us It is not because educated Indians wish to go to Transvaal that we feel mortified No self-respecting Indian would care to seek the hospitality of a people so unfriendly and discourteous as the Africanites But we cannot endure in calmness the insult offered to us as British citizens by being told that we have not the right which we contend every subject of Britain should have. It is disheartening to think that the narrow and selfish doctrine propounded by a young nation like the Transvaalites should have been acquiesced in under any circumstances by the responsible statesman of so advanced a nation as the British Is it absolutely useless to hope that the hearts of the Colonists of Africa may yet beat with more sympathetic sentiments towards their British fellow subjects when they are trying to unite their own separate nationalities to form one great African Nation? We here cannot but regard it as a most melancholy and deplorable feature of the material civilisation of the West, that nations who profess to follow the teachings of the Lord Jesus should in large parts of the world including the enlightened American Continent so far depart from them as to wage cruel war against people of a different colour from themselves Have the great Christian Churches nothing to say to this? I implore all those who make it the duty of their lives to preach the gospel of Christ,

*Unchristian
Sentiments.*

and to spread it amongst the professors of other faiths to preach the doctrine of Christian humanity to those of their own faith so as to put an end to this war of colour

We are deeply thankful to our government for accepting the Hon'ble Mr Gokhale's Resolution that active steps should now be taken to ameliorate the condition of our unfortunate fellow subjects who are still in the Transvaal. Would the British nation, whose most imperishable glory as a nation was the part it took in the emancipation of slaves allow all its subjects there to be treated in a manner very similar to that in which slaves are treated? The government by recent legislation has taken power to take steps to prevent further emigration of labourers to the colonies unless better and proper treatment is guaranteed to them. I am not in a position to judge how far this will be effective in removing or mitigating the hardship of Transvaal Indians. But means must be found for inducing the authorities there to accord to our fellow subjects the essential rights of citizenship and to cease to treat them as if they belonged to a semi-barbarous race always prone to criminality, and they cannot be allowed to treat all Indians on the same footing, and subject gentlemen to the restrictions which may not be so objectionable in the case of labourers, if the restrictions are really justifiable for sanitary reasons. If the Transvaalites cannot be induced to be humane enough to do this, then would it be unreasonable to require them to send them back to their places of domicile and make compensation for the loss the Indians would be thereby put to? And until they are sufficiently humanised to remove the bar of exclusion raised against unobjectionable Indians, would the British Government be wrong to refuse entry into India of all Transvaal subjects and to say that till then India would have nothing to do with them? The African question has incensed the public mind in India, almost more than any other known to me

*A pressing
duty.*

Meanwhile, there are pressing duties of great importance that we owe to our fellow subjects who have been undergoing heroic sufferings for so long a time. They have been reduced to want and misery, both those who are still in the Transvaal and those who have been recently deported to India. We cannot neglect the call on us to minister to them in their sufferings. Some of our countrymen have made generous contributions, but a large amount of money is still wanted and I believe the amount at present required is estimated moderately at a lakh of Rupees, of which Rs 15,000 would be a fair allotment to the Province of Madras. Amidst their own sufferings the Transvaal Indians in common with other colonials have always remembered the country of their birth or origin and have sent frequent contributions to this country for public purposes and during times of famine. I fully trust that we shall not fail to respond to their call in their need. I cannot conclude this painful topic without a word of grateful acknowledgment to the worthy band of Transvaal Colonists who have espoused the cause of Indians there with disinterested zeal and particularly to Mr Polak who has consecrated a large portion of his talents and energies to the service of their cause, and equal praise is due to English friends who, true to their national traditions, have striven to obtain just and generous treatment for those who are unable to secure it without external help.

**Education in the
Province.**

There is perhaps no subject, which has of late roused so deep an interest or so rivetted the attention alike of the government and of both Englishmen and Indians as that of *Education*. Many have found an easy solution for the recent unrest and sedition in the inauguration of a wrong educational policy, which, according to them turned out hundreds of semi-educated men, whose heads were turned and minds warped by a system of ill-digested education, entirely unsuited to Eastern nationalities, and they would have it that the Nemesis of the

visionary Macaulay's educational policy has now overtaken the government. Graduates and lawyers should not have been manufactured at all according to them, and the sooner we give up doing so, the better. Fortunately it is not necessary any longer to take serious notice of this class of people. Two main defects are generally regarded as established in the system of education that has till now been adopted, first, that it has been too largely a literary system, and that scientific training has been neglected, secondly, that the moral part of man's nature has not been sufficiently taken into account in our educational system. Remedial measures are being devised on a large scale to supply the former defect. In a country like India, where people have for ages neglected the physical sciences, it is no doubt a misfortune that the foresight of government did not enable it to provide earlier for the development of the observational and scientific faculties. The defects of the people did not interfere with their being the most advanced industrial and manufacturing nation in earlier times. But the country has now become one of the poorest in the world, and its means of subsistence are comparatively scanty, with the exception of agriculture. With the unlimited natural resources at its disposal, India certainly is capable of attaining a very high degree of industrial independence. But it is not possible to work our way towards it without making enormous strides in scientific and technical education. Even England, with its vast manufactories of all sorts, is being threatened with the forfeiture of its position as the Commercial mistress of Europe, on account of its feeble attempts in the past to establish and equip proper institutions for imparting to its people advanced technical and industrial instruction. In India large industries are so few in number, that the task of providing such instruction is both more urgent and more difficult. The situation no doubt has been thoroughly realised, by all parties, and government has applied itself with ear-

*Industrial
Development.*

Swadeshi spirit

ness to the task of industrial development and scientific and technical education. But the work to be done is enormous and requires an immense expenditure of money. I do not propose to review the work that has been done hitherto, the information being readily available in the reports published by government and it has been clearly set forth in the opening address of my friend Rao Bahadur M. Adinarayanaiah, the distinguished president of the last Conference. But I wish to appeal to my countrymen for earnest, strenuous and sustained work on our part. We must greatly improve our business habits, learn co-operation in work, the strictest attention to details in partnership concerns and the habit of give and take so as to promote mutual confidence, and more than all we must study to utilise all available resources for the promotion of industrial and commercial enterprise. I implore particularly our Zamindars and noblemen to place a portion of their large and ample means at the disposal of the country for developing its wealth. So long as we regard any element of risk as an insurmountable obstacle to the utilisation of our money for the advancement of the wealth of the country, there is little hope of any material progress being made. 'Great wealth obliges' and our aristocracy will be open to just condemnation, if they stand back when the industrial regeneration of the country is dependent on their cordial help. There is much reason for hope in the signs of activity that have been manifested in recent years in the establishment of joint stock concerns in various parts of the country for manufactures of various kinds, marked progress has been made particularly in the cotton and jute industries, but how small compared with the work that remains to be done! I will not go into figures, but with the fastest progress, the task will take a long time, and require stupendous energy to complete. I am confident that the Swadeshi movement has come to stay, and I trust that all races and sects will be inspired by it.

and will not stop until the goal of industrial emancipation is attained. Perhaps we would be economising best if we concentrated attention on a few of the large industries, selecting those with respect to which our chances of success are the best, and the material value of success proportionately the greatest. At the same time there are many small industries that might be advanced without the expenditure of much capital, and these claim our immediate attention, steps should also be taken at once to foster cottage industries to ameliorate the lot of the agriculturist.

I must, in this connection, make at least a passing reference to the enactment by Government of a most important legislative measure,—the Co-operative Credit Societies Act. Though at present it is used chiefly for the relief of agricultural indebtedness, its value in increasing production and facilitating distribution, can hardly be over-estimated. Its beneficial effects are already apparent in the prosperity of the ryots who have resorted to it. I had occasion to deal somewhat fully with the subject of co-operative credit work in an address, which I delivered at a Conference of Co-operative Credit Societies at Conjeevaram. I would ask you at present to note its indirect benefits as an instrument of national education. By promoting thrift, and self-reliance, and by demonstrating the value of union and mutual confidence, its importance in creating solidarity among the people, alike in the industrial development of the country and its political advancement can hardly be over-rated. Mr. Lees Smith observed “Here they (i. e. the people of India) had the beginnings of representative institutions. They would find that all political philosophers had insisted that, in order that a people might secure the ability to work representative institutions, it was not merely enough to confer those institutions on them. They must somehow or other supply the ordinary elector with con-

tinual opportunity for actual practice in the conduct of self-governing institutions * * * The great test as to whether the people of a country were adapted to self-government was, whether they apart altogether from what the government did, did of their own inherent genius, create self-governing institutions." I cannot think of more important service to be done in the interests of the community than promoting the growth and enlarging the scope of Co-operation Credit Societies.

Elementary Education.

There are in the country large classes, who still have not lost the cunning of many crafts, which their fathers possessed, but they cannot compete successfully against the productions of modern science and machinery, without receiving instruction in the improvements which Western science has brought about, and this again is not possible without first giving them a sound elementary education. Primary education has thus become a question of urgent importance. Although the government is keenly alive to the fact, the progress made has been slow. The proportion of school population to the total male population of schoolgoing age in this presidency was only 23.6 p c in 1907-1908. Systematic measures are being adopted to improve the quality of elementary education, and to make it effective to train the observational and reflective powers of the pupil, and to qualify him to receive an industrial training, but we cannot be too rapid in our efforts for the widest diffusion of elementary knowledge. Though the present official attitude is not quite reassuring on the question of making primary education free, the difficulty would seem to be chiefly one of finance, it appears to me that it will be difficult to resist the contention that there is hardly any object of more supreme importance for the advancement of the country than this, and we must persist in pressing it on the attention of government. It has been repeatedly demonstrated that compared with other countries the amount spent by the Indian government on education of all descrip-

tions elementary, secondary, higher or collegiate, scientific, technical or industrial is very unfavourably small. It is still asserted here that Higher and even Secondary education ought to be largely self supporting, but the doctrine is gradually regarded in other civilised countries as antiquated, and inconsistent with modern ideas of the duties of the state, though the people of those countries can certainly spare more of their means for the education of their children.

**Secondary Educa-
tion.**

Serious misgivings are entertained regarding the policy of the Madras Government on the question of Secondary education. The last quinquennial report on education in India says "The Secondary schools have long suffered from a period of financial depression, and although their claims upon the public have met with more general recognition in the last few years, yet, when the increase of pupils is taken into account, the state is now doing proportionately less for secondary education than twenty years ago. * * * * * The expenditure of public funds upon secondary education, which twenty years ago stood at the rate of Rs 75 a head per annum, now stands at the rate of 66 a head" i.e. about 12 per cent less than before. In a speech of the 20th Sept. 1905 Lord Curzon is reported to have said "I hope that the Government of India will not be indifferent to the claims of secondary education in the future. When the Universities and the colleges have been put straight, we must look to the feeders, and these feeders are the high schools. Indeed we cannot expect to have good colleges without good schools. I am not sure, if a vote were taken among the intelligent middle classes of this country, that they would not sooner see money devoted to secondary education than to any other educational object. The reason is that it is the basis of all industrial or professional occupation in India. There is just a danger that, between the resonant calls of Higher education, and the pathetic small voice of elementary education, the

claims of secondary education may be neglected, and I therefore venture to give it this testimonial " His Lordship has certainly gauged the feeling of the educated classes aright There can hardly be a doubt that the scheme of elementary education in this country with all the improvements that have been devised or suggested is utterly insufficient to give the education, that would fit a person for any of the higher callings or for the discharge of his functions as a citizen.

The measures that have been recently adopted in this Province with regard to Secondary education are very disquieting The Grant-in-aid code has been modified, the government control over secondary schools has been tightened, and the scale of fees has been altered, all in a manner that is calculated to retard, if not positively to check, the growth of education In 1907-8, there were in all, in this Presidency 421 public secondary schools This number was liable to reduction, for the report for the year says that " The year was one of transition, and most of the schools called Lower Secondary schools under the old Madras educational rules had not yet decided, whether they were to remain as incomplete secondary schools, under the new classification, or alter their scope and become elementary schools " Of the 421 schools, 113 or roughly 27 per cent were under public management, either departmental, or Local Fund or Municipal, and 308 under private management, of which 266 were aided and 41 unaided. The most important change, recently introduced in the system of grants to these schools (as well as colleges), is, that ' the grant is fixed at an amount approximately equal to the income guaranteed to be annually provided from endowments and subscriptions, donations and other private sources, over and above the expenditure incurred by the management for scholarships or in defraying any difference between the fees calculated at standard rates and those actually

System of Grants.

collected' That is, if the total annual expenditure on a High school be Rs. 18,000 and the income from fees calculated according to the standard rates (not the rates actually levied) be Rs. 10,000 then it will be entitled to a grant of Rs. 4,000, but only if the remaining Rs. 4,000 be shown to be guaranteed by endowments or subscriptions; any amount spent on giving scholarships will not be taken into account in calculating the expenditure 'In calculating the amount derived from private sources, the amount of the fees levied from the scholars is not included Thus the amount of the grant rests solely upon the support obtained by the school from private benevolence, and is proportioned to the amount so obtained, and the managers are incited to collect fees up to the prescribed rates by the prospect of their grant being reduced in the event of their failure to do so' The condition of the guarantee of private endowments or subscriptions amounting to half of the difference between total expenditure and the income is bound to lead to the closing of many institutions in course of time The wealth of the middle classes is not such as to enable them to bear half the cost of maintaining such schools, even if we calculate on a rapid development of the necessary degree of public spirit and self-sacrifice For the year 1901-2 the ratio of the pupils in the upper and middle stages of school education, comprising, I believe, what is known as the Upper and Lower Secondary sections in our province, to the population of school-going age was only 13 per cent, in this province, and assuming some increase subsequently, the prospect of a diminution in the number of secondary schools introduces a grave situation The system of grants adopted in Madras is less favourable to the institution than what obtains elsewhere. In no other Province, I believe, is the condition of private benevolence imposed as a prerequisite for state-aid In Bengal and Bombay, a certain proportion of the total expenditure, depending upon various matters relating to

to the efficiency of the school is awarded. An alteration of the system enforced in Madras is imperatively called for.

**Enhancement of
Fees.**

The stricter conditions required at present to entitle a school to a grant, and even recognition, must also tend to a diminution in the number of schools that can earn it, by considerably increasing the expenditure. These conditions are, no doubt, intended to promote efficiency and are in themselves highly desirable. But we cannot view without concern a policy that must increase the difficulty in the establishment and maintenance of secondary schools, while at the same time state help is curtailed and made precarious. The enhancement of the fees levied in secondary schools would, there can be no doubt, be an equally serious blow to secondary education. The increase is considerable, and the repressive effect is enhanced by the fact that a uniform rate is to be levied hereafter for all the forms of the middle school department and similarly for the classes of the high school section, and punctual payment is to be enforced with a rigour appropriate to military discipline. The increase in the B.A. class is 33.3 per cent. in the Intermediate classes 22.2 per cent. nearly; in form VI, 10.5 per cent. in form V, 23.5 per cent. in form IV, 40 per cent. in form II, 22.2 per cent. and in form I, 46.6 per cent.

Parents having incomes, which I have no doubt Government will regard as decent, and even handsome, are finding it extremely difficult to give their children even Secondary education, a Munsiff or a Tahsildar can hardly entertain the idea of higher education for all his boys. The theory of self-support cannot be applied in this country to Secondary education, at any rate for a long time to come, and to apply it now would be a serious danger to the educational progress of the people.

Repression of Private Schools.

I do not forget that the Government has taken in hand the scheme of establishing a number of model High Schools in the Presidency, but models are of no use unless we can build on them. It is to be borne in mind that besides the modification of the grant system, the policy of Government has restricted also the growth of private schools not receiving aid. Lord Curzon's resolution of March 1904 asserted that 'whether our Secondary Schools are managed by public authorities or private persons, and whether they receive aid from government or not, the Government is bound in the interests of the community to see that the education provided in them is sound'. No possible objection can be raised to this principle, but a very different consideration has been added by the Director of Public Instruction in Madras, who according to the last quinquennial report, is said to have observed as follows: "As the rules allowed transfers from unrecognised to recognised schools, there was a danger that a class of schools would spring up, outside departmental supervision and control, and bound by no conditions with regard to staff equipment and accommodation, which at the same time would be able to draft their pupils into recognised high schools. Such schools would not of course be aided, but there were signs that even without aid, they might compete unfairly with recognised schools. Accordingly in 1905, a rule was made, the effect of which was practically to refuse recognition, and was incorporated in the educational rules of 1906. The rule was quite effective for its purpose, it closed to the pupils of the unrecognised school admission to a recognised school, and consequently to the Matriculation and Upper Secondary Examinations, and under present conditions, no Secondary School which does not lead to one or other of these examinations can hope to succeed." The position thus is that a pupil ever wants admission to these examinations, he must from the beginning, study in an institution in which the departmental rates of fees

are charged, and since these examinations are also the stepping stones to employment in the public service we may take it that private institutions have been wiped out of existence

If the State cannot maintain schools or aid them except on impracticable conditions, would it not be right to encourage private institutions which can satisfy the department that they can impart sound education at reasonable cost? This dog-in-the manger policy does not seem to have been yet adopted in other Provinces

Higher Education.

Passing on to higher education, since the introduction of the new University Regulations, six Colleges attached to our University have ceased to exist. In 1907-8 there was a marked fall of 367 in the total strength of the College classes. Some of the surviving colleges are struggling for existence with fear of extinction before them, and only a generous application of the University Regulations prolongs their lives. The same rules govern administration of Government grants in their case as are enforced for Secondary Schools. There were in 1907 only seven colleges under public management, (only four of them being under Government) out of a total of 36 colleges, one of the four being a second grade college. Numbers of students find difficulty in getting admission into any college, many have no chance of entry into colleges in which they and their parents have confidence. The impression that we have an excessive stock of graduates has been proved to be entirely without foundation, the number being quite insufficient to man the professions, including the important profession of teaching, and the public service. The Madras Government, writing in 1892, observed, "The benefits which higher education has conferred, small as the progress has been, will be readily admitted, and His Excellency in Council is convinced that any action, which checked its development would be a serious misfortune. Young men of

education are wanted in the interests alike of the state, and the purity of the administration of the state, for the extension of primary and secondary education, and for the development of the trade, the industries, and the resources of the country. And what is the supply? The Madras University serves a population of at least 50 millions, and yet the number of graduates in 1900 was only 365, while in 1901 it was not more than 331 and in no year in the past decade has it reached 500. The number of students on the rolls of the colleges is practically the same now, as it was in 1890-91, and any attempt to make this branch of education self-supporting, or even materially to increase the contribution demanded from those who profit by it, must result in a serious falling off in the number of students, which His Excellency in Council would view with serious apprehensions." There has certainly been no material alteration in the situation since the above opinion was expressed, and yet the movement has been steadily and decidedly in the direction of making both higher and secondary education considerably more costly. We warmly appreciate the efforts which are being made to improve the quality of the education in colleges and to encourage post-graduate study and re-search but the progress of the country cannot be secured merely by the existence of a select band of men of high capacity and culture, a number of men sufficient to leaven the general mass of the community is equally indispensable.

Poor Scholars.

The costliness of secondary and higher education tells particularly on the poorer section of the community to which we have constantly to turn for the replenishment of the best intelligence in the country. A generous provision of scholarships sufficient to encourage all the poor, who exhibit marked capacity, would mitigate the disadvantages of the policy to some extent, but not only is the allotment for scholarships inadequate but a considerable proportion of them is

reserved in our Province, as a special feature I believe, for female pupils or for members of backward classes. There is pressing need in the circumstances, for the leaders of the community organising a movement extending through all the Districts for the foundation of a large number of scholarships to enable scholars of special merit amongst the poor to acquire the best education we can give them.

I must refer to what the last quinquennial report states to be 'the most striking feature about the numbers of graduates at the Indian Universities' namely, the proportion of wastage "It takes 24,000 candidates at Matriculation to secure 11,000 passes, 7,000 candidates at the Intermediate examination to secure 2,800, and it takes 4,750 candidates for the B A Degree examination to secure 1,900 passes." "There are 18,000 students at College in order to supply an annual output of 1,935 graduates" If the figures were confined to Madras the disproportion would be more striking Why is this? Is the average Indian student wanting in the intelligence or industry necessary to carry him through the examination, or is there something radically defective in the method adopted to test his attainments? The magnitude of the wastage calls for serious enquiry.

Moral Education.

With regard to the second great defect mentioned by me, namely the neglect of the moral character of scholars, the complaint, is general that discipline and irreverence have become conspicuous amongst students. There is no doubt some ground for the complaint but I think that the defect has been much exaggerated Recent political excitement did no doubt upset the students considerably, and the absence of any intimacy between the teacher and the pupil, which is unfortunately a common feature at the present time, no doubt diminishes the moral influence which teachers ought to possess over their scholars. I think however that educationists generally will bear testimony to the amenability of the Indian student to discipline

and good example. Steps are being taken by the department to remove the existing defects, and it is to be hoped that care will be taken to avoid a degree of rigor inconsistent with real healthy moral growth on the part of the students. I particularly welcome the inauguration of the Students' Unions for the promotion of high ideals and the growth of healthy rivalry among pupils in doing noble and unselfish actions. To make the students responsible for each other's conduct is a measure that cannot fail to evoke welcome response in them. But I for one believe that no education can be satisfactory that is not accompanied by religious training, especially in this country, where religion is the chief dynamic force of man's life, a statement which is, I believe as true of Mahomedans, as of Hindus. We cannot with safety remove the setting in which our lives have been cast for ages. Difficulties there are, no doubt, in carrying out a scheme of religious instruction consistently with the policy of religious non-intervention, but I do not think that they are insuperable. Aided schools should be encouraged to include religious instruction in their curricula of studies, separate classes may be held for different religions. It ought not to be impossible to make the studies sufficiently general to make them acceptable to all denominations of the same great Religion. I recognise that a scheme of this sort must depend in large measure for its success on the initiative of the people, but there are indications that this will be supplied. It would be of great use to inspire the minds of the young with the lives, the doings and the sayings of the best and noblest men and women, that have adorned history in every part of the world. There is certainly no necessity for resorting to the calamitous measure of handing over the education of the country *en masse* to purely private agencies, which means, largely to Christian missionary bodies. In Government Institutions the formation of indigenous Boards for or-

ganising religious classes to be held in the school during out of school hours may be encouraged

*Home Edu-
cation.*

Let me not omit to notice one serious defect for which parents are mainly responsible. The home education of children is sadly neglected when they have begun to attend school. Discipline at home is often too gentle to be strict. The parent inquires whether the boy is doing well at school in his studies, but not often about his behaviour there. Friendly intimacy with the teacher is not sought or cultivated. We must cease to suppose that everything will be done for the pupil by the school teacher, afterwards to complain that he is getting denationalised.

The Decentralisation Commission recommends that the village Panchayats to be constituted should be entrusted with some control over village schools, and that Rural Boards and Municipalities should have considerable latitude in the determination of the curricula of studies suited to the needs of the pupils attending the schools under their recommendation. I hope that this recommendation will be carried out so as to ensure sufficient variety and elasticity in carrying out the work of education. I would also strongly advocate the desirability of instituting Educational Boards in the various Districts for the same purpose. The association of the people in the work of education will make them take a more direct interest in it than they now do, and develop in them a sense of responsibility for the conduct of young men and remove all ground for the misgiving that government wishes to keep education exclusively in official hands. I must abstain from the temptation to stay longer on this topic. Almost every question relating to education has become controversial. Who are to be taught, how much each section is to be taught, what is to be taught, how each class is to be taught, how much education is to be given to

women, what subjects may be included in the curriculum of their studies, what safe-guards should be provided to make their education wholesome and useful, what the duties of government are in the matter of education, on every one of these matters there are wide differences of opinion, but this is not the occasion for discussing them, notwithstanding their supreme importance for the healthy development of the community

The Decentralisation Commission.

Rural and Municipal Boards

The recommendations made by the Commission upon Decentralisation are, still in large part under the consideration of the various governments, and their decision, I need hardly say, is awaited with much interest and anxiety. The Commission's recommendations have on the whole commanded public approbation and are inspired by a liberal spirit. It has been pointed out that the administration by local bodies both Rural and Municipal has been cramped by too much official control and interference and has recommended that a freer and more influential life should be accorded to them, but it is of opinion that District Officers should preside over the Boards, a view which is not in accordance with the principles enunciated in Lord Ripon's Proclamation of 1882 regarding Local Self-Government. The main reasons urged for this conclusion are that Collectors and Divisional Officers should be associated with the general interests of the District, and be in healthy contact with non-official opinion, and that the comparative freedom from control recommended for the Boards renders it desirable to have at their head men of official experience possessing general knowledge of the District, and accustomed to constant travelling therein. But it is a very serious objection to this argument that official presidentship generally means undue and unnecessary official control, and not merely official advice and guidance. The commission observe "At the same time, the Collector should not arbitrarily over-ride the opinions of others, but should be a sympathic-

tic Chairman, and should bear in mind that not the least of his functions is to assist in the political education of the members. Such relations often exist now, and there should be no difficulty in making them universal." The Commission is too sanguine in its expectations, if we may judge from past experience. Officials would naturally be anxious to do their work as speedily as possible, and conscious of the soundness of their own views, are likely, with all sympathy and good will, to be impatient of what they would too often regard as the crude and uninstructed opinions of the non-official members. As Mr Dutt points out, official control would be best exercised from outside. Lord Ripon's resolution of 1882 desired that Rural Boards should, as a rule, have elected non-official Presidents, and that District Officers should not take part in their deliberations, and as a fact, the Boards in the more backward Central Provinces have been administered by non-official Presidents. The Madras Local Boards Act carries out the principles of the Resolution of 1882, and makes provision for elected non-official Presidents. It is to be earnestly hoped that our Government will, at an early date, try at least in a few of the more advanced districts the experiment which has not been found unsuccessful in the Central Provinces. It is also to be hoped that speedy measures will be taken to carry into effect another development of self government recommended by the Commission by amending the constitution of the Madras Corporation and conferring on it the extended powers now enjoyed by the Corporation of Bombay.

Another recommendation made by the Commission is, it seems to me open to serious objection, namely the one in favour of a General Delegation Act empowering the Government of India and the Local Govern-

ments to delegate to subordinate officers the powers delegated to them by statutory enactments, of framing rules having the force of law under those statutes. This I think lays down a vicious principle. It must be properly left to the legislature, as is now the case to determine what particular authority it will select in each case to supplement the law enacted by it, and it must be presumed that it has done so and will do so in the future. There is much reason for the apprehension entertained by many, that the legislature itself often goes very far in delegating a part of its functions to the executive authorities, a course which renders less effective the operation of public opinion and non-official criticism on the law; and this tendency on the part of the law making power is often conspicuous in India. Such transference of power has not seldom resulted in no rules being framed at all for a considerable time. Such a power of delegation by a delegatee has been hitherto unknown in the British Empire and is calculated to create alarm as pointed out by Mr Dutt. Moreover there is no real necessity for such a procedure, as the Government of India or the Local Government can always indent upon the services of subordinate officers for suggestions or draft rules, whenever this course may be considered preferable.

The Public Service. Now that the capacity of the people for larger association with government in shaping the policy of the empire has been conceded by the Reform Act, and their right to more unrestricted local self-government has been recognised by the Decentralisation Commission, they naturally urge that the restraints placed on their employment in the Public Service of the country, either by rule or by existing practice, should be materially relaxed, and in some cases entirely removed. The Public Service commission presided over by Sir Charles Aitchison and Sir Charles Turner submitted its report recommending a marked advancement in the opportunities

open to the people to obtain access to the superior employments in the Public Service. Putting on one side, for the present, the main executive and judicial branches of the administration, there are various so-called special departments, which the commission dealt with separately. They recommended, in accordance with existing practice, that the control of certain departments should be retained in the hands of the Imperial Service, but they made very liberal recommendations in favour of larger recruitment from indigenous talent, which have yet been very imperfectly carried out. It is also apprehended that there has been a tendency to restrict the higher places in several departments to special classes of people. Speaking of the Salt department, the commission observed "The Commission recognise that in a Department which has been recently reorganised, and where it was at first necessary to introduce untried men, the government may have been justified in selecting officers from the class, in which the possession of the required qualifications might be most confidently presumed, but assuming that such appointments are made on probation, their continuance which is based on a presumption of unfitness in certain classes of Her Majesty's subjects appears to be unnecessary and undesirable." After the lapse of more than 20 years the complaint is still wide that certain classes of Her Majesty's subjects find their promotions much slower and their chances of advancement to the superior ranks of that service much more scanty than others. There are similar complaints with respect to other departments such as Survey and Settlement and Forest. The Office of Deputy Commissioner of Revenue Settlement, next in rank to the Commissioner, which used to be filled up exclusively by Indians, and in which they did creditable service, though still not abolished, has remained in abeyance for several years and their work is now done by junior European Officers of the Civil Ser-

Salt & Survey

vice, about five in member. The Public Service Commission refers to the testimony borne by the Commissioner of Revenue Settlements Madras to the good work done by the Deputy Commissioners, in support of its recommendation in favour of the larger appointment of Indians in that department in Bombay, and recorded its view that the Revenue Survey Department also should be recruited from Indians, if that department continued to exist.

Forest There is not yet a single Hindu or Mahomedan amongst Conservators or Deputy Conservators in the Forest department

Education. The administration of the important Department of Education is a subject of much dissatisfaction. It is stated with good reason that an unnecessarily large number of officers of a class not superior to the best local graduates is recruited from England. There are amongst the natives of the country many who have special aptitude for the teaching profession, and their scholarship in several branches of knowledge has considerably improved within recent years. In Mathematics, Philosophy, History, and Political Economy, they could hold their own against foreign graduates, and there are not a few whose attainments in English and the Physical Sciences are of a high order. The emoluments offered by the Department of Education are not such as to attract men of superior qualifications from abroad. This is another reason for the larger employment of local men. The Public Service Commission were of opinion that inspecting work could be satisfactorily done by Indians, and yet it is still left largely in the hands of the recruited staff. The larger employment of Indians will have the advantage of a staff acquainted with local conditions and the habits and defects of Indian pupils, and more likely to be on terms of sympathetic social intimacy with them, the absence of which is a marked defect at present among European

Professors. Local Inspectors are also more likely to be able to appreciate educated public opinion in the country, and to better adapt the instruction in schools to local needs. I am far from holding that it is not of the utmost importance to secure the services of a select body of well-paid educationists from abroad for the service of this country, and especially for the teaching of the English language and the experimental sciences, but I deprecate the importation of a large number of indifferent men who are not likely to improve education here. Both the Education Commission and the Public Service Commission are in agreement with this view. The necessity for giving effect to it is strengthened by the undoubted fact that the salaries at present procurable by Indians in the Educational Service are not such as to attract many men of high talents to it.

The Commission was of opinion, that it was not necessary to have a member of the Imperial Service for the office of Collector of Madras, but this recommendation has not till now been given effect to. The separation of his functions as Customs House Officer and the appointment of a separate officer to perform them makes it easier to confer the office on an Indian. Some attempt has no doubt been made to improve the position of Indians in some of the special departments, but the Government seems to move with a degree of slowness not necessitated by considerations of expediency or justified by the absence of capable men. Much has been done of late to give advanced training in engineering, forestry, and agriculture to the people; and this ought to lead to their employment in higher places than have been till now offered to them in those departments.

I do not propose to offer, on this occasion, any observations with reference to the services mainly engaged in the administration of the

Competitive Examination.

country, the Judicial and Executive departments, as these involve questions of policy that affect the whole Empire but I should like to mention one or two matters which have a special bearing on Madras. It is much to be regretted that Local Government has seen fit to depart from its policy of partial recruitment of the Provincial Service by competition. The reason for this cannot be that it did not give good men to the service. The appointments made on the result of competition are some of the best that the Government has been able to make. The rule adopted in manning the Public Service seems to be that though there should be a modicum of ability to qualify for appointment to the service, the principal considerations that should determine the choice among candidates should be of a different nature. If this principle should be generally acted on, the services will be hopelessly weakened in course of time, and Indians would conclusively prove their own unfitness for high employments.

Under Secretary to Government.

The Hon. Mr Hammick lately made the surprising assertion that not a single individual could be found in the Provincial Service, who was fit to be appointed as an Under Secretary to Government. The answer that rose readily to the lips of many who knew Indian Officers was, and I say it with all respect, "Look through the ranks, and you will see a proper man in a minute. Give me five minutes and I shall give you six good names and stand surety for their satisfying you." It is repeatedly affirmed by Officers of Government that many Indians read and write the English language with remarkable clearness and accuracy. It is admitted again that their grasp of facts is quite as good as that of Englishmen. It is not disputed that the Indian Secretary to the Board of Revenue and the Indian Assistants in the Board office have always done their work in a manner that has given complete satisfaction, and yet there is not one Indian fit for the office of Under Secre-

tary to Government! We must respectfully ask the Hon Mr. Hammick to look again and see. If the principle of seniority be not too much insisted on, there need be no difficulty in making a satisfactory choice. If necessary, the office may be incorporated with Deputy Collectorships with a substantial City allowance.

Board of Revenue. Dissatisfaction has been often expressed that the Madras Government has not seen fit yet to appoint an Indian Member to the Board though the Government has recently expressed its willingness to do so. The office is one for which intimate knowledge of the people and close touch with them would be qualifications of the utmost value. It can no longer be said that there are not Indian Gentlemen of undoubted capacity and of sufficient revenue and administrative knowledge and experience to justify their appointment to it. So long ago as 1876, both the Government of Madras and the Government of India were in favour of a native of India being appointed to the Board of Revenue. Such an appointment would be a vindication of the Government's willingness to give effect to claims to preferment recognised more than a generation ago, and to remove the impression that racial disqualification is the real cause of the postponement of it.

**Religious
Endowments.**

The History of Religious Endowments in this Presidency, as I believe elsewhere, is the history of gross breaches of trust and of scandalous misappropriation, since the withdrawal of government from their superintendence about 1841. Act XX of 1863 was enacted to provide legislative sanction for handing over some of the endowments to hereditary trustees, and an authority to superintend the management of institutions having no hereditary trustees. Unfortunately the provisions of that act are most defective, and notwithstanding the lapse of nearly half a century, all attempts to remedy or even miti-

gate those defects have failed up to now, though they became the subject of unfavourable criticism shortly after the statute was passed. Hereditary trustees are, some of them, under the impression that the endowments, which in some cases were probably the results of their ancestors' benefactions, belong to themselves in a sense, and that there is nothing seriously objectionable in their appropriating them to their own benefit. Trustees who are not hereditary sometimes imagine that as they serve the institutions it is not against sound dictates of morality to utilise a portion of the incomes for their own use. Unpaid work is generally bad policy, but the mamul of the country is that trustees are not entitled to payment for their services; and the result is that many of them plunder the institutions under their charge. The Act provides no adequate check on the conduct either of trustees or of committee members. The latter are appointed for life, a tenure unknown to holders of any other public office, and their duties are conveniently vague. The number of temples under the jurisdiction of a single committee is sometimes unduly large. The trustees are also appointed for life, and are only liable to removal by Committees for misconduct, which they can prove before a Court of Justice; and the dismissed trustee is entitled to call upon them first to prove it before a court before he can be called upon to quit his office. The vagueness of the Committees' functions enables him to defy their directions in many cases. Judicial proof of grave misconduct is not easy, and courts are sometimes not disposed to attach much importance to the opinions of committees; and if the dismissal, be not upheld, the members of the committee may be called upon to pay the costs of litigation themselves. It is not strange that they should in the circumstances prefer to abstain from the exercise of their power of dismissal. Their right to give proper directions for management being vague, they often avoid giving any.

They generally examine the accounts of the institutions, but they are often unskilled in the auditing of accounts, and cannot always command the funds necessary for getting them audited by skilled accountants. The statute makes no provision for the allotment of funds to the Committees for meeting the expenditure they have to incur in the discharge of their duties. The public have no means of information regarding the administration of the endowments. The trustee is not bound to get the accounts audited or to publish the results of the audit or the substance of the accounts, nor is he bound to allow any access to the accounts to any member of the public. While the committees have little power for doing good, they can do much mischief. Some of them command large patronage and have the right of appointment of trustees of several temples possessing extensive endowments. The suspicion is general that the possession of patronage is sometimes a source of corruption. It is no doubt open to members of the public, with leave obtained under the Act, or under the provisions of the General Procedure Code, to remove trustees and committee members guilty of gross misconduct, but it is very difficult for an outsider without proper sources of information to prove enough to induce a court to find the facts necessary to inflict what is considered an extreme punishment. The result is that in many instances of such suits the plaintiffs have some indirect object to serve—a circumstance which induces courts to view all such suits with distrust, which again has the effect of dissuading honest and public spirited citizens from coming forward to prosecute suits against trustees and Committee Members. The Courts sometimes think it useless or worse than useless to remove one trustee to make room for another, on the ground that the result might be merely the substitution of the empty leach for the full one. A dishonest trustee has the means of buying off litigation, out of the ample fruits of his corruption, when it is started by

men of mixed motives. But even under favourable circumstances, the cost of litigation is heavy, and a good portion is not recoverable according to the rules of the courts from the defendant or out of the properties of the institution in whose interests the suit is instituted, and the chances of the plaintiffs having to bear their own costs and even to pay the defendant's costs cannot be ignored, and in any event a considerable sum of money has to be advanced by the plaintiffs out of their pockets. Even men of genuine public spirit cannot be expected to undertake litigation in these circumstances. The rules framed by the Board under powers given by the Act for holding elections for the appointment of committees are also defective and have led to wide spread corruption. The Hindu religious books lay down that to found a charity is virtuous, but to protect one that has been already founded is doubly virtuous; and few sins are more heinous than the misappropriation of charitable funds. But there is hardly a sacred text which is more flagrantly violated than this. For these and other weighty reasons the amendment of the Act is most urgently called for.

The outcry for amendment began more than three decades ago, and the Government of Madras has more than once admitted the necessity for it, but the needed improvements have not yet been made. The policy of non-intervention in religion is sometimes trotted out to oppose any change, but it is unimaginable what that has to do with the question of amending an act which is itself the creature of government legislation. No interference is asked for on any matter connected with religion, but only to prevent breaches of trusts which are under the protection of both the civil and criminal law of the land. There is not a single question on which public opinion is more unanimous in this Province than this one of the urgency of stopping the scandalous waste of public funds. It cannot be doubted in the

light of subsequent events that the government made a serious blunder in entrusting many important temples to the heads of mutts on the assumption that they were holy men and not likely to be tempted to misappropriate properties endowed for religious purposes, care was not taken even to associate other persons with them in the management. The temples handed over to mutts are as a fact amongst the worst managed institutions. It is necessary in any legislation that may be undertaken to bring under some control temples subject to the control of hereditary Dharmakartas also.

Legislation with regard to any matter will necessarily meet with opposition from those who must lose rightly or wrongly by the change, but no government that has the courage to do its duties is deterred thereby from introducing reforms which the unanimous voice of the general public presses on its attention. Last year the Provincial Conference passed a resolution urging the government to take legislative action to make such changes as are most urgent. The Revenue Board has had under consideration the question of the modification of the rules framed under the Act, but to our misfortune, it has resolved for the present not to revise them. The need for legislation has inconsequence become more imminently necessary. I am sure that the Conference and the public expect non-official members of the legislative council to undertake the task of initiating legislation and not to relax their efforts until they succeed in getting a remedy for this long-standing grievance.

*Dharma
Rakshin Sabha*

I would bring to the notice of this Conference the fact of the starting of a society in Madras about three years ago called the Dharma Rakshin Sabha whose work was presided over at first by our talented countryman the Hon'ble Justice V Krishnasami Aiyar, and is now controlled by Sir S Subramania Aiyar. The Society has receiv-

ed statutory recognition, and its object, as its name implies, is to protect charitable institutions. It seeks to do so, among other means, by instituting an enquiry into the management of the temples and other charitable and religious institutions of the country, by helping trustees and committees to put the institutions under them in order, by bringing misbehaving trustees to justice, and by getting proper schemes of management framed through the intervention of the courts for the regular and honest management of institutions. The Society seeks and expects in its work the sympathy and co-operation of Temple Committees and honest trustees. It has been able to receive official encouragement, but its success and progress are dependent on the co-operation of the public. It has been able to do some useful work already. It has undertaken the audit through qualified accountants of the accounts of several important temples, it has collected a large amount of useful information concerning the religious institutions of the Presidency, has taken steps for the removal of the trustee of one very important temple and is endeavouring to put several temples in proper order and to get the help of the courts for the purpose where necessary. The Society, I need hardly say, is anxious to secure the co-operation of the Hindu community throughout the Presidency.

Conclusion

I do not propose to deal with all the various questions that are included in the programme of the Political work of this Conference. Most of them have been discussed with fullness and ability by my distinguished predecessors in the Presidential Office and have been topics of debate at previous conferences. Some, no doubt, especially those that press for solution, will I take it be brought up again before this conference for fresh discussion. I would suggest the advisability of concentrating your attention on a very small number of the most important questions of the day so as to ensure full and free discussion of whatever is brought up before the conference.

I hope I see before me a Conference which has succeeded in winning back many of those public men, who thought it necessary to stand apart from us after the unhappy schism at the Surat Congress. I am convinced that only temporary excitement could have made anyone in this Province believe for a single moment that anything but constitutional agitation was the right course for bringing about the ameliorations of the numerous communities of this great land or for advancing their political rights and liberties. I am sure that nothing else is either safe or possible and I assert nothing else is in keeping with our character, our traditions and our education. Constitutional agitation is our creed. By that creed we stand and abide. We regard the British Nation as appointed by Providence to lead us on to progress and to more and more liberty as time rolls on. We have great faith in our Sovereign in the honesty, the generosity, and the exalted purpose, as well as in the strength of the Great British people with whom God has seen fit to associate us for weal and for woe. In that faith we move. We wish to stand by them hand to hand, and shoulder to shoulder, and with faith, sympathy and generous judgment on both sides, we shall have no discord or strife between class and class or creed and creed. 'United we stand, divided we fall,' shall be our motto. We realise that mutual toleration, self-restraint and self-sacrifice must be our virtues of the future, and without them we shall for ever remain disjorted fractions of an un-united conglomeration. We realise the immensity of the work before us, immense both in diversity and in magnitude. We realise that the way to our goal is long and arduous. But with faith in God and the resolution to strive hard, we confidently trust ourselves to Him.

I thank you most sincerely for the honour you have done in calling me to the high office of President at your deliberations. I make

no apology for my acceptance of it for it was my duty to respond to your call I am deeply sensible of my own imperfections and rely on your sympathy and co-operation for discharging my onerous duties, otherwise I should have hesitated to take upon myself, its responsibilities May Providence watch over the Proceedings of this Conference

मुंबई शहरातील डिस्ट्रिक्ट काँग्रेस कमिटीचा जनरल सेक्रेटेरियल बोर्ड.

महाराष्ट्र लघु पुस्तकमाला नं. १

सर सत्येन्द्र प्रसन्न सिंह

यांचें

मुंबई येथें सन १९१५ सालीं भरलेल्या

हिंदी राष्ट्रीयसभेचे अध्यक्ष

या नात्यानें झालेले

भाषण.



सर्व्हिस ऑफ इंडिया सोसायटीची इमारत, गिरगांव, मुंबई.

किंमत एक आणा.

सन १९१६.

सर सत्येंद्रप्रसन्न सिंह यांचें तिसाव्या राष्ट्रीय सभेचे अध्यक्ष या नात्यानें

मुंबई येथें ता. २७ डिसेंबर १९१५ रोजी झालेलें भाषण.



अध्यक्षत्वाच्या थोर आणि सन्मान्य जागीं आपण मला नेमलें त्याबद्दल मी अंतःकरणपूर्वक कृतज्ञ आहे. या मानाबरोबर येणारी जबाबदारी फार आढे आणि या वर्षीं तर राष्ट्रीय सभेचा संदेश जाहीर करण्याचें काम विशेष अवघड झालें आहे. सर्व सुधारलेल्या जगभर चालू असलेल्या प्रचंड रणकंदनामुळे उत्पन्न झालेल्या वातावरणांत आमच्या कठीण आणि नाजूक अशा अनेक राष्ट्रीय प्रश्नांची शांतपणें आणि मोकळ्या मनानें चर्चा करणें सोपें नाहीं. शिवाय थोड्या दिवसांच्या अवधीत गोपाळ कृष्ण गोखले, फेरोजशाहा मेहता आणि हेन्री कॉमन्स हे आमचे अत्यंत प्रिय आणि दूरदर्शी पुढारी कठोर मृत्यूनें हिरावून नेल्यामुळे माझे काम अधिकच बिकट झालें आहे. या प्रसंगीं त्यांचा सल्ला आम्हांला फार उपयोगी पडला असता. त्यांच्या मृत्यूनें आम्हां अगदीं शोकाकुल होऊन गेलों आहोंत.

माझ्यापेक्षा अधिक योग्य माणसाकडे हें काम सोपविले असतें तर बरें झालें असतें. जर हा मान नाकारता येता तर मी मोक्या खुषीनें तो नाकारला असता आणि आतांपर्यंत ज्यांप्रमाणें राष्ट्रीय सभेचा सामान्य सैनिक आहे त्याप्रमाणेंच सर्व आयुष्यभर मी मोक्या आनंदानें राहिलों असतों.

थोड्या वर्षींपूर्वी व्हाईसरॉयच्या कार्यकारी कौन्सिलांतील एक उच्च जागा मला मिळाली. त्या कौन्सिलांत हिंदी सभासदांचा त्यावेळीं पदवित्यानें प्रवेश झाला. ती जागा मिळावी झणून मी खटपट केली नव्हती. त्याच-प्रमाणें हा मानही प्राप्त व्हावा झणून मी खटपट केलेली नाहीं हें आपणाला माहीत आहेच. माझ्या झणण्याचा भलताच अर्थ करूं नका. कारण मी जें बोलतों तें फुडाराची मिरवण्यासाठीं नव्हे तर अगदीं नम्रपणानें ब्रोलतों. कायद्याच्या सभासदाची जागा मिळाली ती माझ्या आंगच्या काही अद्वितीय गुणांमुळे मिळाली असें ताही हें मी पूर्वापणें जाणून आहे. हिंदुस्थानच्या लोकांसाठीं आज सतत पंचवीस वर्षे न्याय्य आणि नेमस्त मागण्या राष्ट्रीय सभेनें केल्या आहेत हें लक्षात घेऊन तो मान मला नव्हे तर राष्ट्रीय सभेलाच देण्यात आला हें ही मी जाणून आहे.

माझ्याविषयीं झणाल तर मेन आणि भेकाले यांच्या आसनावर बसण्याची आकाक्षा धरण्याची ज्याप्रमाणें माझी छाती नव्हती त्याच प्रमाणें मानूसूमीसाठीं अहर्निश झटणाऱ्या राष्ट्रभक्तांच्या संबंधानें पवित्र झालेलें हें स्थान मला मिळवें असें माझ्या स्वप्नांतही आलें नाहीं. दोन्ही प्रसंगीं कर्तव्य म्हणूनच त्या त्या 'सन्मानांचा मी स्वीकार केला. आणि तेव्हांप्रमाणें आताही माझ्या हातून माझ्या राष्ट्रचा मान, पदवी व हक्क आणि हित संबंध यांना धोका येईल असें काही घडूं नये व राष्ट्रहिताला विघातक होतील असे शब्द माझ्या मुखातून बाहेर पडूं नयेत अशी मी परमेश्वराला प्रार्थना करतों.

प्रथम आमच्या प्रिय आणि थोर राजेसाहेबांच्या चरणीं आमची निःस्सीम भक्ति, दृढ विश्वास आणि सोसाह बंदन यांचें अर्पण करणें हें माझे कर्तव्य आहे. राजेसाहेब रणांगणावर सैनिकांसमवेत होते. त्यांचे चिरंजीव युद्धाच्या खडतर स्थितीचा प्रत्यक्ष अनुभव घेत आहेत. राजेसाहेबांना पुढल्याच झालेल्या अपघातांतून ते पूर्णपणें बरे होऊन स्थाना बळ व आरोग्य हीं प्राप्त व्हावीत आणि आपल्या प्रजेचें सुख आणि कल्याण हीं वृद्धिंगत करण्यासाठीं व प्रजेला मार्ग दाखविण्यासाठीं त्यांनीं पुष्कळ दिवस जगावें हीच आमची प्रार्थना आहे.

युद्ध

संध्या इतर कोणत्याही विषयापेक्षा युद्धाने आपले मन व्यग्र झालेले आहे; आणि स्वातंत्र्य व न्याय यांच्यासाठी इंग्लंडने आपण होऊन जे हे कार्य शिरावर घेतले आहे त्याबद्दल आपले अंतःकरण कौतुकांने भरून गेले आहे. साम्राज्याच्या या कठीण प्रसंगी इतर भागाप्रमाणेच हिंदुस्थानही खांद्याला खांदा लावून लढत आहे याबद्दल आपणास अभिमान वाटतो आहे. रणांगणावर मरण येऊन अजरामर कीर्ति मिळविणाऱ्यांत हिंदी वीरांचीही नावे आहेत आणि त्यावरून राक्षसी संस्कृतीला मान्यता देण्यापेक्षा आम्ही मरण सुद्धा पतकरू हे सिद्ध झालेले आहे. सर्व राष्ट्रांची भवितव्यता घडविणाऱ्या परमेश्वराच्या कृपेने शेवटी सत्याचाच जय होईल आणि मनुष्यजातीच्या इतिहासात नवीन युगाचा प्रादुर्भाव होईल अशी आमची दृढ श्रद्धा आहे.

युरोप, आशिया, आणि आफ्रिका येथील रणक्षेत्रातून साम्राज्याच्या संरक्षणार्थ ज्या आमच्या बंधूंनी आपले रक्त खर्चिले त्यांच्याविषयी कृतज्ञता आणि धन्यता दर्शविणे हे माझे कर्तव्य आहे. जगातील उत्कृष्ट सैन्या-बरोबरसुद्धा टक्कर देण्याची कुचत हिंदी सैनिकात आहे हे सिद्ध करण्याची प्रस्तुत युद्धामुळे संधि मिळाली. सर्व जातीच्या व पंथाच्या हिंदी लोकांना एखाद्या सर्वव्यापी मनोवृत्तीने प्रेरित होऊन एक राष्ट्र म्हणून उद्योगतत्पर होता येते हेही आता सिद्ध झाले. हिंदुस्थानात उसळलेली राजनिष्ठेची लाट सर्व लोकांच्या अंतःकरणांतून उसळलेली आहे हे आमचे टीकाकारसुद्धा कबूल करतात. शीख आणि पठाण यांच्या इतकीच बंगाल्याची बादाहासाटी लढण्याची उसुकता आहे. ज्या बंगाली लोकांना पोष्ट खात्यात किंवा आज्ञ्याच्या शुभ्रपेसाठी वगैरे काम करण्याची संधि मिळाली त्यांनी प्रत्यक्ष लढाईत असलेल्या लोकांप्रमाणेच आपणाला जीविताच्या धोक्याची वगैरे कसलीही फिकीर नाही हे दाखविले आहे. ज्यावेळी साम्राज्याचे शत्रु येथे असतोप आहे म्हणून मनांत माझे खात होते व अंतर्गत कलहद्वार आपल्या यशाचे भविष्य वर्तवीत होते अशा वेळेला आमच्या राजेरजवाड्यांनी आणि लोकांनी साम्राज्याच्या निशाणाखाली काम करण्याची अत्यंत तत्परता दाखविली आणि प्रसंगास तोंड दिले. या सर्व प्रकारामुळे अलिखिते हिंदुस्थानचा राज्यकारभार ज्यांनी चालविला आहे त्यांचे शहाणपणाचे धोरण आणि जगभर पसरलेल्या साम्राज्याचे नागरिक होण्यांत काय जबाबदारी आणि गौरव आहे हे ओळखण्याची हिंदी जनतेची पात्रता या दोन्ही गोष्टी सिद्ध झाल्या आहेत. या युद्धांत सत्कार्यासाठी ज्यांनी आपले प्राण बळी दिले त्यांच्या कुटुंबाविषयी सहानुभूति प्रकट करण्यास आपण विसरता कामा नये.

प्रतिनिधि बंधुहो, यंदा युद्ध सुरू असताना राष्ट्रीयसभा भरविणे शहाणपणाचे होईल किंवा नाही अशी किर्ये कांनी शंका काढली होती. साम्राज्य धोक्यांत असताना राजकीय प्रश्नाची चर्चा करणे म्हणजे एकाच राष्ट्राच्या हितसंबंधाला महत्त्व देण्यासारखे होईल असे या मंडळीचे म्हणणे होते. या शंकेत कांहीं तात्पर्य आहे असे मला वाटत नाही. या प्रश्नाचा निर्णय युद्ध संपून शांतता झाल्यानंतर लागवयाचा आहे आणि इंग्लंडला शेवटी जय येणार याबद्दल आम्हांला कांहीं शंका असती तर त्याची चर्चा करण्याबद्दल आम्हांला थोडा विचार करावा लागला असता. सरकारला त्रास द्यावा अशी आमच्यापैकी एकाची सुद्धा इच्छा नाही हे स्पष्टपणे सांगणे जरूर आहे. साम्राज्याला जे मनःपूर्वक साहाय्य आमच्या लोकांनी केले आहे त्याच्यासाठी म्हणून कांहीं मागावे असे आमच्या मनांत सुद्धा नाही. राजनिष्ठेचे बक्षीस घेणून सुधारणा झाल्या पाहिजेत असे घणणारा आमच्या पक्षात एकही माणूस मिळणार नाही. बक्षीसाच्या लालचीवर जर राजनिष्ठेचे अस्तित्व असेल तर त्या राजनिष्ठेत कांहीं अर्थ नाही. त्याचप्रमाणे हिंदुस्थानात ज्या राजकीय संस्था आहेत त्यांच्या उत्कर्षात युद्धाचा परिणाम घेणून एकदम व विलक्षण फेरफार व्हावा असेही जबाबदार हिंदी मुत्सद्यांचे घणणे नाही. दूरदर्शी ईंग्रज आणि हिंदी मुत्सद्यांची हिंदुस्थानची सनदशीर प्रगति ज्या मार्गाने व्हावी अशी इच्छा आहे त्या मार्गापासून एकीकडे न होता या देशात स्वातंत्र्ययुक्त संस्थांचा विकास होण्याच्या बाबतीत आमचे पाऊल फार पुढे पडले पाहिजे त्यासंबंधी कोणत्या प्रकारच्या मागण्या कराय्यात हा प्रश्न सध्या आपल्यापुढे आहे. युद्धाच्या प्रसंगी या देशातील सर्व जातींच्या व पंथांच्या लोकांनी जी अंतःकरणपूर्वक राजनिष्ठा दाखविली तिच्यामुळे राज्यकर्ते आणि लोक यांच्यातील परस्पर संशय आणि अविश्वास ही कायमची नाहीशी झाली असे समजण्यास हरकत नाही आणि युद्ध संपल्यानंतर केवळ चोखपणाने नव्हे तर लोकाना राज्यकारभार करण्यास शिकविण्याच्या धोरणाने काम

करणे हे ब्रिटिश अधिकाऱ्यां आपले कर्तव्य समजतील आणि अशाप्रकारे लोकांही अधिकार्यांना आपल्या राजकीय प्रगतीच्या उद्योगांतील मदतगार समजतील अशी मला आशा आहे. यानंतर आमचे राजकीय ध्येय काय, सध्याच्या प्रश्नां आपले कर्तव्य कोणते आणि पुढे आपल्याला काय आशा आहे यासंबंधी माझे विचार सांगितले पाहिजेत. या प्रश्नासंबंधी राष्ट्रियसभेत कित्येक वर्षे जोरघोर्त चर्चा सुरू आहे व भयंकर मतभेद आणि पक्षभेद माजून राहिलेले आहेत.

आमचे ध्येय-स्वराज्य.

हिंदुस्थानचे राजकीय ध्येय काय असावे ! कित्येकांच्या मते हा प्रश्न विचारण्याची जरूरीच नाही; पण तर तात्त्विक चर्चेला तो ठीक आहे. दुसरे कित्येक झणतात की हा प्रश्न काढणे सुद्धा बरोबर नाही. ज्याच्या हाती आमचा राज्यकारभार आहे त्यांना रुबेल आणि तण पिठीच्या आकांक्षा व इच्छा माना पडेल असे अविष्यकाळासंबंधी विचारपूर्वक बनविलेले ध्येय नसणे ही आमच्या राष्ट्राच्या माजी कल्याणकार्या मार्गात मोठीच अडचण आहे असे मला तरी वाटते. स्फूर्तिदायक आणि विवेकपूर्ण अशा ध्येयामुळे अराजकता नोंबनाच निदान ठरविण्याला कठीण असा रोग सर्वथा गेला नाही तरी या देशाने जे वास्तविक बाजु आहेत त्यांचा पाणिराश धंदा बसेल अशा मान्ना विभाव आहे सरकारच्या हुकमाने किंवा राष्ट्रसभेच्या आग्रहाने, जागृत झालेल्या हिंदुस्था-नाच्या अंतर्गामीतील वेदना शांत होणार नाहीत हे सर्वनिःपक्षपाती आणि सरळ मनाच्या लोकांना मान्य हो-ण्यासारखे आहे. त्या शांत होण्याला राष्ट्रीय समनेने पुढे ठेवलेले आणि सरकारला परत असलेले ध्येयच प्रथम अंतःकरणाला व नंतर बुद्धीला पटणारे असे पाहिजे. लोकांचे, लोकांसाठी आणि लोकांकडून जे राज्य ते स्वराज्य असे प्रसिद्ध लिहून घ्यावी हातले आहे. आझाला असले स्वराज्य मिळाल्याशिवाय आमचे समाधान होणार नाही.

असे जेव्हा मी म्हणतो तेव्हा आज कित्येक वर्षांत ब्रिटिश राज्यातके चांगले राज्य आम्हाला लाभले नव्हते ही गोष्ट मी नाकबूल करतो असे नव्हे. सभोवार नुसती दृष्टि केकल्याने सुद्धा ब्रिटिश राज्याचे सुपरिणाम दिसून येणार आहेत. परंतु चालू घातकाच्या आरंभी एका ब्रिटिश प्रचलाने झटल्याप्रमाणे पुढाच्याला स्वराज्याची योग्यता येणार नाही. एका प्रसिद्ध लेखकाने सुकेंच साटले आहे—“जरी देवदूत आपणांवर राज्य करण्याला आला तरी कोणताही इंद्रज कायेद करण्याचा आपला हक्क सोडून देणार नाही. हा हक्क सोडून दिला तर तो जातीचा इंद्रजच नव्हे; विलायतेतील माझे आणि शेते यांच्याकडे मग वर मान करून वाहण्याची सुद्धा त्याला लाज वाटेल. केवळ कायेदे चांगले असले झणजे भागत नाही. चांगले कायेदे करणारे आणि चांगल्या हेरुने प्रेरित असे एकतंत्री राजे जगत पुष्कळ होऊन गेले आणि त्यांच्या कारकीर्दीत त्या त्या देशात सुख आणि शांतता व भरभराट यांची वृद्धि झाली; परंतु त्या वेळी त्यांच्या लोकांची नैतिक किंवा बौद्धिक कुदत वाढली नाही, त्यांची दानत सुधारली नाही आणि त्यांची दृष्टि विस्तृत झाली नाही. स्वावलंबन, स्वतःच्या सामर्थ्याची जाणीव आणि स्वतःच्या युक्तीचा प्रयत्न यादर मनुष्याच्या माजी कल्याणाची मदत जितकी अवलंबून आहे तितकी आरिस्तेडलच्या स्वप्नी सुद्धा आले नसतील इतक्या चांगल्या कायद्यांवर सुद्धा ती नाही.” म्हणून हे स्वराज्याचे ध्येय केवळ मनोवृत्तीला खूप करण्यासाठी पुढे ठेवावयाचे असे नाही. त्याची उभाणी इतिहासाच्या शिकवणीवर झालेली आहे.

इकडे ब्रिटिश राज्य सुरू झाल्यापासून हेच ध्येय ब्रिटिश मुत्सद्यांनीही आपल्यापुढे ठेवले आहे असा माझा दृढ विश्वास आहे. या घोरणाचा दर पिठीच्या मुत्सद्यांनी पुरस्कार केलेला आहे; सम्राटांच्या जाहीरनाम्यांत त्या संबंधी उल्लेख आहे आणि पार्लमेंटाच्या कायद्यांनी त्याला कायदेशीरपणा झालेला आहे, त्यासंबंधी इतारे (पूर्वाच्या राष्ट्रीयसभेच्या) अधिकांच्या भाषणांत आहेत. त्यांची द्विगति मी करीत नाही, परंतु ता. ११ डिसेंबर १८७७ या दिवशी मॅक्लेर येथे केलेल्या एका भाषणांत मि. ब्राईट यांनी जे उद्गार काढले ते मी येथे देतो. मि. ब्राईट झणाले—“केवळ आमच्या स्वार्थासाठी किंवा आमच्या अंतःकरणाला वर

साठी हिंदुस्थानचा राज्यकारभार चांगला चालवावयाचा असे नव्हे तर हिंदुस्थान स्वतः आपला कारभार शर्ती घेईल असा वेळ येणार आहे; ती लक्षांत घेऊन त्याप्रमाणे त्यांच्या राज्यपद्धतीची शिस्त लावणे आणि त्या दृष्टीने तो चालविणे हे आगळे कर्तव्य आहे. असा स्थिति केव्हातरी येणार हे खास. कदाचित ती आपणाला वाटते त्यापेक्षाही लौकर येईल; तर तेथपर्यंत दृष्टि पोचवून त्यासाठी तयारी करव्याला जो खुषी नाही तो खरा मुसद्दी नव्हे, आपस्यावर जो प्रबंड जबाबदारी आहे तिची त्याला जाणीवच नाही असे मी म्हणतो. ”

इंदूदानें काही वर्षांपूर्वी कित्येक मुस्स्यांची जी भांवणें झालीं व त्यांनीं जें वर्तन केलें त्यामुळे हें घोरपण बंदललें अशी हिंदुस्थानांतिल बऱ्याच लोकांची कल्पना झाली. ही कल्पना अगदींच चुकीची नव्हती हें एका प्रेंच लेखकाच्या पुढील उताऱ्यावरून दिसून येईल. या लेखकाला ब्रिटिश राज्याकारभाराविषयीं आदर नाही किंवा त्याचें आमच्याकडील राजकीय सुधारणा पक्षावर विशेष प्रेम आहे असें मुळींच झणता येणार नाही. हा लेखक झणतो—“हिंदी लोकांकरितां हिंदुस्थान आहे हे तत्व बर इंग्लंडनें लक्षांत घेतलें असतें, आपली सत्ता काहीं कालापुरती आहे ही एल्फोर्न्स्टन आणि मालकम यांची दृष्टि जर त्यानें लक्षांत ठेवली असती, तर कालां, तरानें ज्यांचें पर्यवसान पूर्ण स्वराज्यांत होईल अशा अधिकाधिक सवलती सुधारणापक्षाला बेताबातातें देव्याला त्याला हरकत पडली नसती; पण इंग्लंडचा तसा विचार नाही ” मोलें साहेबांनीं वर्णन केलें आहे त्याप्रमाणें विश्वविद्यालयांतून स्वातंत्र्य, राष्ट्रीयत्व आणि स्वराज्य या कल्पनांनीं देकें आरून जी तरण मंडळी बाहेर पडते त्यांच्या अंतःकरणांला होणारी तळमळ स्वातंत्र्याच्या संस्था फक्त पाश्चिमात्य देशासाठींच आहेत असलें तत्व सांगून कवी शांत होणार ! या राष्ट्रीयसभेतील मंडळींचा इंग्लंडच्या सदिच्छेवर आणि प्रामाणिकपणावर जितका दड विश्वास आहे तितका ज्यांचा नाही अशांपैकी पुष्कळ तरणांची सदर घोरणाच्या नुसत्या शकेंनें सुडां निराशा व्हावी आणि ज्यांत कधींच स्वातंत्र्य मिळणार नाही अशी शांतता आणि व्यवस्थितपणा यांच्यपेक्षा घोटाळा आणि हणणमार यांचा गलबळा बरा असें त्यांना वाट्टावें यांत नवल आहे काय ! “ मनुष्याच्या अंतःकरणत जी अत्युच्च आकांक्षा आहे ती “ स्वातंत्र्य ” या पवित्र शब्दानें चर्णिली जाते असा ईंग्रज लोकांचा विश्वास आहे ” असें लाई मोलें पंधरा वर्षांपूर्वीं बोलले होते. आणि आज लक्षावधि ईंग्रज दुसऱ्यांचें स्वातंत्र्य नष्ट होतकें नये हणून बुद्द आपल्या प्राणांचे निःशंकपणें बळी देत आहेत, हणूनच हिंदुस्थानच्या अंतःकरणांतिल तळमळ ईंग्रजी माणसाला कळली आणि पदलीच पाहिजे. आणि मालकम व एल्फीन्स्टन, क्यानिंग आणि रिपन, इंडेंट आणि मोलें यांच्या घोरणाचा पूर्णवर्णें आणि अविगत पुरस्कार झाला नाही तर आमच्यांतिल जो नेमस्त पक्ष आहे त्याच्याजवळ मनुष्यस्वभावातील सर्वोत्कृष्ट गुणांपैकी काहींही राहणार नाही हे मी अगदी स्पष्टपणें आणि निर्धारणें सांगतो. ईंग्रजी राज्याचें हिंदुस्थानाविषयी तेंच उदार घोरण वटापही कायम आहे असा माझा तरी अगदी पुरा विश्वास आहे. जेव्हां बादशहांनीं आझाला आशापूर्णे आणि सद्दानुभूतिपूर्णे असा संदेश पाठविला तेव्हां आपली आमच्या राजकीय आकांक्षांबद्दल सद्दानुभूति आहे व या आकांक्षा घेवटी खर्चीत फलरूप होतील असा आमचा विश्वास असावा असावा त्याचा अभिप्राय नव्हता काय ! गेल्या आक्टोबरांत सिमल्याच्या युनायटेड सर्व्हिस क्लबाच्या मेजवानीच्या प्रसंगीं लाई हार्डिज पुढीलप्रमाणें बोलले—

“ इंग्लंडनें या देशांत पाश्चात्य संस्कृति आणि शिक्षणपद्धति आणून त्याला स्वातंत्र्य आणि स्वाभिमान या च्यांचे घडे दिले आहेत. आतां हिंदुस्थानच्या फक्त सौतिक प्रगतीकडे लक्ष देऊन भाणणार नाही. ज्या आकांक्षांचें आशींच बीजारोपण केलें आहे त्या आकांक्षांचें संवर्धन करणें आवश्यक आहे. पूर्वीच्या अधिकारी चर्णचे हेतु बुद्द होते आणि त्यांनीं यशही मोठें मिळविलें, हिंदी प्रगतीचें अनिश्चित आणि अडखळणारें पाऊल निश्चित आणि सुरक्षित मार्गांवर पडवणें यासाठीं सध्यां चाटज्याचें शोर काय आपल्यावर पडलें आहे याची जाणीव ईंग्रज अंमलदारांत हळू हळू उत्पन्न होतकें लागली आहे. मार्गदर्शक, निष्क आणि मित्र होण्याची संधि जुजाला आली आहे आणि तिचा उपयोग करून घेण्यासाठीं शितकी मेहनत कराल तितकी साधेकी लागेल. या कार्यासाठीं सद्दानुभूति आणि कल्पकता यांची जरूरी आहे. तसाच जुजाला स्वार्थत्यागही करवावा लागेल; कारण, कुव्हांस दुसरे काही अधिकार हद्दहद्द पण खर्चीत सोडून घावे लागतील असा त्याचा अर्थ आहे. इंग्लें

डनें केलेले काम फार मोठे आहे; पण हिंदुस्थानच्या राजकीय उन्नतीला उत्तेजन देऊन घळण लावण्याचे त्याही-पेक्षा धन्यतेचे कार्य झाला यापुढे त्याला करावयाचे आहे. आपले ज्येष्ठ प्रास होण्याला हिंदुस्थानाला बराच काळ लागेल, व त्याच्या मार्गात पुष्कळ अडचणीही येतील; परंतु यशाने व स्वामिमानाने श्रेष्ठ आणि प्रेम व कृतज्ञता यांनी बद्ध असा हिंदुस्थान साम्राज्याचा केवळ विश्वासू अंकित नसून खरा मित्र आहे असे समजण्याची वेळ येईल याबद्दल मला शंका नाही. हे ज्येष्ठ पूर्णपणे प्रास होण्याला अवाधि आहे पण ब्रिटिश अधिकाऱ्यांनी या दूरदरच्या काळाकडे नजर दिली पाहिजे आणि या दिशेने जें यश आपण संपादू त्यावरूनच इंग्लंडच्या मोठेपणाची आणि कार्यक्षरितेची कसोटी होईल हे लक्षांत घेतले पाहिजे. ”

आमच्या कानांत अद्याप गुणगुणारे लोंडे हाँडिज सोह्याचे हे शब्द झणजे एखाद्या बेजबाबदार वेढ्याचे कल्पनातरंग नव्हेत, तर ते एका मुस्त्याने विचारपूर्वक काढलेले उद्गार आहेत. मोठ्या अडचणीतून आपला राज्यकारभार हाडून लाई हाँडिज यांनी वरील संदेश आपल्या देशबंधूंना आणि आह्वाला दिला आहे. पण शब्दाच्या अर्थबद्दल आह्वांपैकी कोणालाही संशय राहू नये आणि कोणत्याही इंग्रज मनुष्याला त्या अर्थासंबंधी उडवाउडवी करता येऊ नये झणून त्यासंबंधी गैरसमज होणार नाही किंवा टांगळमंगळ करता येणार नाही असा एक अधिकारयुक्त आणि निश्चित स्वरूपाचा जाहीरनामा सरकारने काढला पाहिजे. आपल्यापुढे पाहिले तर गैरविश्वासाचे कारणच नाही; फार पूर्वी जाहीर झालेले व अलीकडे पुनः आस्तितांत आलेले हे धोरण सुपरिणामकारक आहे हे सिद्ध झाले आहे. कधी कधी मोठमोठे अधिकारीउद्योग या धोरणाविरुद्ध बोलले असतील किंवा यागले असतील, परंतु या राष्ट्राला उन्नतावस्था प्राप्त करून देणे हे इंग्लंड आपले कर्तव्य समजत होते व अद्यापही समजते आणि प्रत्येक इंग्रजी अंमलदारांनी स्वतःला दृष्टी समजून खरा मालक वयात आला की त्याच्याकडे सवें अधिकार देण्यास तयार असले पाहिजे अशी इंग्लंडची आज्ञा आहे. वरील संदेशात ज्येष्ठप्रांतीला अवाधि आहे असे झटले आहे त्याला हरकत येणारे आपल्यांत कोणी असतील तर त्यांच्याची आज्ञा मतभेद आहे हे सांगितले पाहिजे. माझ्या देशबंधूंचे नुकसान करण्यापेक्षा त्यांना नाक्षूष करणे हेच मला अधिक पसंत आहे. हा ज्येष्ठप्रांतीचा मार्ग विकट व कठीण आहे आणि तेथे पोचण्यांत आपणस पुष्कळ दगदगीचा प्रवास करावा लागेल असे माझ्याप्रमाणेच राष्ट्रीय समेच्या सर्व नामांकित पुढत्यावेधी मत आहे. आह्मी पहाटे उठलो म्हणून दिवस लौकर उंगवणार नाही. धीर सोडून काही पक्षा गाठता यावण्या नाही. हिंदुस्थानचा कोणताही खरा हितचिंतक स्वराज्य हे ज्येष्ठ आमचेपुढे ठेवताना त्यांच्या प्रांतीला अवकाश आहे असेच सांगेल. कठीण आणि दूरचा मार्ग टाळावा आणि जवळच्या पाऊल वाटा प्राणघातक असल्या तरी त्यांचाच आश्रय करावा असे उसाही तरुणांना वाटणे अपरिहार्य आहे. एखाद्या ज्येष्ठप्रांती धीरे धीरे आणि स्वार्थत्याग करीत उद्योग करण्यांत जगण्यापेक्षा त्याप्रांती मरणेच प्रबल मनोवृत्तीच्या तरुणांना सोपे वाटते हे खरे आहे. स्वराज्याची इतरांप्रमाणेच मला मन्सवी इच्छा आहे. परंतु इच्छा आणि प्राप्ति यांच्यात अंतर फार असते हे मात्र सांगितले पाहिजे.

ज्येष्ठ एकरुच व मार्ग एकरुच.

स्वराज्य मिळविण्याचे निरनिराळे कोणते मार्ग आहेत याचा आपणमोकळ्या मनाने विचार करू. माझ्या-मते स्वराज्यप्राप्ति पुढील तीनपैकी फक्त एका मार्गाने होईल. एक तर ब्रिटिश राष्ट्राचे आह्वाला स्वराज्याची देणगी दिली पाहिजे, किंवा आम्ही त्यांच्यापासून ते हिसडून घेतले पाहिजे. अगर बेताबाताने आमच्यांत मानसिक, नैतिक आणि भौतिक प्रगति इतकी घडवून आणली पाहिजे की आम्ही स्वराज्याला वज झाले पाहिजे व सरकारला स्वराज्य देणे माग पाडले पाहिजे.

प्रथम पहिली गोष्ट घेऊं. राष्ट्रीयसभेची ज्याचा मतभेद आहे त्यांना इंग्रज जोक स्वराज्याची देणगी आज्ञाला देवील असे मुळीच वाटत नाही. परंतु त्यांनी आज्ञाच्या आज स्वराज्य दिले तरी त्यापासून काही उपयोग होणार नाही असे जल तरी वाटते. व्यक्तिसभेच्या राष्ट्रीयही स्वातंत्र्याच्या बाबतीत वाढ झाली पाहिजे हे राजनीतीचे अगदी सर्वसाधारण तत्व आहे. राजकीय संस्था आपल्या योग्य वेळेची अस्तित्वात

येणें फार हानिकारक असतें. त्याप्रमाणें हिंदुस्थान स्वतंत्र झालें ह्मणजे प्राचीन कालच्या हिंदुस्थानचें पुनरुज्जीवन होणार नाही हेही आपण विचरतां कामा नये. इंग्रजांपासून स्वतंत्र झाल्यावर हिंदुस्थानाला जगाचा जर संपर्क सुद्धां लागणार नाही असें असलें तर अशी कल्पना तरी करतां येईल. परंतु तसें होणें कांहीं प्रस्तुत परिस्थितींत शक्य नाही; हिंदुस्थान इंग्लंडापासून स्वतंत्र झालें कीं त्याला दुसऱ्याशीं टक्कर देण्याची शक्ति उरणार नाही व लोकरच इतर राष्ट्रांच्या झगड्यात तें सांपडेल.

दुसऱ्या गोष्टीविषयीं ह्मणजे इंग्रज सरकारशीं झगडा करून स्वराज्य आह्माला मिळवितां येईल याविषयीं शक्यता अगदीं ज्वलज्वाहालाना सुद्धा वाटत असिल किंवा नाही याची मला शंकाच आहे. हा झगडा होणें शक्यच नाही. त्याप्रमाणें पोलिसांचे खून करून किंवा निरपराधी लोकांच्या घरावर दरोडे घालून आमचें धेऱ्याकडे पुढें पाऊल न पडतां मागेच पडेल हें प्रत्येक विचारी माणसाला कळत असलें पाहिजे. असलीं कृत्यें आपल्यापैकीं पुष्कळांच्या हातून घडतीं तर आमची स्वराज्याच्या बाबतीत नालयकी मात्र सिद्ध झाली असती. धीरे धीरे तयारी करणें आणि गाजवाजा न करतां उद्योग करणें यांची जरूरी स्वराज्यप्राप्तीला फार आहे. परंतु सुदैवानें खट्ट, दरोडे दगैरे इत्यांना सर्वे हिंदुस्थानात कोणी चांगलें ह्मणत नाहीं. काहीं वेळ्या फेराना तीं चांगलीं वाटत असतांल पण बहुजनसमाजाला त्याबद्दल तिडकाराच वाटतो. येथें आणि विलायतेंत आमच्यासाठीं जे उद्योग करतात त्यांची तर अशा कृत्यामुळें सद्यत्तुसुति कमी होते इतकेंच नव्हे तर आमच्या लोकांनाही त्यांचा लेश्व येतो. कारण ज्यात बेकायदेशीरपणा चोकाळणार असलें ध्येय त्यांना पसंत पडत नाहीं. तुझां सर्वांच्यातकें मी या कृत्याबद्दल निषेध प्रदर्शित करतो आणि लोकांनीं तसेच करून त्यांचा पत्ता लावण्यात अधिकार्यांना साहाय्य करणें अशी त्यांना विनंति करतो.

तेव्हां स्वराज्याचें ध्येय प्राप्त करून घेण्याला आपणाला फक्त एकच मार्ग शक्य आहे. त्याची चर्चा करण्यापूर्वीं मि. एडवर्ड बॉव्हन यांनीं आपल्या हिंदुस्थानासंबंधीं पुस्तकांत दिलेली एक गोष्ट सांगण्यासारखी आहे. एखाद्या माणसाला दुखापती होऊन त्याचें सर्वे शरीर वेचणें बांधून टाकावें अशा माणसाचीं त्यांनीं आमच्या देशाची तुलना केली आहे. अशा स्थितींत त्या माणसाचें मुख्य कर्तव्य ह्मणजे आपलीं बंधनें जखमा भरून येईपर्यंत शांतपणें राहूं देणें हेच असतें. तसें करताना शांतपणें वाट पाहिल्याखेरीज सोयच नसते. किती जरी ज्ञान झाला तरी पडून राहावें लागतें. बरें होण्याची धाई करून फायदा होत नाहीं. लोकर चालण्याचा प्रयत्न केला तर दुखणे वाढतें, आणि वैद्याशिवाय चालत नाही व त्याची फी देताना झुरकर करण्यांत अर्थ नाही.

इंग्लंडच्या अंगलाखालीं व नेतुलाखालीं आमच्या देशाचा फारभार हांकण्याला, अंतर्गत शांतता राखण्याला व परकीय शत्रूशीं टक्कर देण्याला, आम्ही योग्य झालो ह्मणजे इंग्लंडला स्वतःच्याच हितासाठीं हिंदुस्थानाला पूर्ण स्वराज्य देणे भाग पडेल. एका राष्ट्रानें दुसऱ्या राष्ट्राला जिकेलें असतांना तें आपण होऊन त्याला दास्यातून मुक्त करील असें इतिहासात उदाहरण घडलेलें नाही असें कित्येक दीड शतकांचे ह्मणणें आहे. हिंदुस्थान जिकलेलें नाही हें पुनः पुनः सांगण्याची जरूरी नाही आणि ज्याप्रमाणें वसाहती कायद्याप्रमाणें इंग्लंडच्या माडलिक नव्हेंत, त्याप्रमाणें हिंदुस्थानही नव्हे असें सर जॉन सीली ह्मणतात. फ्रेंच, कानडा आणि दक्षिण आफ्रिका यांना स्वराज्य मिळालें आहे त्यासंबंधीही सांगण्याची जरूरी नाही. पण माझा प्रश्न इतकाच कीं आज हिंदुस्थानची जी परिस्थिति आहे तशा परिस्थितीचें उदाहरण तरी ज्याच्या इतिहासांत आहे काय ? त्याप्रमाणें राजकीय नीतिमतेंत इंग्लंडप्रमाणें उच्च विचार असलेलें तरी राष्ट्र होऊन गेलें आहे काय ? केवळ मनोहत्तीच्या किंवा विचारगुरूक नसलेल्या भावनेच्या पायावर माझी श्रद्धा उभारलेली नाही. आतांपर्यंत दूर-दशीं इंग्रज व हिंदी मुस्त्यांनीं जे कार्ये केल्याचें नमूद झालें आहे त्यावर माझी निस्त आहे. उग्रानीं हिंदुस्थानची सेवा केली आहे व जे करीत आहेत आणि ज्याच्या उदाहरणेंत आम्हांला पुढची वाट कळव्यास मदत होते आणि काम करण्यास उत्तेजन मिळतें त्याच्या संबंधीं जी इतिहास आहे त्यावर माझी श्रद्धा उभारलेली आहे. पूर्वे आणि पश्चिम यांची गाठ पडली आहे ती फुकट जाणार नाही. जलंत कुतूहलपूर्ण अशा इतिहासाचें लेखन करणारी अदृश्य शक्ति स्वल्प बसलेली नाही. ज्यांना कळतें आणि ज्यांना दृष्टि आहे ते जाणून आहेत कीं आमचें ध्येय एकच आहे आणि त्याच्या प्राप्तीचा मार्ग एकच आहे.

हिंदुस्थानचें पुनरुज्जीवन आणि नूतन घटना हीं इंग्लंडच्या अंमलाखालीं आणि नेतृत्वाखालींच होणें शक्य आहे. ध्येयप्राप्तीला अवकाश आहे हें आम्ही कबूल करतो, पण तो दिवस फारच दूर आहे आणि ध्येयाचें नीलें फक्त कल्पनासृष्टीतील आहे हें मात्र आम्हांला मान्य नाहीं. हात पुढें केला कीं स्वराज्य मिळेल असें जे म्हणतात त्यांचा अधीरेपणा आम्हांला पसंत नाहीं, परंतु ध्येयप्राप्ति इतकी दूर आहे कीं त्यामुळे आजच्या राज्यकारभारावर काहींच परिणाम होणार नाहीं असें जे सांगतात त्यांचें म्हणणेही आम्हांला तितकेंच नापसंत आहे. एकदा ध्येय ठरल्यावर तें प्राप्त होईल तेव्हां इंग्लंड आणि हिंदुस्थान यांचे संबंध काय ? हातील हें आजच निश्चितपणें ठरविण्याची जरूरी नाहीं. इंग्लंड आणि हिंदुस्थान यांचे संबंध पुढें कोणत्याही प्रकारचें होवोत, इंग्लंडनें येथें केलेलें कार्यं नाहींसैं होणार नाहीं आणि त्या देशानें आमच्यात जें नवीन जीवन ओतलें आहे त्याचा कोणासही विसर पडणार नाहीं. साम्राज्याच्या छत्राखालीं स्वराज्य मिळविणें हें राष्ट्रीयसेभनें मान्य केलेलें ध्येय आहे आणि लोंडें हाडिंजसारख्या थोर मुस्त्यानीं भावी हिंदुस्थानचें काढलेलें चित्र कोणाही स्वदेशाभिमानांनीं पुरवणाला नापसंत होईल असें मला वाटत नाहीं. त्या भावी चित्रांत इंग्लंड व हिंदी लोक हे एकाच साम्राज्याचे सारख्या योग्यतेचे नागरिक आहेत; त्यांची या साम्राज्यावर सारखीच सत्ता आहे. प्रत्येकजण आपापल्या बुद्धीप्रमाणें त्या सर्व साम्राज्याचें कल्याण व्हावें हाणून धरत आहे. हे ध्येय प्राप्त होण्यासाठीं आपण आपल्या आंगी धियेपणा हा गुण आणला पाहिजे, तसें करणें कठीण आहे पण त्यावांचून सांगणार नाहीं. त्या ध्येयाकडे जाण्याला राजारस्ता असा नाहीं; तर आम्हां सवानीं निश्चयपूर्वक, धियेपणानें आणि जोरानें त्या ध्येयप्राप्तीच्या प्रत्येक कार्यांत एक झालें पाहिजे. यापेकी कांही कामें फक्त सरकारालाच करतां येतील, दुसरीं फक्त आम्हांलाच करतां येतील; परंतु दोघांतांही परस्पर विश्वास असल्याशिवाय, एकमेकांविषयीं सश्रुण्ठा असल्याशिवाय त्यापेकीं कोणतेंच फलद्रूप होणार नाहीं. हिंदुस्थानच्या लोकांत ही प्रवृत्ति व्हावी हाणून त्यांना राज्यकारभाराच्या कार्यकारी, मुलकी, न्यायखात्याच्या, लष्करी, आरमारी वगैरे सर्व निरनिराळ्या भागांत तेल वरिष्ठ कामें प्रत्यक्ष करण्याला मिळालीं पाहिजेत व तीं अधिकाधिक मिळत गेलीं पाहिजेत. जेव्हां आम्ही कौन्सिलचे अधिकार वाढविण्याला, वरिष्ठ व प्राक्तिक कार्यकारी कौन्सिलत हिंदी लोकांचो नेमणूक करण्याला, सिव्हिल सर्व्हिसमध्ये अधिक हिंदी लोक घेण्याला वगैरे विनंति करतां तेव्हां फक्त सुशिक्षित लोकांची वरणीं लागणी हाणून असा जो राष्ट्रीय संभेच्या हेतूवर आरोप करण्यात येतो तो निव्वालस खोड्याळणाचा आहे. आमच्या देशाच्या बुद्धिमत्तेची आणि प्रामाणिकपणाची वेगळू करणारा हा आरोप जे अद्याप उच्चाटन दाखवितात त्यांना तो खरा वाटत असेल; पण त्यांनीं एक गोष्ट लक्षात घेतलेकी दिसत नाहीं कीं तेलंग, तय्यबची आणि कृष्णस्वामी अय्यर यांच्यासारख्या राष्ट्रीयसंभेच्या ज्या पुढाऱ्यांनीं सरकारी नोकच्या पत्करल्या त्यांना त्यांत पुष्कळसा स्वायत्त्याग करावा लागला आणि इतका स्वायत्त्याग करणें ज्यांना शक्य नव्हतें त्यांनीं नोकच्या पत्करण्याचें नाकारलें. हे आमचे टीकाकार राष्ट्रीयसंभेचा इतिहास वाचत नाहींत. शिवाय, आम्ही जे हळू मागतों ते आमचें साध्यसर्वस्व नसून हे हळू ध्येयप्राप्तीचीं साधनें हाणून आम्ही मागतों हेही हे टीकाकार विस्तरात. या हक्कांमुळे राज्यकारभारांत सरकारचे बंदे दुळाम हाणून नव्हे तर खूद सरकार अधिकारी हाणून राज्यकारभाराचें काम लोकांना प्रत्यक्ष करावयास मिळतें हाणून ते हवेत. त्यांना आम्ही म्हणून देतों यांचे कारण त्यांच्यामुळे लोक आणि सरकार यांच्यातील दुजाभाव नाहीसा होतो आणि लोकांना सरकार हाणजे आपल्या व आपल्या खुशीविरुद्ध वागणारें परक्या लोकांचें राज्य न वाटतां आपलेसैं वाटतें. अशा टीकाकारांच्या विधानाची फिकीर खूदी करण्याचें आपणांला कारण नाहीं. परंतु टीकाकारांचा दुसरा एक वर्ग आहे; त्यांचा उद्देश प्रिय वाटतो पण त्यांत शहाणपणा नसतो. ते कायदे कौन्सिलत काहीं अर्थ नाहीं व त्यांतील ठराव हाणजे केवळ इच्छा प्रकट करणें यापलीकडे काहीं नाहीं असें हाणतात. बजेटची चर्चा करणें आणि प्रश्न विचारणें या हक्कापासून कांही लभ्यास होईल असें त्यांना वाटत नाहीं. कार्यकारी कौन्सिलत एखादा हिंदी समासद नेमण्यापासून कांही होणार नाहीं कारण अशा नेमणुकीनें राज्यकारभारांत काहींच फेरफार झालेला नाहीं असें त्यांचें हाणणें आहे. लोंडें ब्राईससारख्या उदार इतिहासकारालाखुद्दो हिंदुस्थानात स्वराज्याच्या संस्था होणे शक्य नाहीं असें वाटतें आणि १८६१, १८९२ व १९०९ या सालीं झालेल्या कौन्सिलसंबंधींच्या सुधारणा फक्त हिंदी लोकमत

समजून घेण्याकरिता आहेत, लोकांना खरी सत्ता देण्याकरिता नाहीत असे ते सांगतात. हिंदुस्थानांत अद्यापि स्वराज्याच्या संस्था झालेल्या नाहीत आणि झालेल्या सुधारणांमुळे बरिष्ठ किंवा प्राक्तिक कौनिसळांत लोकांच्या हाती खरी सत्ता मुळीच आलेली नाही हे सांगायला काही मोठ्यासा विचाराची जरूरी नाही; परंतु आतांपर्यंत मिळालेल्या हुक्माचा शापण योग्य आणि उद्योगपूर्वक उपयोग केला तर लौकरच आपणांला अधिक हक्क मिळतील असा माझा पूर्ण विश्वास आहे. कोणी निंदा करीत अगार कोणी चेष्टा करीत मी आतां उल्लेख केलेल्या दिशानि सुधारणा न्हावी झणून आपण सारखी चळवळ चालू देऊली पाहिजे. कायदेकौनिसलाच्या घटनेत फेरफार होऊन त्याची सत्ता वाढण्याविषयी आपण सारखी मागणी केली पाहिजे, निरनिराळ्या खात्यांतील बरिष्ठ जागा हिंदी लोकांना मिळवण्याविषयी आपण खटपट केली पाहिजे. मेहरबानीखालर या गोष्टी आम्हां मागत नाही तर आजपर्यंत या बाबतीत आम्हांला वचने देण्यांत आली आहेत तीच हळुहळू पुरी करावीत असे आम्हां झणतो. सर्व देशभर स्वराज्याच्या संस्था अस्तित्वांत खरोखर येईपर्यंत आम्ही आमचा उद्योग चालू ठेवणार. एकदम काति होऊन हे न्हावे असे नाही तर उल्कांतीच्या मार्गांने आणि सावधगिरीने आपली प्रगति झाली पाहिजे.

राष्ट्रीय समेला काय पाहिजे ?

आतां पर्यंत राष्ट्रीय समेने ज्या सुधारणा सुचविल्या आहेत त्यांतून नव्या कांही गोष्टी मी सांगणार आहे अशातला भाग नाही. परंतु कांही दिवस सरकारच्या अंतर्गत कारभारांत मी होतो तेव्हां या प्रसंगी तुमच्या आकांक्षा जाहीर करणे हे माझे मुख्य कर्तव्य आहे. आम्हांला जें ध्येय पाहिजे आहे तें आपणांला प्रवेष्टा मान्य आहे आणि त्या घेयापर्यंत हिंदुस्थानाला सुरक्षितपणे पोचविण्याची आम्ही तत्पूढ करूं असे आभिवचन इंग्लंडने बावे अशी जी मी विनंति करतो ती याच कारणासुळे. हिंदुस्थानांने केलेला स्वायत्याप आणि साम्राज्याची सेवा आसंबंधी मान्यता दर्शविण्याचा वरीलसमणे जाहीरनामा काढणे हा उच्छ्रम मार्ग आहे. प्रत्यक्ष थोडेसे हक्क देण्यापेक्षां अशा जाहीर मान्यतेने लोकांचा उत्साह शतगुणित होईल व त्यांना समाधान वाटे. साम्राज्यात पुढे हिंदुस्थानाला कोणते स्थान मिळणार यासंबंधी ब्रिटिश मुत्सखांच्या वचनानुषे ज्या आकांक्षा येथें उत्पन्न झाल्या आहेत त्याचें समाधान करण्याइतक्या सुधारणा कदाचित् होणार नाहीत व त्यामुळे लोकांची निराशाही होण्याचा संभव आहे. परंतु मी सुचविल्याप्रमाणे अधिकारयुक्त जाहीरनामा निघाल्यानंतर लोकांची निराशा होणार नाही आणि राज्यकारभारात सुधारणा जलद होतील व ध्येयप्राप्तीला कायती कांही काळ वाट पाहावी लागेल तेवढेंच, बाकी त्या प्राप्तीविषयी शंका नाही असे लोकांना वाटे. इंग्लंड आणि दोस्त राष्ट्रे यांचा विजय होऊन सुळमी लष्करी सत्तेवर स्वतंत्रतेच्या तत्वानें जय मिळविला झणजे हा जाहीरनामा काढणे उचित होईल.

माझ्या झणण्याविषयी गौरसमज करून घेऊं नका. केवळ धोरण जाहीर केलें कीं आमचें समाधान होईल, त्यापलीकडे आम्हांला कांही नको असे मी झणत नाहीं. हिंदुस्थानच्या भावी स्थितीविषयी सरकारने आपले धोरण मोठ्ठ्या मनानें जाहीर करावें एवढेंच माझे झणणे आहे. त्यामुळे जेथें निराशा आहे तेथें आरोग्य उदर्य होईल आणि जेथें संसयाचा अंधःकार पसरलेला आहे तेथें विश्वासाचा प्रादुर्भाव होईल. सर्व खात्यात लोकसत्तेचा शिरकाव होईल अशी आत्ते आत्ते तजवीज होईल आणि येथें किंवा साम्राज्यांच्या इतर भागांत जे हक्क आम्हांला नाहीत ते मिळवण्याची सुवात होईल असे धोरण असल्याचें सरकारने जाहीर केलें पाहिजे. प्रस्तुत प्रसंगी साम्राज्यात हिंदुस्थानचा र्णो कबूल करणाऱ्या दोन गोष्टी आलीकडे झाल्या आहेत त्यांचा मी आनंदानें उल्लेख करतो. लार्ड हार्डिज यांच्या खेपटीने दक्षिण आफ्रिकेंतील हिंदी लोकांच्या यातना अंशतः कमी झाल्या आहेत आणि साम्राज्य परिषदेत हिंदुस्थानचा प्रतिनिधि पाठविण्याविषयी ना. शफी याचा टपाल सरकारने मान्य केला आहे. या परिषदेत सरकारी प्रतिनिधीखेरीज आमच्या राजेरजवाड्यापैकीं एक दोन पाठवावेत अशी माझी सूचना आहे असे केल्यानें त्यांना अधिक सन्मान दिल्यासारखा होईल, त्यांच्या राजनिष्ठेला योग्य मान्यता दिल्यासारखें होईल आणि सर्व हिंदी लोकांना समाधान वाटे.

हिंदुस्थानच्या कल्याणसाठी व स्वराज्याचें अर्थ प्रश्न होण्यासाठी ज्या निरनिराल्या सूचना राष्ट्रीय सभा करित आली आहे त्यांची पूर्त चर्चा करण्याची जरूरी आहे असें मला वाटत नाही. प्रतिक संभेची वाढ, कौन्सिलच्या नियमांत सुधारणा, विनसरकारी बहुमतापेक्षा लोकनियुक्त बहुमताचें कौन्सिलत वगैरे अस्तित्त्व, व समासदाचा विशेषतः जमाखर्च खाल्यावर वाढता अंमल, कार्यकारी कौन्सिलत व स्टेटसेक्रेटरीच्या कौन्सिलत अर्थिक हिंदी समासदाची नेमणूक, सरकारी खाल्यातील वरिष्ठ जागावर अधिक हिंदी उमेदवारांची नियोजना, न्यायखाते व अंमलबजावणी खातें यांची फारखत, प्राथमिक, शास्त्रीय आणि औद्योगिक शिक्षणाचा प्रसार, सुदतबंद करारीच्या मजुरीचा शेवट, आणि साम्राज्याच्या इतर भागात हिंदी लोकांच्या स्थितींत सुधारणा या सर्व गोष्टीविषयीं जुंसी वर्षां कराल्च व आजपर्यंत या मागण्यां आपण सारख्या मागत आलों आहोंत. शांतता स्थापित होईपर्यंत त्यांतील बऱ्याच मागण्यांचा विचार लांबणोवर पडेल असें मला वाटतें. ज्याविषयीं सर्वांचें एकमत आहे आणि ज्यांची जरूरी दिवसेंदिवस अत्यंत भासत आहे अशा तीन गोष्टींबद्दल मात्र मी थोडक्यांत चर्चा करणार आहे. त्या गोष्टी झणजे लोकाना लष्करी शिक्षण व लष्करांत नोकऱ्या देण्याची आवश्यकता, स्थानिक स्वराज्याची वाढ आणि आमचा व्यापार, उद्योगधंदे व रोजगारी यांची सुधारणा या होत.

लष्करी शिक्षण आणि लष्करांत नोकऱ्या.

आपल्या देशाची संरक्षण करण्याची जबाबदारी वाटत नाही त्याला नागरिक हें नांव यथार्थपणें जोषत नाही. " काही गडबड झाली तर दुसरे कोणी तरी ती शांत करतील, दंगा झाल्यास दुसरे कोणी तरी मोडतील; देशावर संकट आल्यास दुसरे कोणी तरी तें दूर करतील, " असें जेव्हां एखाद्या देशातील लोकांना वाटतें तेव्हां त्यांच्यात नागरिकांच्या जबाबदारीची विटकुल जाणीव नाही आणि अशी स्थिति ज्या राज्यापद्धतीने अस्तित्वात आली असेल ती पद्धति मंडुल्यप्राण्याच्या स्वाभिमानाला बऱ्या लावणारी आहे असें समजलें पाहिजे.

देशांत स्वावलंबनावर लोकांची भिस्त असावी झणून योग्य दिशेने सरकारने प्रयत्न चालविले आहेत हें मी कबूल करतो; परंतु लष्करी बाबतीत लोकांनी स्वावलंबी व्हावें याकडे सरकारने लक्ष दिलेंलें नाही, किंजुना असें होण्याच्या मार्गांत प्रत्यक्ष अडचणी उत्पन्न केल्या आहेत असें मला वाटतें.

यासंबंधी परिस्थिति काय आहे याचा आपण विचार करूं. शीख आणि रजपूत यांच्यासारख्या काही इतर जातीखेरीज इतर लोकांना कसल्याही प्रकारचें लष्करी शिक्षण मिळवितों येत नाही. बादशाहांच्या लष्करांत तर त्याचा प्रवेश होतच नाही पण स्वयंसेविक होण्याची सुद्धा त्यांना मोडकीक नाही. या देशाच्या सुरक्षिततेला व येथें शांतता राखण्याला इंग्रजी लष्कर पुरेसें नाही झणूनच शीख, रजपूत, गुजरे आणि पठान यांना सैन्यांत घेतलेले आहे. त्यांना जरी आतां व्हिक्टोरिया क्रॉस मिळतो तरी बादशाही लष्करात कामिनांच्या जागा मिळत नाहीत, मग त्यांचें शिक्षण, कुळ, शौर्य आणि कर्तृत्व ही कितीही उच्च दर्जाची असोत.

फाटका सुटका राहिव किंवा युरोपियन, फार तर काय मीग्रोलसुद्धा जवळ शस्त्र बाळगण्याचा हक्क आहे; परंतु कायद्याप्रमाणें बाणाच्या आणि मानमान्यता असलेल्या हिंदी लोकाना जवळ शस्त्र बाळगण्याची कायद्यानें बंदी आहे. काही लोकांवर नेहत्यानी किंवा सवलत म्हणून त्यांना शस्त्र बाळगण्याची परवानगी मिळते; परंतु परवानगी देणें हें सर्वस्वी अधिकाऱ्यांच्या लहरीवर अवलंबून असतें. सध्याच्या पद्धतीचें नुसतें वर्णन केले तरी तिची सदोषता कोणालाही पटेल असें वाटतें. ही परिस्थिति बदलण्यासाठी प्रथम आमहांला जात किंवा आत यांचा विचार न करतां लष्करात सरसद्दा जाण्याचा अधिकार मिळावा. फक्त, असें करूं इच्छिणारा मनुष्य सुद्धा आहे कीं नाही हें पाहिजें म्हणजे झालें. आमची दुसरी मागणी अशी आहे कीं, जाती-गोताचा विचार न करतां बादशाहांच्या सर्व प्रजाजनाना लष्करातील कामिनांच्या जागा मिळाल्या. त्यात अर्थात शिक्षण आणि सुद्धता याचा जरूर विचार करावा. त्याचप्रमाणें एक किंवा अनेक लष्करी शिक्षणाच्या शाळा काढून त्यात ज्यांना कामिनांने मिळतील त्यांच्या शिक्षणाची सोय व्हावी. तिसरी मागणी अशी कीं आमहांला स्वयंसेविक होण्याचा हक्क मिळावा. स्वयंसेविक होण्यानें शिस्तीचे वगैरे नियम पाळण्याला कबूल

असले पाहिजे हे उघड आहे. शेवटी हत्यारांच्या कायद्यांत होणारा पंक्तिप्रपंच नष्ट करण्यांत यावा. याचा वरील मांगण्याशी संबंध नाही, पण हे हक्क आझाला न देण्याची राजकीय कारणे एकच असल्यामुळे त्यांचा मी एकत्र उल्लेख केला आहे. आता पहिल्या तीन मागण्याविरुद्ध जे आक्षेप येतात त्यांचा विचार करू. प्रांत किंवा जात यांचा भेद केल्याशिवाय लष्करांत प्रवेश व्हावा याविरुद्ध असे झणणे आहे की हिंदुस्थानातील सर्वच जाती लढवण्या नाहींत आणि त्यांपैकी पुष्कळांच्या अंगी लष्करी कामाला लागणाऱ्या धैर्याचा अभाव आहे; त्याप्रमाणेच त्यापैकी पुष्कळना लष्करांत घेण्याचीही इच्छा नाहीं. आतां आझी हा हक्क मागत आहोंत आणि जर त्याचा कोणी उपयोग करून घेणारा नसेल तर त्याच्यावर काहीं कोणाची बळजबरी नाहीं; आणि हा हक्क मिळाला झणून कोणाचें सुकसानही होणार नाहीं. उलट त्यामुळे लोकांची तक्रार नाहींशी होऊन सरकारला दुवा मिळेल. आता काहीं जातींत मुळीं मर्दानीपणाच नाहीं झणून जें झणणें आहे त्याचा जरा विशेष विचार केला पाहिजे. देशाला काहीं ठराविक संख्येपर्यंतच लष्कर ठेवता येते व त्यांत अगदीं योग्य अशींच माणसे घेतलीं पाहिजेत आणि जर काहीं जाती मर्दानी नसल्या तर सरकार दुसऱ्या जातीतील लोक लष्करांत घेईल; या विचारसरणीला मर्यादा आहे. कारण राज्य करणें झणजे काहीं दुकानांत बसून व्यापार चालविणें नव्हे. आप्तीडी, पठाण किंवा असेच कोणाही ब्रिटिश प्रजाजन नसलेले लोक लष्करांत घेतले तर तुझाला सध्यांहून अधिक चांगले सैनिक मिळतील, परंतु बंगाली, पार्शी किंवा मद्रासी यांना लष्करांत घेण्याची बंदी केल्यानें लोकांना प्रत्यक्ष संताप आला नाहीं तरी कमीपणा वाटतो आणि राज्यकारभाराच्या कामांत एकदरीत फार अडचणी येतात. ज्यांना ही तुझी बंदी करतां त्यांना राष्ट्रच्या संरक्षणासाठीं आपणाला इतरांप्रमाणेच हक्क आहेत असे वाटत नाहीं आणि अशा प्रकारें साम्राज्याच्या एकीला जरूर असे जे स्वाभिमान आणि स्वावलंबन हे गुण त्याचा परिपोष तुमच्याकडून होत नाहीं.

या विवेचनांत आतांपर्यंत कित्येक जाती मर्दानी नाहींत असें मी गृहीत धरलें आहे. पण हें खरें आहे काय ? उदाहरणार्थ बंगाली माणसाच्या अंगां जरूर धैर्य नाहीं आणि पुढेंही कधीं येणार नाहीं असें झणतां येईल काय ? गंगातटाकीं राहणारे लोक मर्दानी नसतात ही विलक्षण उपपत्ति प्रथम मेकॉलेनें काढली, परंतु बंगाली शेतकरी विशेषतः जेथें मलेरियाची बाधा नाहीं अशा ठिकाणचे शेतकरी धडधाकट व जोरदार आहेत हें मेकॉलेनें लक्षांत घेतलें नाहीं. बंगल्यांतील धंदेवाले व शिक्षित लोक घेतले तरी सुद्धा त्यांतील कित्येकांनीं स्वतःची पुष्कळ गैरसोय करून लढाईकडे धांव मारली आहे व सध्या ते मेसापोटोमियांत आज्ञांच्याची शुभ्रूषा करण्यांत गुंतले आहेत. त्यापैकी एकही माणूस सोशिकपणाच्या किंवा शौर्याच्या बाबतींत कच्चा नाहीं असें तिकडील सर्व ब्रिटिश अधिकारी तुझाला सांगतील अशी माझी खात्री आहे.

या संबंधीं दुसरें एक उदाहरण अगदीं जवळचें आहे. तें बंगालच्या सी. आय्. डी. खात्यातील पोलीसांचें होय. या लोकांसंबंधीं पुष्कळांचा गैरसमज असतो व त्यांच्याबद्दल पुष्कळ माणसे वाईट बोलतात. त्यांच्या संबंधीं थेट गव्हर्नरसाहेबांपासून तुझीं चौकशी करा; तुझाला ते सांगतील कीं हे पोलीस अंमलदार राजनिष्ठा आणि कर्तव्य यांच्याशीं इमान राखण्यासाठीं मृत्यूच्या तोंडांत शिरण्याला सुद्धा भीत नाहींत. त्याच वेळीं हेही लक्षांत ठेवण्यासारखें आहे कीं त्यांना कोणी चांगलें झणत नाहीं व बरेच वेळां त्यांना शाबासकीही मिळत नाहीं.

तेव्हां शास्त्रधारणाला जरूर असा मर्दानोपणा हिंदुस्थानातील एखाद्या लोकांत नाहीं असें झणणें झणजे अगदीं चुकीचें आहे; निदान सध्यां तरी तसें झणतां येणार नाहीं. परंतु लोकांत मर्दानोपणा नाहीं असें जरी खरें मानलें तरी त्यांच्यांतील हा कमीपणा दूर करणें हेंच इंग्लंडचें कर्तव्य नाहीं काय ? इंग्लंड आमच्यांतील दुसरे पुष्कळ दोष दूर करण्याच्या उद्योगांत आहे त्याचप्रमाणें हाही त्यानें दूर केला पाहिजे. शिवाय आमची अशी स्थिति होण्याला इंग्रजी राज्यच कारण आहे. आज हें राज्य आमच्यावर १५० वर्षे आहे. तेव्हां इतकीं वर्षे राज्य करूनसुद्धा आतां जर इंग्रज लोक येथून निघून गेले तर येथें घोटाळा माजेळ, कोणाचा पायपोस कोणाच्या पायात राहणार नाहीं व परकीयांना आपली सत्ता सद्दज स्थापन करतां येईल अशी स्थिति हिंदुस्था-

नांत असावी ही गोष्ट इंग्लंडला खचित भूषणावहू नाही. आज जर इंग्रज येथून निघून गेले. तर ते एडनला पोचण्यापूर्वी त्यांना परत या झणून तार करावी लागेल असे कित्येक टीकाकार आढावाला सांगतात. कोणीकोणी तर असेही मोठ्या पेटीत बजावतात की इंग्रज राज्य गेले की भ्रष्ट न झालेली कुमारी किंवा एखादा सध्या सुद्धा येथे मिळण्याचां भारामार पडेल. ब्रिटिश राज्याच्या परिणामाची याहून अधिक फजिती दुसऱ्या कक्षांत आहे अशी मला कल्पनासुद्धा करवत नाही. न्याय आणि ऋजुता यांच्यावर बरिष्ठपणाचा विजय झाला झणून राक्षसांना आनंद होईल; परंतु पाचव्या शतकात रोमन लोक जसे हतवीर्य इंग्लंडला रानटी लोकांच्या तोंडी देऊन गेले त्याच स्थितीत आज आपण दीडवें बवें राज्य करून हिंदुस्थान आहे ही गोष्ट स्वातंत्र्य आणि न्याय यांच्यासाठी आज लढणाऱ्या आणि आजपर्यंत लढत आलेल्या इंग्रज लोकाना फारशी भूषणावहू वाटेल असें झणणे जुकीचें होईल.

झणून वर वर्णिलेले दुष्परिणाम नाहीसे करावे यासाठीच इत्यारें वापरण्याचा हक्क आम्ही मागत आहोंत. आमचा नष्ट झालेला स्वाभिमान परत मिळवावा, नागरिकत्वाच्या जबाबदारीची जाणीव आपल्यात आणवावी, आणि जर कधी काळी इंग्रज लोक येथून गेले तर परवान्नापासून आमचीं घरेदारे रक्षण काढ्याची साकद असण्याचा हक्क आम्हांला मिळावा यासाठीच आमची खटपट आहे. हा हक्क प्रत्येक प्राणिमात्राचा आहे व त्यासाठीच तो आम्हांला मिळाला पाहिजे. पण केवळ मनोमानेच्याच प्रेरणेनें तो आम्ही मागतो असें नाही. कधी काळी मनुष्यमात्राला अत्यंत प्रिय अशा वस्तू रक्षण करण्याचा प्रसंग आमच्यावरही येईल. कारण कदाचित् सध्यासारखेच युद्ध पुनः होऊन इंग्लंडला आजसारखे भिन्न नसतील अशी वेळ येणारच नाही असें कसें झणतो येईल ! तेव्हा आम्हांला हा हक्क असूं नये अशाबद्दल येणारे आक्षेप फोल आहेत हे मी सिद्ध केले आहे. त्याचप्रमाणे आमची मागणी न्याय असून ती मान्य करणे आवश्यक आहे हेही मी दाखविलें आहे.

१९१२ साली लॉर्ड ब्राईस यांनी पुढील उद्गार काढले होते; “ इंग्लंडचा हिंदुस्थानशी संबंध तुटला तर एक गिऱ्हाईक नाहीसे होईल आपणकडे काही नुकसान होणार नाही. ज्या देशाच्या संरक्षणासाठी पदरची माणसे पाठवावीं लागतात त्यांचे स्वामित्व इंग्लंडला कर्तित्वायक असलें तरी शक्तिदायक नाही. एशिया खंडात दीचभर सुद्धा जेव्हा जागा इंग्लंडच्या ताब्यात नव्हती तेव्हाही इंग्लंड बलिष्ठ होतें आणि याच्याही पुढें आरमारी स्वामित्व जरूर तेवढें राहून व्यापाराला धोका न घोंचण्याची स्थिति राहिली आणि पूर्वेकडील सर्व प्रदेश हातांतून गेले तरी सुद्धा इंग्लंड पूर्वीप्रमाणेंच बलिष्ठ राहील. ” सध्याच्या युद्धाची परिस्थिति लक्षात घेतों बरील विधान निरर्थक आहे हे समजून येईल.

संरक्षणासाठी जी सामग्री हिंदुस्थानांतून पुरविली जाते तिच्यामुळे इंग्लंडच्या बलिष्ठपणांत खचित भर पडते हे प्रस्तुत युद्धावरून सिद्ध झालें आहे. आमच्या मागण्यां जर मान्य होतील तर हें बल शतपटीनें वाढेल. कारण जर हिंदी लोकांना लष्करी शिक्षणाचा आणि इत्यारें बाल्याण्याचा हक्क मिळाला तर शस्त्रांच्या बाबतीत इंग्लंडशी बरोबरी करील असा जगाच्या पाठीवर एक तरी देश आहे काय ! शीख, मराठे, गुरखे हे जर शूर आणि राजनिष्ठ व कायद्याला धरून वागणारे असल्यांचे सिद्ध झाले आहे तर तेच हक्क इतरनाही दिल्यास काहीं भलतेंच होईल असें मानण्याचें काही कारण नाही. शिवाय रास्त ती शिस्त व ताबा राहिल अशाच धोरणावर हा हक्क देण्यात यावयाचा आहे. स्वयंसेवकाच्या बाबतींतसुद्धा सरकार जे नियम घालील ते त्यांना कबूल करावेच लागतील. तेव्हां याप्रमाणें जी बंधनें घालावयास पाहिजेत ती घालून स्वयंसेवक होण्याचा हक्क दिल्यास हकी दिल्यास जी कित्येक शूर पण भक्करीं माणसें भलत्याच मार्गांत पडतात ते लष्करी स्वयंसेवक होतील.

हा प्रश्न उपस्थित करताना राष्ट्रीय लष्कराच्या उभारणीचा प्रश्न मी पुढें आणतो आहे हे मी जाणून आहे. हिंदी लोक ज्यंत पुष्कळ आहेत असले हें लष्कर तयार झाल्यास तें ब्रिटिश सरकारावर उठेल अशी शंका निघाल्यास तिला उत्तर देण्याची माझी पूर्ण तयारी आहे. अज्ञान आणि दब्यलुच असा सैन्याला

राजद्रोही, किंवा अराजक लोक फितरूँ शकतील हे खरे; परंतु ज्यांना शिक्षण मिळून व स्वराज्याच्या उदार संस्था प्राप्त होऊन जे लोक अधिकाधिक राजनिष्ठ होत आहेत अशातील माणसांच्या सैन्याला फितूर करणे त्यांना मुळीच शक्य होणार नाही. ज्या प्रमाणे लेखणीच्या फटकाऱ्याबरोबर राज्यसत्ता राष्ट्रीय करून टाकावी असें मी मुळावें म्हणत नाही. त्याचप्रमाणे लष्कराला राष्ट्रीयपणा एका दिवसात आणना असेंही माझे म्हणणें नाहीं.

प्रस्तु हिंदुस्थानात राष्ट्रीय लष्कराची सुरवात करण्याची वेळ आली आहे असें मात्र माझे नम्र मत आहे. आपल्या संरक्षणसाठी जबर तेवढे प्रचंड लष्कर ठेवले पाहिजे ही गोष्ट आमच्या साम्राज्यातील प्रत्येक भागाला लढाईच्या प्रसंगांमुळे पडली आहे आणि ह्मणूनच हिंदुस्थानच्या प्रत्येक भागात चांगले मोठे राष्ट्रीय लष्कर असणें आवश्यक आहे !

लष्करांत नेकरी मिळते असें झाले कीं हिंदी लोकांचा उत्साह दृढिंगत होईल आणि त्यांच्या अंगांत दुसऱ्या कोणत्याही उपायानें येणार नाही अशी ताकद आढुसूंत होईल. रशिया ज्याप्रमाणें आपल्या प्रजेला वागवितो, त्याप्रमाणें तरी निदान युद्धात आमच्या लोकांचे शौर्य आणि साम्राज्यनिष्ठा ही पूर्णपणें सिद्ध झाल्या-नंतर, आम्हांला त्राणविष्यांत यावे अशी आशा करणें ह्मणजे मोठीशी मागणी करणें आहे काय ?

सेय आणि जरूरी, न्याय आणि शहाणपण यापैकी कोणत्याही दृष्टीनें मी सांगितलेल्या मागण्यां मान्य झाल्या पाहिजेत हे सिद्ध होतें. आणि या बाबतींत निश्चितपणें पुढेंच पाऊल न पडेल तर युद्धांमुळे राज्यकर्त्यांचा दृष्टिकोन बदलला म्हणतात त्यावर विश्वास बसणें कठीण होईल. “साम्राज्याची उभारणी जातीच्या खऱ्याखोऱ्या प्रबलतेवर झालेली नसून सारखे हक्क असणाऱ्या निरनिराळ्या लोकांच्या प्रेमावर झालेली आहे ” असें जे मि. अँक्लीय यांनीं जाहीर केले आहे त्यावर मग लोकांचा विश्वास बसणें दुरापास्त होईल.

आतां माझी या बाबतींत शेटवटची खी मागणी आहे कीं हत्यारांच्या कायद्यांमुळे होणारा पंक्तिप्रपंच नाहीसा व्हावा त्यासंबंधी थोडक्यांत सांगतों. मनोभावना आणि युक्तिवाद या दोन्ही दृष्टींनीं पाहिले तरी असें होणें जरूर आहे. हा पंक्तिप्रपंच नष्ट होईल तेव्हां जातिभेदांमुळे वाटणाऱ्या कमीपणाची कटु जाणीव नाहीशी होईल व राजद्रोहाच्या सामान्य आरोपाचें निवृत्तन होईल; सग त्याशिवाय फूर जंगलीं श्यापदें आणि दरोडेबोर यांपासून स्वतःचें संरक्षण करण्याच्या बाबतींत लोकांना ज्या अडचणी आहेत त्याही दूर होतील.

स्थानिक स्वराज्य.

कायदेकौन्सिलें आणि त्यांचे अधिकार यांची वाढ, कार्यकारी कौन्सिलांत अधिक हिंदी सभासदांचा प्रवेश, किंवा राष्ट्रीय लष्कराची स्थापना या सर्व गोष्टी राष्ट्रीय प्रगतीच्या बाबतींत फार महत्त्वाच्या आहेत, परंतु जर आम्हास कधीं काळीं स्वराज्य मिळावयाचें असेल तर तें केवळ त्यांच्यामुळे मिळणार नाही. स्थानिक स्वराज्याची प्रगति आणि विकास यांच्यावरच तें बरेचसे अवलंबून राहील. जेव्हां लोकांना आपल्या गावचीं कामें, तशींल रस्ते आणि गटारें, तळीं आणि विहीरी, शाळा आणि दवाखाने, या गोष्टींची व्यवस्था करण्यातकी नागरिकत्वाच्या कर्तव्याची जबाबदारी कळू लागते तेव्हां बरिष्ठ राज्यकारभारापासून त्यांना फार दिवस दूर ठेवणें शक्य होणार नाही. वास्तविक स्थानिक स्वराज्याच्या कामांत जमेददारी केल्याशिवाय बरिष्ठ राज्यकारभाराची कामें चांगल्यारीतीनें करता येणार नाहींत. गेल्या वर्षीच्या राष्ट्रीयसभेंत स्वराज्याच्या ठरावावर भाषण करतांना मिसेस बिझांट यांनीं पुढील उद्गार काढले होते. “स्वराज्याचें शिक्षण आमच्या राष्ट्राला मिळण्याची आज फार जरूरी आहे. राज्यकारभार, हाकणें हे एक शास्त्र आहे आणि कला आहे. तें चांगलें यावे ह्मणून प्रथम स्थानिक स्वराज्यांत नंतर प्रांतिक स्वराज्यांत आणि नंतर राष्ट्रीय स्वराज्यांत असे पायरी पायरीनें शिक्षण घेतलें पाहिजे. कारण राज्य करण्याचें काम हे या जगातील अतिशय चातुर्यांचें काम आहे. तेव्हां स्थानिक स्वराज्यांत जुझी शक्य होईल तितका भाग घेतला पाहिजे. तसें केळें ह्मणजे जुझाला अनुभव घेऊन पुष्कळ गोष्टी कळतील, आणि केवळ त्याच अनुभवाचा व ज्ञानाचा उपयोग जुझाला बरिष्ठ जाणी जेव्हां लोकांवर सत्ता चालविण्याची जुमची वेळ येईल. तेव्हां होईल. ह्मणून हे काम अगदीं पंचदश्याणें आहे तरी जुझी केळें पाहिजे. तें कंटाळ्याणें आहे यांत शंका नाही. स्थानिक कार्यभाराची खडबूत खडा

माहिती करून घ्या; गावांतील पाण्यासंबंधी व गटारासंबंधी चांगली माहिती करून घ्या. हा स्वराज्याचा श्रीगणेश आहे. आणि हे कंटाळवाणे काम जर केले नाही तर तुमचा उसाह आणि स्वरेगमें ही केवढीही मोठी असेत तुमचा राज्यकारभार यशस्वी होणार नाही. ”

गेल्यावर्षीच्या राष्ट्रीयसभेच्या स्वागतसंमेलनाचे अध्यक्ष सर सुब्रह्मण्य अय्यर यांनी अशाच उपदेश केला होता. आमच्या पुढाऱ्यांप्रमाणेच या बाबतीत सरकारचे विचारही अगदी स्पष्ट आहेत. १९८३ सालचा लॉर्ड रिपन यांनी काढलेला नामांकित ठरावच हे सिद्ध करण्याला पुरेसा आहे. स्वतंत्र राजकीय जीवनकाला सुरुवात व्हावी म्हणून स्वायत्तिक स्वराज्याची योजना त्या ठरावात होती हे दुसऱ्याला माहीत आहेच, ती योजना फुकट व्हावी गेली हे सांगण्याला फार वेळ लागेल आणि तसे करण्याची जबाबदारी नाही, परंतु या अस्पष्टांना वाढी बंगाल प्रांतपुरतातरी वरिष्ठ सरकार, प्रांतिक सरकार किंवा सिव्हिल सर्व्हिस यांच्याकडे नसून त्या सर्वे योजनेत स्टेट सेक्रेटरींनी जी फिव्वाफिरव केली तिला आहे, हे येथे सांगण्यास हरकत नाही. या फिव्वाफिर-शीव्हिड इकडील अधिकार्यांनी तक्रारीही केल्या होत्या.

लॉर्ड रिपन यांच्या योजनेत चार महत्वाची तल्ले होती.

(१) सर्व देशभर लोकलबोर्डे करून त्यांच्याकडे प्रांतिक सरकारांनी काही पैसा देऊन कांहीं निश्चित कामे सोपवावीत,

(२) सभासदांना त्या त्या ठिकाणचे ज्ञान असेल व त्यांचे त्या त्या ठिकाणी हितसंबंध असतील अशाच प्रकारचे प्राथमिक बोर्डांच्या सत्तेचे क्षेत्र ठरवावे.

(३) जेथे जेथे शक्य असेल तेथे तेथे लोकनियुक्त विनसरकारी सभासदांचे संख्याधिक्य असावे.

(४) या संस्थांवर सरकारची नजर आणून नसतांना चढेहून असावी आणि लोकनियुक्त विनसरकारी माणसानाच जमेल तेथे बोर्डांचे अध्यक्ष करावे.

अधिकार विभागणी कमिशनने या सर्व सुचनांचा विचार करून कांहीं निश्चित स्वरूपाच्या शिफारशीही केल्या होत्या. ता. २७ नोवेंबर १९०८ साली लॉर्ड मोर्ले यांनी घाडलेल्या सुधारणासंबंधी बलिदानांत पुढील मजकूर होता—“ हिंदुस्थानात इतकी राज्ये होऊन गेली पण तेथील समाजव्यवस्थेत प्रामांसस्था नाश पावल्याशिवाय महत्वाचा घटक म्हणून पूर्वीप्रमाणे राहिलो आहे. सार्वजनिक चरित्रकाला खेडेगावापासून सुरुवात होईल अशा धोरणाचा अवलंब घाला पाहिजे. ”

त्यानंतर ता. १ मे १९१५ रोजी लार्ड हॉर्डिज यांनी एक ठराव काढला त्यांत अधिकारविभागणी कमिशनच्या बऱ्याच शिफारसींचा विचार करून त्याबद्दल अनुमतिहि प्रदर्शित करण्यात आली आहे. तेव्हा स्वायत्तिक स्वराज्यासंबंधी आमचे आणि सरकारचे मतैक्यच आहे. सहकारी चळवळीच्या प्रसारामुळे खेडेगावांचे राज्यकारभाराच्या सुरुवातीची ठिकाणे व्हावीत ही गोष्ट शक्यतेच्या फीटीत आली आहे. सर एडवर्ड मॅकलॅगन यांनी जो सदर चळवळीसंबंधी रिपोर्ट लिहिला आहे त्यावरून १९०६-७ साली सहकारी सोसायट्या ८३ होत्या, त्या १९१३-१४ साली १४५६८ होत्या, सभासदांची संख्या ८८५८२ होती ती ६६१८५९ झाली व भाडवक मुलींच नव्हते ते ४६४२७८४२ सपे इतके झाले. सदर रिपोर्टत झटले आहे—“ वरील आक-ड्यावरून ही नव्वदक आतां येथे बळमूल झाली हे कोणाच्याही लक्षात येईल. सोसायट्यांचे जाळे सर्व हिंदु-स्थानांत पसरलेले आहे आणि त्यांच्या सभासदांचे जे हित होत आहे त्यावरून त्यांचा विस्तार फार मोठा होऊन त्यापुढे सध्याचे स्वरूपही फिके पडेल अशी अपेक्षा करण्यास हरकत नाही. या सोसायट्यामुळे सध्या शिक्षण आणि एकी नसल्यामुळे बोलका नसलेला शेतकरी वर्ग बलवान होऊन त्यांच्यात चांगली एकी होईल. ”

स्वायत्तिक स्वराज्य आणि सहकारी चळवळ यांचा प्रसार झाला म्हणजे प्राथमिक शिक्षण, सहायसहान उद्योग-धंदे, शेतकीची सुधारणा, शेतकऱ्यांचा कर्जबाजारीपणा, खेडेगावांतल आरोग्य यूपेरे प्रश्न आपोआप सुटतील आणि खेडेगावापासून आपणाला संघटनेची सुरुवात करावयाची आहे हे लक्षात ठेवून घ्यायुंदे. या गोष्टींकडेच आम्ही लक्ष पुरविले पाहिजे व त्यांच्या प्रसारासाठी सर्व प्रकारे बटपट केली पाहिजे.

या कामात सरकारासाठी निसळून जनसमाजाची स्थिति सुधारण्याचा उद्योग करण्याला केवढे तरी कार्यक्षेत्र आहे. खेडेगावांतून सहकारितेचा प्रसार करण्याला हजारां माणसांची आवश्यकता लागते असे सर.डेनिसल डॅमिल्टन यांनी सांगितले आहे. जी थोडी सिव्हिलियन मंडळी या उद्योगात आहेत त्यांनी फारच काम केलेले आहे. त्याचे आपण आभार मानले पाहिजेत, पण त्यांची संख्या फार अल्प आहे. दहा वर्षांत १२००० व्याका खेडेगावांतून निघाल्या हे विशेष वाटते; परंतु याच वेगाने या व्याकांचे जाळे हिंदुस्थानभर पसरण्याला चार पाचशे वर्षे सुद्धा पुरणार नाहीत. व्याका होण्यासाठी हिंदुस्थानातील उद्योगधंद्यांनी इतकी वर्षे वाट पाहण्याची की काय ? सर्व सुधारलेल्या जगात तीन चार किंवा पाच टक्क्यांनी पैसा मिळत असतांना आमच्या पंचवीस कोट शेतकऱ्यांनी आपली शेकडो वर्षे ३-४० किंवा ५० टक्क्यांनी पैसा काढून काम चालविले की काय ? सहकारी मंडळीचा प्रसार करण्यासाठी आपली किती तरी माणसे पाहिजेत व ती मिळणे जरूर आहे. माणसे आहेत. दरसाल शेकडो तरण कॉलेजांतून बाहेर पडतात; त्यांना काही उद्योग मिळत नाही. हिंदुस्थानांत सहकारितेच्या शाळा ठिकठिकाणी होऊन आपल्या तरण मंडळींना तेथे शिक्षण दिलेले व हे तरण मंडळी गावगावांजळून अज्ञान व दारिद्र्य यांच्याशी टक्कर मारून सहकारितेचा प्रसार राष्ट्रभर करताले अशी आपण उमेद बाळगू था. सहकारितेच्या अभावीच यातना या मागे लागलेल्या आहेत. त्याचप्रमाणे या सोसायट्यांमुळे लोकांना आत्मशिक्षणही मिळते असे सर थिओडर मॅरीसन यांनी उदाहरणे देऊन सिद्ध केले आहे. एक म्हातारा मनुष्य लिहायला आणि वाचण्याला शिकला. पुढे तो ज्या व्याकेचा अध्यक्ष होता तिचे हिशेब ठेऊं लागला. व आज त्याच्यासारखे चोख हिशेब पंजाबात कोणाचेही नाहीत असे एक उदाहरण त्यांनी दिले आहे. दुसऱ्या एका ठिकाणी व्याकेच्या एका अध्यक्षाचे कोरे वजन इतके वाढले की तेथे त्यांनी गावांतील तंटे मिडण्यासाठी गावपंचाईत स्थापन केली व जेथे पूर्वी फार तेंढेबळेचे होऊन त्यापणी खर्च होई तेथे ते पुष्कळच कमी झाले आहेत.

स्थानिक स्वराज्याच्या प्रसारासाठी प्रत्येक प्रांतांत सरकारचे प्रयत्न चालले आहेत हे मी आनंदाने कबूल करतो; परंतु खेडेगांव व जिल्हाबोर्डे याचे सभासद व अध्यक्ष यांच्या बाबतीत अधिकाऱ्यांचा ताबा कमी करून निवडणुकीचे तत्त्व आणणे यासंबंधी लॉर्ड रिपन यांच्या १८८२ सालच्या ठरावातका देखील परवाचा ठराव सागत नाही असे मोठ्या खेदाचे म्हटले पाहिजे. स्वराज्यात बुका करण्याचाही हक्क मिळतो; परंतु दुसऱ्याच्या शहाणपणावर बुका न करण्यापेक्षा स्वतःच्या जोरावर टक्के टांगणे खाऊनच माणसाप्रमाणेच राश्ट्राने मोठेपणा मिळविला पाहिजे हे आमच्या राज्यकर्त्यांनी विसरू नये.

हिंदुस्थानासारख्या प्रचंड देशांत सर्वत्र सारखे लागू पडतील असे नियम लॉर्ड रिपन यांनाही करणे शक्य नव्हते आणि सध्याही शक्य नाही. परंतु लॉर्ड रिपन यांनी घाबृत दिलेल्या धोरणाचा अवलंब घ्यावा एवढेच आमचे मागणे आहे. म्हणजे अमुक पैसांचा अमुकच विनियोग, लहान लहान देशांच्या व्यवस्थेची योजना, सभासद व अध्यक्ष यांच्या निवडणुकीचा अधिकाधिक प्रचार, आणि अधिकाऱ्यांचा ताबा कमी करणे ही जेणे या गोष्टी झाल्या पाहिजेत. १८७० सालपासून गिरनाराच्या प्रांतासाठी आमच्या पुढाऱ्यांकडून योजना सुचविण्यांत आल्या आहेत. मि. मलबारी, मि. रसेरचंद्र दत्त आणि ना. गोखले यांच्याच नांवाची मी उल्लेख करतो. बंगाल, मुंबई, मद्रास, संयुक्तप्रांत, पंजाब आणि मध्यप्रांत येथील अधिकाऱ्यांनी सुचविलेल्याही ये जना आहेत. या सर्व योजना पाहून पुढे पाऊल पळव्याजोगी योजना करता येणे कठीण नाही. आणि अशी खटपट चांगल्या बुद्धीने केल्यास स्थानिक स्वराज्य हिंदुस्थानांत यशस्वी होईल याबद्दल मला खात्री वाटते.

गिरनाराच्या प्रांतात अंमलांत आलेल्या स्थानिक स्वराज्यासंबंधी गोष्टी यशस्वी व्हाव्यात म्हणून अधिकाऱ्यांनी आपण सहकारितेने वागले पाहिजे. सिव्हिलियन मंडळी आतापर्यंत उपभोगलेले अधिकार सोडणार नाहीत अशी आपण समजूत करून घेतली आहे ती सोडून द्यावी. सदर मंडळींनी हिंदुस्थानची, सेवा करण्यांत अनयान केलेले नाही हे आपण कबूल केले पाहिजे. त्याचप्रमाणे हिंदी सुशिक्षित लोकांना बहुजनसमाजाची काही माहिती नाही व त्यांची सारी खटपट स्वतःच्या फायद्यासाठी आहे अथवा सिव्हिलियन मंडळींनी समजू

नेय अशी त्यांना माझी विनंति आहे, हिंदुस्थानची सर्व बाजूंनी प्रगति व्हावी म्हणून दोघेही खुर्षीचे काम करणारे घटक आहेत असेच परस्परांनी समजावे. आपले सुसज्ज विस्मल लोकांचे कुसळ काढण्याची यातायात कोणीच करू नये. दोघांनीही गैरसमज करून घेऊ नये व विरुद्धीला येऊ नये. तर हिंदुस्थानातील कोट्यवधि लोकांची प्रगति आणि भरसरपट होण्यासाठी त्यांनी सहकारितेने उद्योग करावा.

व्यापार, उद्योगधंदे आणि शेतकी यांची वाढ.

ब्रिटिश अमदानीत हिंदुस्थान श्रीमंत झाला आहे किंवा गरीब झाला आहे याबद्दल काहीही मतभेद असला तरी हिंदुस्थान अत्यंत दरिद्री आहे यात संका नाही. आणि सर्व लोकांना नैतिक समृद्धि प्राप्त झाल्याशिवाय राजकीय संतोष नादणें शक्य नाही. बंगालच्या विस्त्रिक्ट वॉडमिनिस्ट्रेशन कमिटीने झटले आहे की उद्योगधंद्यांत बंगाल फार मागे आहे ही गोष्ट राजकीय दृष्ट्या बरी नव्हे, ते सर्व हिंदुस्थानाला लागू आहे.

या मागसल्लेपणाबद्दल कोणी संशय प्रदर्शित करील असे वाटत नाही. येथे कृषया मालाची किंवा सृष्टिनिर्मित वस्तूंची रेलचेळ आहे; तरीपण हिंदुस्थानासारखा दरिद्री देश जगात दुसरा नाही. त्यामुळे कित्येक लोकांत राजकीय असंतोष उत्पन्न झाला आहे. त्यासंबंधी वरील कमिटी म्हणते की या असंतोषामुळे सरकाराला झुळमी कायदे करावे लागतात हे बरे नव्हे. त्यापेक्षा मूले उठारः असे उपाय करून असंतोषाचे बीजच नाहीसे केले पाहिजे व सरकारचा ज्याप्रमाणें शांतता राखण्याचा त्याप्रमाणेंच देशांत समृद्धि होईल असे करण्याचा निश्चय आहे हे सिद्ध झाले पाहिजे.

हे उपाय तरी कोणते आहेत ? औद्योगिक शाळा किंवा कॉलेजेने काढूनच मागणार नाही. अलीकडच्या देशात या संस्थांची स्थापना उद्योगधंद्यांच्या उत्कर्षानंतर झालेली आहे, पूर्वी झालेली नाही. जपानने प्रथम कारखाने काढले, त्यांना सरकारी पैसा मिळाला होता. तेथें परदेशांतून माणसे आणवून त्यांच्याकडून व्यवस्था करवीत व त्यांवर सरकारची देखरेख असे. उद्योगधंद्याच्या वाढीला साहाय्य करणे हे सरकारचें काम नाही असें आतां कोठेही समजत नाहीत. पण या उपपत्तीचा हिंदुस्थानांत मात्र अंमल आहे. अपवाद मिळतोच पण ते अपवादच.

हे धोरण आतां टाकून देण्याची वेळ आली आहे. या देशातील मुख्य धंदा जो शेतकी त्यासंबंधी व्यापारी दृष्टीने प्रयोग करून दाखविण्याची आवश्यकता सर्वांना पटलेली आहे. आणि ज्या ठिकाणी अशा प्रयोगांना सुरवात झाली आहे तेथेच लोकांनीही शेतकींत सुधारणा करण्याचें मनावर घेतलें आहे. इतर घंदे व उद्योग यासंबंधी याच धोरणाचा अवलंब झाला तर त्याचेही सुपरिणाम झाल्याशिवाय राहणार नाहीत. उदाहरणार्थ, मद्रासेकडील ॲल्युमिनियम व क्रोम कातल्यानें कारखाने यांचा उल्लेख करता येईल.

या कामाला योग्य अशी हीच वेळ आहे. शुद्धामुळे जर्मनी व आस्ट्रिया येथून हिंदुस्थानांत होणारी प्रवृंढ आयात बंद पडली आहे आणि येथील व्यापार घरांत उत्तरविण्यासाठी जपानने जोरात खटपट चालविली आहे. वास्तविक हा व्यापार आमच्या ह्यातीं हक्कांनेच असला पाहिजे.

यासंबंधी मला बारीक माहिती देतां येणें शक्य नाही. व्यापारी परिषदेत जमलेली तज्ज्ञ मंडळी या बाबतीत सरकारने आह्वास कोणतें व कसे साहाय्य केले पाहिजे याचा निर्णय करतील. परंतु हा प्रश्न लॉबणीवर टाकणें यापुढें धोक्याचें आहे एवढें मात्र सांगितलें पाहिजे, या प्रश्नावरच इंग्रजी सुल्ट-यांच्या विधेप्रमेाची कसोटी अवलंबून आहे. कारण या देशाच्या उद्योगधंद्याची प्रगति व्हावी म्हणून उपाय योजण्यांत कधी कधी इंग्रज कारखानदारांच्या हितसंबंधाकडेही दुर्लक्ष करावें लागेल.

स्वावलंबी कार्यक्रम.

आतापर्यंत सरकारला काय काय करतां येईल तें मी सांगितलें. व त्यांत प्रसंगातुसार आपही कसे वागून प्रगति करून घ्यावी त्यासंबंधाच्या निरनिराळ्या मार्गांचें वर्णन केले. या कार्याचें क्षेत्र इतकें विस्तृत आहे कीं त्याचें पूर्ण वर्णन देतां येणें शक्य नाही. प्राथमिक शिक्षण, शेतकीची सुधारणा आणि उद्योगधंद्याची वाढ या बाबतीत आमच्यापैकी प्रत्येकाला पुरून उरण्याइतकें काम आहे. आणि आम्ही संघटित प्रयत्न करू केले तर आपल्या

झालून कितीतरी कार्ये होईल, काँग्रेसच्या चळवळीचा एक आप म्हणून सतत करवण्याच्या कामाची एक योजना आपण तयार करावी अशी माझी सूचना आहे. या योजनेप्रमाणे प्रांतिक व जिह्वा काँग्रेस कमि-
 ट्यांनी वर्षभर कांहीतरी उद्योग चालवावे म्हणजे वर्षोअखेरीला त्याचा थोडातरी परिणाम होईलच. प्राथमिक
 शिक्षण सार्वत्रिक, फुडट आणि सक्तीचे होण्याला अवकाश आहे पण आपल्या जिल्ह्यांत निदान दहापाच शाळा
 काढण्याला आपण मदत केली असे प्रत्येक काँग्रेस कमिटीला दाखवितां आले पाहिजे, त्याच प्रमाणे तालुका
 व जिह्वा बोर्डे यांच्याकडून होत नाहीत तीं कामे आपण करावीत आणि खेव्यापळ्यांतून आरोग्यसभेबंदी
 माहितीचा प्रसार करावा, जरूर पडेल त्यावेळीं दुष्काळपीडितांना साहाय्य करण्याची वेगळे बटवट करावी.
 अशा स्वातंत्र्यी कार्यक्रमासाठी प्रथम पैसा जमविता पाहिजे. तो देण्याला आपली तयारी आहे काय याबद्दल
 मला जरा शंका वाटते. हूमसारख्या मित्रांनी व पुढाऱ्यांनी राष्ट्रीय सभेचा कायमचा अध्यक्ष असणा
 म्हणून पुष्कळ वेळां सूचना केल्या होत्या पण त्यांचा कांही उपयोग झालेला दिसत नाही. राष्ट्रीयसभेच्या
 पुरस्कारांची एक मंडळी काढावी व त्यातील प्रत्येकाचे दरसाल पंचवीस रुपये किंवा अशीच कांही तरी
 वर्गणी थावी अशी सूचना गेल्यावर्षीं सर सुब्रह्मण्य अय्यर यांनी केली होती. प्रत्येक प्रांतांत शेकड्यांनी मोजतां
 येतील असे वर्गणीदार मिळावेत अशी त्यांची कल्पना होती व त्याच्याकडून मिळणाऱ्या पैसांचा योग्य दस्त
 नेमून विनियोग करावा, त्यांची मंडळी करून ती रजिस्टर करावी असे त्यांचे ह्मणणे होते. पैसे मिळतील
 त्याबद्दल त्यांना शंका नव्हती. नेमस्त मण्डळी वर्षांतून दोन चार दिवस राष्ट्रीयसभा भरवितात व वर्षभर कांही
 उद्योग करीत नाहीत हा आक्षेप यावर्षी आपण नाहीसा केला पाहिजे. “तंटे बंद करून मत्सर सोडून द्या; एक ऱ्हा आणि सारखा
 उपदेश आपण या बाबतींत लक्षांत ठेवला पाहिजे. “तंटे बंद करून मत्सर सोडून द्या; एक ऱ्हा आणि सारखा
 उद्योग करा; आपला वेळ, दुडि आणि पैसा ही देशासाठी पूर्णपणे उपयोगांत आणा; फार बोलू नका; छुति
 करून द्याखवा.” दरलेले सिद्धांत व असलेली परिस्थिति लक्षांत घेऊन सामाजिक जीवनकमातील प्रश्न आपण
 सोडवण्यास लागू या; आणि आपली कामे विवर्तित असावीत झालेले आपण त्यासाठी फंड उभा करू
 या. स्वार्थत्याग आणि सेवा या तत्वाच्या नळावर सर्वत्र शांतात आणि सद्युद्धि नांदविण्याला ही राष्ट्रीय सभा
 कारणीभूत होईल अशी मला आशा आहे. आज मी आपल्याबरोबर अगदी मोडल्या मनाचे व स्पष्ट शब्दांत
 बोलू नये आहे, त्यामुळे राष्ट्रीयसभेच्या कार्याला थोडासा जरी उपयोग झाला व इंग्लंड आणि हिंदुस्थान येथील
 प्रसंगांचे लक्ष या प्रश्नांकडे बाहेसे जरी वळले तरी केलेल्या श्रमाचे अगदी पूर्णपणे साफल्य झाले असे मी समजून,

आमची आगामी स्थिति.

भावी काळच्या हिंदुस्थानांत आमचे घेय प्राप्त झालेले असावे, आमच्या आशा फलित झालेल्या
 असाव्यात आणि आमच्या सर्व सद्दृष्टि उक्तेबद्ध गेलेल्या असाव्यात अशा दृष्टीने सरकारने काय करावे आणि
 आम्ही काय करावे याबद्दल माझ्या बुद्धीप्रमाणे मला असा सागावयाचें होतें तें मी आपणाला निवेदन केले आहे.
 हा हेतु सफल होण्याला प्रस्तुत युद्धाचे फारच साहाय्य होत आहे. सर्वत्र काळेल्या हानीत पुष्कळशा
 वार्ड गोथीही नष्ट होत आहेत आणि कित्येक हितचर तत्वाचा उदय होत आहे. आतांपर्यंत जे फटकून होते
 त्यांचा खोटा गर्व आणि तुसरपणा ही नाहींही होऊन त्याठिकाणी एकी आणि खरी सहकारिता यांचा प्रादुर्भाव होत
 आहे. हिंदु आणि मुसलमान, प्रटेस्टंट आणि कॅथलिक, धार्मिक आणि तदितर, इंग्रज आणि हिंदी, वसाहतवाले व
 अगोवर्ण लोक, हे आपल्या देवघरात नव्हेत तर खंदकाच्या आसऱ्याखाली आपले भजन पूजन करित आहेत.
 त्याची श्रद्धा आणि त्यांची स्फूर्ति यांचे कारण आतां एकच आहे. स्वार्थत्यागाचा नवीन उदय झाला आहे; दुर्बल
 आणि दुःखित याबद्दल नूतन प्रेमाचा अंकुर सर्वत्र फुटला आहे. स्वार्थावर परमार्थानें बस मिळविता आहे, आणि
 सर्व त्रिदिश साम्राज्यभर सदिच्छा आणि सेवा आणि प्रेम यांचा जमल बसला आहे परमेश्वराच्या अंतकचे कोलेने
 शांतता आणि प्रेम यांच्या नवयुगात आमचा प्रवेश होऊन ज्या साम्राज्यासो हिंदुस्थानचे हितसंबंध चिरबद्ध
 आहेत त्यांत त्याला श्रेष्ठ पदवी प्राप्त होईल; त्या साम्राज्याचे आझी समान योग्यतेचे नागरिक होऊन त्याची
 जबाबदारी शिपरार घेऊं व त्याचे वैभवं आणि स्वातंत्र्य यांचे बंधु आणि मित्र या नात्याने इतरांबरोबर आभी-
 सर होऊं असे मला वाटते.

जाहीर विनंति.



मुंबई शहरांतील डिस्ट्रिक्ट काँग्रेस कमिटीच्या वतीने जनरल सेक्रेटेरियल बोर्डांनै हातीं घेतलेल्या कामाकरितां या वर्षी रु. ४००० हजार खर्च होतील असा अजमास आहे. राजकीय प्रश्नांसंबंधानें आस्था बाळगणाऱ्या सर्व मंडळीनै या कार्मीं यथाशक्ति उदार हस्तानें मदत करावी अशी विनंति आहे. मदत पाठविण्याची तीं सेक्रेटरी, जनरल सेक्रेटेरियल बोर्ड, डिस्ट्रिक्ट काँग्रेस कमिटीज, मुंबई, सर्व्हंट्स् ऑफ इंडिया सोसायटीज होम, गिरगांव, मुंबई या पत्त्यावर पाठवावी.

महाराष्ट्रांतील
डिस्ट्रिक्ट काँग्रेस कमिटीच्यांनीं
सर सत्येंद्र प्रसन्न सिंह
यांच्या भाषणाच्या
मराठी भाषांतराच्या प्रती,
आपल्या जिल्ह्यांतील लोकांस वांटण्याकरितां
सेक्रेटरी,
जनरल सेक्रेटेरियल बोर्ड, डिस्ट्रिक्ट काँग्रेस कमिटीज्, मुंबई,
सर्व्हंट्स् ऑफ् इंडिया सोसायटीज् होम,
गिरगांव, मुंबई
यांच्याकडून मागवाव्या.

मुद्रक—रा. चिंतामण सखाराम देवळे, मुंबईवैभव प्रेस, सर्व्हंट्स् ऑफ् इंडिया सोसायटीज्
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सँडर्स्ट रोड, गिरगांव, मुंबई.



FOURTH NATIONAL CONGRESS

HELD AT ALLAHABAD

26th to 29th December 1888.

— X —
◀ INAUGURAL ADDRESS ▶

BY

MR. GEORGE YULE.

Calcutta:

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1889



WHEN I was asked some time ago to allow myself to be nominated for the position you have now elected me, I had some hesitation in giving my assent to the request. It was an unexpected, and with all due deference to the judgment of my too indulgent friends, it was an undeserved compliment. That, however, is a kind of objection which can always and very easily be got over. But I knew your assemblies were very large, and I also know that it is a most desirable quality in the President of such a gathering to have a voice strong enough to reach the remotest listener. I feared I had no such voice. For that reason chiefly, and for others that need not be mentioned I felt, I hope with unaffected diffidence, that I was scarcely the man to follow those magnificent speakers who had occupied the chair at previous meetings of the Congress. Nevertheless, quickened by my warm sympathies with the main objects of the Congress, I am here at your call for better or for worse.

And now, gentlemen, I come at once to the business that lies before us. Why are we here? What do we want? What are we striving after? In the resolutions that are to be submitted to you there are some reforms embodied which state our wants, which set forth our views, and indicate the direction in which our thoughts are travelling. I think I am right, however, in saying that all these do not occupy exactly the same place in our regards. About one or two of them there is more or less of doubt as to their value or importance. But there is one of them respecting which there is the most complete and perfect unanimity of opinion. I refer to the reform of the Legislative Councils. I myself regard this one as the most important of all. Each of the other reforms begins and ends with itself. The reform of the Councils is not only in itself good, but it has the additional virtue of being the best of all instruments for obtaining other reforms that further experience and our growing wants may lead us to desire. With your permission I will confine the observations I have to make to this one question. In doing so, it seems to me to be needful first of all to state some of the facts connected with the origin of the Bill under which the affairs of India are at present administered. When the sole Government of this country was taken over by the Crown in 1858, it fell to the lot of Lord Palmerston, who was then Prime Minister, to introduce into the House of

Commons a Bill which was afterwards known as India Bill No. 1. The main provisions of this Bill were, that the Government of India was to vest in a Viceroy and Council in India, and in a Council of eight retired Indian officials presided over by a Secretary of State in London. The proceedings of these two separate bodies, each of whom had certain independent responsibilities, were to be subject to the review and final decision of the House of Commons. The chief objection to this Bill was, that no provision was made for the representation of the people of the country. Mr. Disraeli, who was leader of the Opposition, objected to it on the ground of the insufficient check which it provided; and he said that with such Councils as those proposed, "you could not be sure that the inhabitants of India would be able to obtain that redress from the grievances under which they suffered, that English protection ought to insure." Almost immediately after the introduction of the Bill Lord Palmerston was defeated upon a side question, and Lord Derby became Prime Minister with Mr. Disraeli as leader of the House of Commons. No time was lost by the new Ministry in introducing India Bill No. 2. Mr. Disraeli dwelt upon the desirability of having the representative principle applied to the Government of the country, and his scheme was to increase the Council in London, which was proposed by Lord Palmerston, from eight to eighteen Members, half of whom were to be elected and were, in all other respects, to be entirely independent of Government. He regretted that the unsettled state of the country did not admit of a representation of the people in India itself, and all that could be done in the meantime was to approach as near to that form of Government as the circumstances would permit. The provisions of his Bill to effect that purpose were briefly these:—four of the elected half of the Council were to be members of the Indian Civil and Military Services of ten years standing, and the remaining five must have been engaged in trading with India for at least five years. The constituency electing the four members connected with the services was to consist of all officers of both branches of the India service, and also of all residents in India owning £2,000 of an Indian railway or £1,000 of Government stock. The five mercantile members were to be elected by the Parliamentary constituencies of London, Belfast, Liverpool, Manchester and Glasgow. So deeply ingrained is this notion of Government by representation in the minds of Englishmen, that rather than leave it out of sight altogether in dealing with the affairs of India the Government of that day made the proposals I

have stated. Although the intention underlying these proposals was applauded the scheme itself was felt to be, from the imperfect character of the constituencies, wholly inadequate to secure the check that was desired. It was clear, or rather it soon became clear, that the interests of one set of voters were adverse to the interests of the mass of the people, and that the other set knew absolutely nothing of the country or its wants. Received with favor at first the Bill soon became the object of jest and derision on the part of the Opposition, and even its more impartial critics said of it that it was useless offering to the people of India under the name of bread what would certainly turn out to be a stone. At the suggestion of Lord John Russell the Bill was withdrawn, and the House proceeded by way resolution to construct the frame-work of another Bill. The plan finally adopted was this: the Legislative and Administrative powers were to be entrusted to a Viceroy and a Council in India, and the check upon them was to be a Council of fifteen Members sitting in London. This Council was to be responsible to the Cabinet through a Secretary of State who was to be responsible in turn to the House of Commons. This arrangement was regarded merely as a provisional one, and the policy to be pursued was to work up to the constitutional standard. Education was to be largely extended and improved, and the natives of the country were to be drafted into the service of Government as they became qualified with the view, among other reasons, to fit them for the anticipated enlargement of their political powers. The promises made and the prospects held out in the debates in Parliament derived a lustre from the famous proclamation of the Queen,—that half fulfilled charter of India's rights,—which was first read and published to the people of India in this very city of Allahabad thirty years ago. Now, what I wish to impress upon your minds by this brief narrative is the great importance that was attached at that time to some sort of constitutional check. Failing to have it in the form that the English people themselves approved and followed in the management of their own affairs they devised the substitute, with its threefold check I have mentioned. Parliament itself was full of gushing enthusiasm as to the part it would take in the business. In the absence of a representative body in India, the House of Commons was to play the role of one on our behalf. It was to regard the work as a great and solemn trust committed to it by an all-wise and inscrutable Providence the duties of which it would faithfully and fully discharge. Such was the style of language employed both

in and out of Parliament at the time I allude to. And now what is the actual state of the case. It is summed up in a single sentence. There is no check. The Bill under which our affairs are administered appears, like many other Bills, to be open to more than one interpretation. The interpretation put upon it at the time and what was probably the intention of Parliament was this : the Government in India was to have the right of the initiative, the Council in London the right of review, and the Secretary of State, subject to the ultimate judgment of the House of Commons, the right of veto. And this was practically the relations of the parties until 1870. In that year the Duke of Argyle was Secretary of State ; and in a controversy on this subject with Lord Mayo, who was then Viceroy, he laid down quite another doctrine. He held that the Government in India had no independent power at all, and that the prerogative of the Secretary of State was not limited to a veto of the measures passed in India. " The Government in India," he maintained, " were merely Executive Officers of the Home Government, who hold the ultimate power of requiring the Governor-General to introduce a measure, and of requiring also all the Official Members of the Council to vote for it." This power-absorbing Dispatch is dated the 24th November 1870. The supposed powers and privileges of the Council in London have been similarly dealt with, and the Council is now regarded merely as an adjunct of the office of the Secretary of State to furnish him with information or advice when he chooses to ask for it. The present position, then, is this : the Government in India has no power ; the Council in London has no power ; the House of Commons has the power, but it refuses or neglects to exercise it.

The 650 odd members who were to be the palladium of India's rights and liberties have thrown " the great and solemn trust of an inscrutable Providence " back upon the hands of Providence to be looked after as Providence itself thinks best. The affairs of India, especially in the Financial Department, have passed with no kind of check whatever into the hands of the Secretary of State. I don't blame the present members of the House of Commons for thus abdicating the functions that their predecessors of thirty years ago assumed. The truth is that they have not time enough to attend to the details of the trust ; and on more important matters they can have only one side of every question—the official side—presented to them ; and they know from experience that that is not always the whole of the case. As they are not in a position to judge rightly they do not attempt to judge at all ; and they may fairly

come to the conclusion that, if it is not worth our while to demand and agitate for some voice in our own affairs, it is not worth their while to trouble themselves at all about us. If we be satisfied, for example, to have the budget thrown at our heads like a snow-ball, and a muddy one it is, we deserve to have it in that way. There is a common belief among the European trading community that there are some big leaks in the Store department and in Home charges generally ; but we have no means for verifying or disproving the suspicion. Now and again we hear of some facts that confirm it. Here is one told me the other day by an authority I would call unimpeachable. The department with which this gentleman is connected indented for an article, and after many weary months it came at last charged six times the price my informant said he, himself, could have bought it. If we be content with the secrecy and the supposed inefficiency of such a system, then I say we deserve no better. Temporary Commissions of enquiry into the working of such departments are of little good. The real remedy is a Permanent Commission in the shape of elected Members of Council having the right to look into such matters.

But when we make the demand that the political institutions of the country should be placed on a wider basis we are not only asking what the Government of thirty years ago avowed was desirable, but also what almost every Viceroy since that time has either promised, or held out as a hope to be indulged in by us. I admit that these promises have been associated with such phrases as "when qualified" or "as far as may be." These words doubtless afford a pretext for shirking the due fulfilment of the promise. Of course, to the antagonistic mind our qualification will always be in the future, but I am sure I express your conviction when I say, that whatever use the abettors of the present beaureaucratic rule may make of these phrases, the distinguished personages who uttered them had far other intentions than to make of them a loop-hole of escape when all other channels of retreat were closed by a reasonable fulfilment of the conditions. Putting aside then this Small Cause Court use of the words I come to say something on the question of qualification. What does it mean? What was in the minds of the Queen's advisers when these phrases were employed? Can we doubt that they were thinking of the qualifications of ordinary English constituencies at a somewhat more rudimentary stage of their development than they are to-day. Now, if it can be shown that there are considerable numbers of people in

this country with attainments and characteristics similar to those of constituencies in Great Britain two or three generations back, the condition as regards them has surely been amply fulfilled. But how is that to be shown? It is not a matter for mere floating opinion to decide, one man saying yes, and the next saying no, but neither being able to adduce any reason, or state any fact in support of his view. If you want to know the financial resources of a body of men such as a trading Company, you audit their accounts. If you wish to ascertain where a village is in point of education, you don't inquire what Mr. This or Baboo That thinks, but you want to know how many schools there are, how many scholars there are, and what amount of money is being spent upon them. Then you have facts of a kind on which to form an intelligent and reliable judgment. Now, gentleman, in the Blue Books published by the Indian Government you have the material, the moral, and the educational state of the country set out in such fulness as to enable us to say where the people are in the scale of humanity as compared with those of other countries. I am not going into an "as dry as dust" analysis of these facts. I simply indicate the method of proof, and I challenge any one to rise from the study of these books, and give reasonable grounds for denying that there are large bodies of men in this country fitted in every way for the proper discharge of duties connected with a constitutional form of Government. One or two of the facts may be mentioned, however, to illustrate the nature of this evidence. The total foreign trade of India has reached the figure of £150,000,000 a year, which was the extent of the commerce of the United Kingdom in 1837. We are in precisely the same position as regards commerce that England was in fifty years ago, and yet the mercantile community have not an authoritative word to say about the laws and regulations affecting such a prodigious trade. The income of the British Government in 1837 was £47,200,000, not one penny of which was raised or spent without the sanction of the representatives of the people. The Indian Budget of last year shows an income of £77,000,000, and there is not a man in the country outside the Supreme Council who has a vote or a voice in the matter. Since 1858, about £20,000,000 have been spent on educational institutions. The number of these institutions at the present time is 122,000, attended by upwards of 3,300,000 students. The number of schools in England in 1821, was only 18,467, and the scholars 650,000. These, however, have rapidly increased during the last twenty

years, but it was not till 1881, that they reached the number of the schools and scholars in this country. Now a statesman or a politician would surely be justified in concluding, that the country of which such facts can be stated must have within it considerable numbers of men of means, intelligence, industry, foresight and moral grit—the very material out of which good representative institutions can be carved. But there are other considerations that add weight to the testimony of the Blue Books. In all the discussions that have taken place in Parliament about the inhabitants of India, there is one section which has never been thought of at all—I mean the British non-official class to which I belong. I want to make our existence known. We may be known as barristers and solicitors, as bankers traders, merchants, engineers, editors of newspapers, manufacturers, planters and so forth, but the idea of citizenship, and all that that implies, never seems to have occurred to our rulers in connection with us. I know it has been said that we are already represented. We are English and the Government is English; therefore we are represented. But that is a false inference and a pure delusion. We have no more power and no more voice in the Government of the country than you Indians have. The Government is no more ours because it is administered by a Secretary of State who is an Englishman, than the bread in a baker's shop is ours because the shop happens to be kept by an Englishman and not by a Native. We are all alike held to be on the same low level of unfitness and unripeness. The only thing we are the least bit of good for in the country, from the Governmental point of view, is to be taxed. We are ripe enough for that; ripe enough to come under the sweep of the Board of Revenue's sickle, but unripe for the meanest privileges of subjects of a free country. Our number is uncertain. The census tables do not inform us; but few or many, almost all of us would be voters in England, and I venture to suggest that we would make a passable fraction of a constituency in this country. There is another consideration. There are many thousands of Hindoo, Mahomedan, Eurasian, Parsi and other gentlemen in the country, who, if they were to transfer their persons to England for twelve months or more, and pay certain rates, would be qualified to enjoy all the rights and privileges of British subjects. If you and I go to England we are qualified. If we return to India our character changes, and we are not qualified. In England we would be trusted citizens. In India, well, the charitably-minded among our opponents say that we are incipient

traitors! There is one more consideration. You know that the Government is accustomed to send some of the Bills it has in preparation to all our leading Associations both Native and European, for the expression of our opinion upon their provisions. If we be qualified to give an opinion outside the Councils, how much more valuable would that opinion be with the fuller knowledge that can be obtained inside the Councils.

I have thus far spoken of the qualification as having an intellectual as well as a material basis, but I may say here that the only qualification ever known to the British constitution has been the possession of a stake, as it is called, in the country. For four hundred years that stake was a forty-shillings freehold. At the present time it is the occupancy of a house and the payment of certain rates. An educational qualification may be implied in these later days, but it has never formed a test of fitness within the British dominions. But assuming it to be so, then, what I find is, that India to-day, taking it all over, is in rather a better state in this respect than England was a century ago. At least every ninth man in India can read and write. Now, I will read you a short extract from an excellent little book by Professor Thorald Rogers, called the "British Citizen." He says, speaking of England "I do not believe that 100 years ago more than one man in ten, or" "one woman in twenty, knew how to read and write. When I was" "a youth in a Hampshire village hardly one of the peasantry who" "was over forty years of age knew how to read. It was deemed" "superfluous to give a rudimentary education to the peasant." Going another century or two back the people of England, man and boy, high and low, with the exception of a mere handful, were steeped in the grossest ignorance, and yet there was a House of Commons. But whatever may be deemed to be a proper qualification in England, or here, it is part of our own case that the great majority of the people is quite unfitted for the franchise. There we are at one with our opponents. But then they say that that is a good reason why the minority should wait until the mass be also qualified. There I think they are wrong. Granted that a man is not entitled to a vote any more than he is entitled to drive a steam engine, and that is my own view of this question, but because the persons in a country capable of managing steam engines are few compared with those who are not, are we, on that account, to debar the capable few from following their vocation? In like manner, I contend that if there be but a small minority in a country fitted to exercise the useful junction

of the franchise, it is a mistake to withhold the privilege from them on the ground that others are not fitted. Given increasing means and growing intelligence, and there invariably follows a desire to have a voice in all matters that concern us, and I hope it is not difficult to believe that such a desire, "the monition of nature" as Carlyle calls it "and much to be attended to," has been implanted in the human breast for some wise and good purpose. Happy would it be for the world if, instead of thwarting and repressing such a desire, its rulers nourished it and guided it, as it arose, into the proper channels for its due gratification and exercise.

Now, the views and facts I have submitted would seem to warrant some important change in the polity of the country; but the change we do advocate is one of extreme moderation, and far within the limits that the circumstances of the country, in my own opinion, would justify. We don't seek to begin, as has been asserted, at the point England has reached after many generations of constitutional Government. We don't want the strong meat of full age, but we want to be weaned. We say there are numbers of us who have had the feeding bottle long enough. We desire no sudden snapping of existing ties; we ask only for the loosening of the bonds. We are content to regard ourselves as in the position of the man who has long been confined in a darkened room on account of disordered eyesight. We know that under the skilful treatment of a kindly physician our visual powers have been strengthened. We have sense enough not to demand the full blaze of day to be suddenly let in upon us, but only such a drawing-aside of the curtains as will adjust the light to our powers of vision. But, if the physician, skilful and kindly as we recognise him to be, were to insist upon our remaining in the dark we would be forced to the unwelcome conclusion that his skill was resultless and abortive, and that the unlovable side of his character had manifested itself in that he wished to keep us in the dark for some unworthy purpose of his own. If under such treatment we became discontented with his services, the blame of it would be with the physician and not with the patient.

Now, gentlemen, I will state more definitely the change we desire. We want the Legislative Councils to be expanded to an extent that will admit of the representation of the various interests in the country, as far as that may be practicable. We want half the Councils to be elected, the other half to be in the appointment of

Government, and we are willing that the right of veto should be with the Executive. We also want the right of interpellation. These are the substance of our wants. We propose that the constituencies should consist of Members of Municipalities, Chambers of Commerce, Trades Associations; associations like the British Indian Association, and generally, all persons possessing such qualifications, educational and pecuniary, as may be deemed necessary. We would have to go far back in the history of England to find a parallel to the limited privileges we would be content with,—to the time, at all events, of Edward the first, 600 years ago, when Barons and Commons sat together, and when King and Barons held the sway. We are not wedded even to these proposals. The principle of election frankly accepted, there would be little difficulty in satisfying us in the matter of the constituencies, or as to the size of the Councils. The devising of a suitable elective body might well be left to the Government, or better still, by way of preliminary to the final judgment of the Government, to a small Commission which could easily be rendered acceptable to the whole community. Happily there is no scarcity of men in the country, both among the official and non-official classes, abundantly qualified for such a work. I should like to mention the names of half-a-dozen such men, chiefly for the purpose of dissipating the fears of those who seem to think we have some revolutionary scheme in view, and not because that they only are competent for such an undertaking. If you were willing to commit the working-out of the practical details of the reform we ask for to the men I wish to name, we ought to hear the last of the reckless charges that are made against us. The first I have in my mind's eye is that wary, sagacious Scotchman who has just closed a long and honorable career of worthy service among us, Sir Charles Aitchison. The second is an Englishman, no less qualified by experience and by endowment of head and heart for the task, Sir Stuart Bayley. The next is the veteran statesman from the Southern Provinces, Sir Madhava Rao. The next is a Mahomedan of tried legislative ability from the Bombay side of the peninsula, Budradeen Tyabjee. The next is a gentleman from Bengal whose character and talents have placed him in the front rank of his profession, W. C. Bonerjee. These five men presided over, and the balance held even between them, by such an one as the Governor of Bombay or Madras would, I believe, produce a scheme which would secure the approval of the Government, allay the fears of the timid, and satisfy the aspiring ones among us for a generation at least.

I fear I have occupied your time to an unreasonable length, but I wish to trespass on your indulgence for a short time longer for the purpose of making a few remarks on the speech of the ex-Viceroy at the Scotch dinner in Calcutta. All movements of the kind in which we are concerned pass through several phases as they run their course. The first is one of ridicule. That is followed, as the movement progresses, by one of abuse, which is usually succeeded by partial concession and misapprehension of aim, accompanied by warnings against taking "big jumps into the unknown." The final stage of all is a substantial adoption of the object of the movement with some expression of surprise that it was not adopted before. These various phases overlap each other, but between the first and last the distinction is complete. Well we are out and away from the comical aspect of the movement.

It has become too serious for that, and we are midway between the abusive and misapprehensive stages. In the speech of our ex-Viceroy we have, as might be expected, none of the coarser instruments of attack—indeed, I find a vein of sympathy with us running through his speech—and we have partial concession, misapprehension regarding some of our demands, and, in consequence, the usual warning voice. The concession I refer to is as regards the separation of the Executive and Judicial functions. This was one of the ridiculous proposals, one of those school-boy clamours to start with, but the Viceroy now tells us that "this is a counsel of perfection to which we are ready to subscribe." Allow me to congratulate you upon this concession so frankly and handsomely made. All that we want now is to see the concession of the principle reduced into practice. The misapprehension is contained in the following sentence: "The ideal authoritatively suggested as I understand is the creation of a representative body or bodies, in which the official element shall be in a minority, who shall have what is called the power of the purse, and who, through this instrumentality shall be able to bring the British Executive into subjection to their will." Now, gentlemen, if there be one thing more than another that we have tried to make clear, it is that the British Executive should continue to be paramount in the Councils. We have made it as clear as the English language is capable of expressing thought that the utmost we want is that half of the Councils be elected; the other half to be wholly in the nomination of the Government. These may be all officials or not, just as the Government pleases; and we have made it equally clear, in addition, that the Government should have the right to veto all

adverse votes. Such an arrangement guarantees the supremacy of the Executive under all circumstances, aye, even if their own side vote against them. But, is it to be assumed that the elected members are all to vote adversely! Is it to be supposed that any measure of the Executive will be such as to be condemned by every section of the community. I hope no British Executive will ever take leaps into the dark to lead to such a result. Well, the Viceroy having started upon an assumption that is not only incorrect, but is the very opposite of the fact, it follows that his condemnation does not apply to us at all, but to a fanciful piece of workmanship of which we are not the artists. The Viceroy must necessarily depend largely upon his subordinates for correct information about the details of this and other movements, and it looks to me as if one of those compilers of facts had fallen into some grievous error. The authoritative views of the Congress are to be found in its resolutions, and the resolution about the reform of the Councils is the third one of the first meeting of the Congress three years ago, and that resolution has been the one affirmed at the following meetings. We are in no way bound even by any statement or argument that any speaker may make in supporting that resolution, but I say with the greatest confidence that, neither in the resolution itself nor in the speeches of the gentlemen supporting it, is a word to be found that justifies the "ideal authoritatively suggested." There may be some remarks in letters to newspapers, in pamphlets, or in speeches made by members of the Congress that give support to the "ideal." I don't know of them, and if I did, I should regret them, just as I might regret any of our members having a hump back; but I should feel no responsibility for either his back or his speech. If we be charged with encouraging "ideals" on such grounds, we may as logically be charged, in the other event, as a Congress for promoting deformed spines! It is annoying to us, no doubt, that our friends, as I take Lord Dufferin to be, should be deceived by imitations of our ticket; but as we have no Trade Mark Bill to protect our wares, all that we can do is to warn our friends to ask for the real article and to see that they get it.

And now, gentlemen, I wish to say in conclusion, that I have a strong faith that our limited enfranchisement is in the near and not in the distant future. No rational mind can believe that the present system can go on for ever,—that it is the last will and dying testa-

ment of Providence regarding us. We are, I trust, the heirs of a better hope. A careful reading of the speeches and writings of our leading officials leads me to believe that they would be glad to see this matter settled, and I do not exclude Sir Auckland Colvin from this category. His objection seems to be to some of the bye-play and not to the general drift of the drama. The great difficulty hitherto has been to find the time to deal with the subject. Lord Dufferin had his thoughts too fully occupied with the troubles on the frontier and in Burmah to give adequate attention to this question, which is apparent in the mistake he has fallen into regarding our demands. And I for one regret that it has not fallen to his lot to add a new lustre to his name, and to establish a further claim upon our regard by promoting a measure such as we advocate,—a measure which any Statesman might well be proud to be the instrument of carrying, for it is one which (while going a long way, if not the whole way in calming the present agitation) would draw into closer connection the two extreme branches of the Aryan race, the common subjects of the Queen-Empress—a measure which would unite England and India, not by the hard and brittle bonds of arbitrary rule which may snap in a moment, but by the flexible and more enduring ligaments of common interests promoted, common duties discharged, by means of a common service, chosen with some regard to the principles of representative Government.

REPORT
OF THE
PROCEEDINGS OF A PUBLIC MEETING
HELD IN THE
CONGRESS PANDAL

Friday the 10th December 1915.

TO
PERPETUATE THE MEMORY
OF THE

LATE SIR PHEROZESHAH M. MEHTA,
M.A., LL.D., K.C.I.E.

PUBLISHED BY
THE BOMBAY-PRESIDENCY ASSOCIATION.

1916.

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LATE SIR PHEROZESHAH MEHTA.

GREAT MEMORIAL MEETING.

20,000 PEOPLE PRESENT.

THE GOVERNOR'S TRIBUTE.

THE VICEROY'S MESSAGE.

India has ere this mourned the loss of many a great son. Citizens of many a city have often assembled together to do honour to a departed fellow-citizen who was also a great Indian. But probably no Indian city ever witnessed such a vast and awe-inspiring assemblage as gathered together on Friday evening (Dec. 10, 1915) in the Congress pandal "to weep the loss of India's greatest patriot." Certainly the citizens of Bombay had never before met together in such a unique gathering. It was and will ever remain a historic meeting in the annals of the city as long as the city endures,—because last evening the citizens of Bombay assembled together to pay a last tribute to, and to take steps to perpetuate, the memory of one who was, as Sir Narayen Chandavarkar truly said, "the Prince of Bombay Citizenship." For after all while all India felt the loss, Bombay's loss, as Mr. Wadya said, was the greatest. The fact that the meeting was held in the Congress pandal,—and this was a most fortunate circumstance,—enhanced the unique character of the meeting. And Sir Ibrahim Rahimtoola appropriately referred to this fact when he said that in this great assembly were centred and identified two of Sir Pherozeshah's leading loves,—his love for the city for which he laboured so strenuously and so long, and his love for the political advancement of his country.

Having referred to this meeting, as the greatest assemblage of Bombay's citizens, it is not necessary to dwell on its cosmopolitan character. It gladdened one's heart to

see and to take part in that meeting; for it was so perfect in every sense,—except one. One instinctively felt the absence of one element,—and it was the presence of Sir Pherozeshah himself. For the last forty years a public meeting in Bombay has meant a meeting dominated by the towering personality of that Prince of Bombay. It is hardly an exaggeration to say that ere this, the majority of Bombay's citizens have flocked to a public meeting not so much because of their interest in the object of the meeting, but to hear and to enjoy the speech of their most beloved leader. And Sir Narayen Chandavarkar only voiced the feeling of every one present in the meeting when he said "I feel that Sir Pherozeshah must be here. I cannot realize the thought that his familiar figure is no more with us."

After the election of Lord Willingdon as the President of the meeting, the proceedings quite unexpectedly began with the reading, by Lord Willingdon, of a telegram from the Viceroy received in the morning in which the Viceroy associated himself with the people of Bombay in expressing their grief at the loss of "a great Parsi, a great citizen, a great patriot and a great Indian." This touching message and the announcement of a generous donation to the Memorial Fund from the Viceroy added much to the impressiveness of the occasion. And the impressiveness was enhanced by the speech of Lord Willingdon himself, who rising to the occasion made a speech which held his hearers spell-bound. His speech was very brief, but it was the

most forceful speech of the day as it was the best speech Lord Willingdon has ever delivered as Governor of Bombay. He struck a personal note which at once appealed to the hearts of those present. "By his death," he said, "I feel a real sense of personal loss. . . I always found him a true and loyal friend, a courteous gentleman, a man who, I have good reason to know, was full of the warmest, deepest human sympathy." Sir Narayen Chandavarkar who moved the first resolution did so in a speech which was for the greater part listened to with rapt attention and which constituted the most perfect tribute to the memory of Sir Pherozeshah paid at the meeting. Sir Pherozeshah, he said, over and above being what the Viceroy in his speech had described him to be, "an Imperialist worthy of the best and noblest traditions and genius of the British race and the Empire." Mr Birkett referred to an oft forgotten aspect of Sir Pherozeshah's character and career when he said "nothing was too small for him, and, as you all knew, nothing too great." Sir Pherozeshah, he added, was a leader in practically every movement affecting the welfare of the city and speaking on behalf of the British merchants of Bombay,—"by whom Sir Pherozeshah was ever held in the highest esteem,—" he struck the right note which none would have welcomed so much as Sir Pherozeshah himself, when he said, that the question of community of caste or of creed, did not apply in these days, for to-day "as one nation we deplore the death of the great Sir Pherozeshah." Sir Ibrahim Rahimtoola emphasized Sir Pherozeshah's services in the cause of local self-government and Mr. Wadya who spoke very feelingly, rightly asked "what greater service could any man render to his community than to bring to it the name, the fame, the glory and the greatness which Sir Pherozeshah brought to his community?"

Sir Dinshaw Petit in moving the resolution regarding the memorial or memorials to be raised to Sir Pherozeshah, referred to a characteristic aspect of Sir Pherozeshah's career. Sir Pherozeshah, said Sir Dinshaw Petit, cared neither for favour, or frown from any quarter. "If," he added, "Sir Pherozeshah had sought favouritism, he would have acquired the highest titles and honours. He despised, however, honours and titles so acquired as he did also those who entered public life with the object of furthering their own personal ends." Dr.

Mackichan,—who spoke with the impressive ease usual with him, a characteristic in which no previous speaker approached him—confined himself to paying a great and admiring tribute to Sir Pherozeshah's services in the cause of education. And he expressed a wish, that as Sir Pherozeshah's activities were varied and his services were as manifold as they were great, not, one but many memorials would be necessary, so that coming generations might realize the debt which they owed to him.

Lord and Lady Willingdon, who were accompanied by their son, the Hon. Inigo Freeman-Thomas, were received by the Hon. Sir Jamsetji Jeejeebhoy, the Hon. Mr. D. E. Wacha and others, and conducted to the platform.

More than 20,000 people were present, including:

H. H. the Maharaja Gaikwar of Baroda; Sir Ali Imam; the Hon. Mr. W. D. Sheppard; the Hon. Mr. M. B. Chaubal, the Hon. Mr. Carmichael; the Hon. Sir Jamsetji Jeejeebhoy; Sir Dinshaw M. Petit; Sir Sassoon J. David; Sir Cowasji Jehangir; Sir N. G. Chandavarkar, Sir Dorab Tata; the Hon. Sir Ibrahim Rahimtoola; Sir Bhattachandra Krishna; the Hon. Sir Fazalbhoy Currimbhoy; Sir V. D. Thackersey; the Hon. Mr. D. E. Wacha; the Hon. Mr. Chamanlal H. Setalvad; Mr. H. A. Wadia; the Hon. Mr. J. A. D. McBain; Mr. Pheroze C. Sethna; the Hon. Mr. T. W. Birkett; the Hon. Mr. J. S. Wardlaw Milne, the Hon. Mr. M. De P. Webb, the Hon. Mr. J. P. Orr; the Hon. Sir F. L. Sprott; the Hon. Mr. Harchandrai Vishandas; the Hon. Mr. Lallubhoy Samaldas, the Hon. Mr. S. K. Rodia; the Hon. Mr. V. J. Patel; the Hon. Mr. G. K. Parekh; the Hon. Mr. Upasani; Rev. Dr. D. Mackichan; Rev. Dr. Scott; Prof. O. V. Muller; Mr. Narottam M. Goculdas; Mr. Ratan J. Tata; Mr. A. M. Tod; Mr. N. V. Gokhale; Dr. Stanley Reed; Mr. Rustom K. R. Kama; Mr. Jehangir B. Petit, Mr. Jamsetji Cursetji, Jamsetji, Shamsululma Dastur; D. P. Sanjana; Mr. R. P. Masani; Mr. N. J. Gamadia; Mr. Rustomji B. Jijibhoy; Mr. Byramji R. B. Jijibhoy; Mr. K. S. Iyer; Mr. Salehbbhoy C. Barodawala; Mr. V. A. Dabholkar; Mr. H. P. Mody and the Hon. Moulvi Rafiquddin Ahmed.

The proceedings commenced with the reading by the Hon. Sir Jamsetji Jeejeebhoy the Sheriff of Bombay, of the requisition convening the meeting.

Sir Cowasji Jehangir proposed that his Excellency the Governor be requested to take the chair at this meeting held to honour the memory of that great and glorious son of India, Sir Pherozeshah Mehta.

Sir Sassoon J David seconded the motion, which was carried with acclamation.

THE GOVERNOR'S SPEECH.

THE VICEROY'S MESSAGE.

The Governor, who was received with loud cheers, said.

My first duty this afternoon is to read a telegram to you from his Excellency the Viceroy which I received this morning from Simla which runs thus:

"I should like to associate myself with the people of Bombay, who are meeting to-day to express their grief at the loss of Sir Pherozeshah Mehta and to take steps to perpetuate his memory. (Applause) He was a great Parsi, a great citizen, a great patriot and a great Indian (loud applause) and India could ill afford to lose him especially in these times. Please convey my very deep sympathy to Lady Mehta. I should like to subscribe Rs. 1,000 (applause) to any memorial fund that may be initiated as the result of your meeting."

Lord Willingdon said he had sent the following answer to the Viceroy's message of sympathy:—

"Will read your telegram to meeting to-day Bombay will warmly appreciate your kind message and generous donation."

Continuing, Lord Willingdon said - I have also to tell you that we have had a letter from Sir Currumbhoy regretting his inability to be present to-day and also from the Grand Old Man of India (cheers) Mr. Dadabhai Naoroji and others

Lord Willingdon, continuing, said:—

"I am glad to be here in my official capacity amongst this vast gathering of my fellow citizens to join you in paying a last tribute to the memory of my old friend, Sir Pherozeshah Mehta, and in expressing our sense of the deep and heavy loss we have sustained in the death of this great leader in the public life your city and your country."

I remember very well when first I came to Bombay, having little acquaintance with Indians and no knowledge of Indian life. I had formed the impression that I should find in Sir Pherozeshah Mehta, the principal and most powerful opponent of Government, in its efforts to carry on the administration of the Presidency. But what has been my experience? I found in him a strong and resourceful opponent if he thought we were wrong, a warm and loyal supporter if he thought we were right, a fearless critic in his public life, but one who never allowed his public disagreement to interfere with his personal friendship. And in his private life I always found him a true and loyal friend, a courteous gentleman, a man whom I have good reason to know was full of the warmest, deepest human sympathy. By his death I feel a real sense of personal loss and if that be so, how much greater must the loss be to all of you who knew him well, who had felt the influence of his powerful personality, and who can realise far better than I what strenuous and devoted work he did during the three score years and ten of his life for the welfare of his fellow men.

Gokhale and Pherozeshah Mehta have been taken from us, two great leaders who could ill be spared in these anxious and difficult times that we have before us. But have they not left us some legacy, some characteristics which we can take away to-day to help us always in our future lives? I think we can. They both were men of strong character, and gave their views and opinions on public questions fearlessly and freely, regardless of whether such views and opinions were for the moment approved by the Government or were popular in the public eye. Not less did they refrain from unfair and carping criticism from all controversy for controversy's sake, and especially from anything in the nature of rash and unscrupulous appeals to public prejudice and animosity. Shall we not all do well to remember these characteristics and to determine from now forward to put away from us all petty jealousies, all unworthy motives in our lives, and act without fear or favour as our conscience bids us in all matters that arise for our decision?

Again they were both great patriots, great lovers of their country, eager for its progress, anxious to secure for it by constitutional means a more national life under the aegis of British rule, always working to promote our King-Emperor's message of love and sympathy and fellowship among

all the people who in their various occupations are working for the prosperity of this land.

We are met to-day to take the first steps in raising a permanent memorial to the memory of our great citizen, but I feel that the greatest memorial we can give him, is each one of us as we leave this hall to determine to show more love and sympathy each to other, a greater confidence in the sincerity of each other's actions, a better understanding of each other's aspirations, and a warmer and more cordial co-operation among all those who will, I am confident, work together for long years to promote the progress and advance of India.

THE CITY'S GRIEF.

SIR NARAYAN CHANDAVARKAR.

Sir N G Chandavarkar then moved.—

That this meeting of the citizens and inhabitants of Bombay resolves to place on record its sense of profound grief at the great loss which the country in general and this Presidency in particular have sustained by the death of the Hon. Sir Pheroze Shah Merwanji Mehta, M.A., K.C.I.E., who possessing a rare combination of gifts of statesmanship, devoted himself faithfully for forty years to the service of his country, and by his arduous labours in civic, provincial and imperial affairs won the position of a courageous leader of his people and a loyal and unselfish adviser of Government, setting by his counsel and political intuition a salutary example of probity and patriotism.

Sir Narayan Chandavarkar said:—

Sir Pheroze Shah Mehta's character and career as one of the foremost leaders of his people could not have been described better and more tersely than it has been in His Excellency the Viceroy's touching message read but a few moments ago by His Excellency Lord Willingdon. As said by the Viceroy, Sir Pheroze Shah Mehta was a great Parsee, a great citizen, a great patriot and a great Indian. May I humbly venture to add what was the best and the highest feature of the career of that dominating personality—he was an imperialist imbued with the best and noblest traditions and genius of the British race and Empire (Applause) We have met to-day to mourn the loss of a unique personality and yet it requires a great effort of the imagination on our part to realise the stern mournful fact

that this familiar figure of figures, who dominated Bombay, nay, who dominated India, is no more with us. He who was to be seen towering over all in the Senate of the University, in the Council Hall and at all public meetings, has left us. It is almost impossible to think that Sir Pheroze Shah Mehta is not among us even at this huge meeting (Hear, hear, and applause) to enthral us by his presence and lead us by his powerful voice. We cannot—I cannot and you cannot—realise the nature and the full extent of the national, civic and imperial loss sustained by Sir Pheroze Shah's death unless we approached the secret of his career by the line of the golden thread which ran through it from beginning to end without a blur. You best discern that thread when you recognise what he was throughout his course of public leadership—he was the Prince of Bombay citizenship, (applause) because on the public life of Sir Pheroze Shah Mehta are writ large the words civic manhood in their true significance. It is the distinctive merit of that life that municipal activity not only permeated it from start to finish but what is more, it became in his case the mother, so to say, of that larger, ampler life in the wider field of provincial and imperial politics which earned for him the prominent position of one of the foremost of Indian leaders gave him a strong hold on the minds and hearts of his countrymen, so much so that they looked upon his word almost as law. (Applause). Sir Pheroze Shah's life affords a striking illustration of a pregnant remark made by Mr. Asquith some six years ago when he was presented with the freedom of a town. He said then that an effective and ever-watchful interest in and devotion to the affairs of a borough or parish constitutes the best security for the growth of that intelligence, that character, and that public spirit which wise men and statesmen identify with sound nationality and sane imperialism. Those words of the Prime Minister may well form the text with Sir Pheroze Shah's life as the confirming commentary on it. His was at the outset a civic life made of several lives that had gone before him and entered into him. What Bombay gave to Sir Pheroze Shah at the start of his public career he improved and adorned and he has returned to Bombay a thousand fold by the harvest of his own civic life. Of what other city in India can it be said as it can be justly said of Bombay that in the past here on our soil have Briton, Parsee, Mahomedan, Jew and Hindu stood shoulder to shoulder and fought and won the battles of Municipal freedom loyally, constitutionally, and withal bravely. (Applause). Of what other city in India can it be said that her civic spirit has generated men who rising through

it rose above it and ranked among the foremost leaders of India, men like Mountstuart Elphinstone, Sir Jamsetjee Jeejeebhoy the first Baronet, Mr. Dadabhai Naoroji, and last but not least of all Sir Pherozeshah Mehta—all men of the true Bombay breed and through it of catholic benevolence. (Applause). And of the first three of these men it should be said that they stood as sponsors to the civic career of Sir Pherozeshah Mehta. They created his civic spirit and he in his turn has recreated it. Sir Pherozeshah was wont to quote in his earlier speeches from Mountstuart Elphinstone's writings. Mountstuart Elphinstone was indeed by office and jurisdiction limited to this Presidency when he was Governor of Bombay; but his statesmanship, beginning with the civic spirit of this city, spread far and wide throughout India; and of no provincial Governor of the past can it be said as it can be said of him that he stands in Indian history as an Imperial statesman whose memory is beloved of the people of India. And we shall miss the secret of that statesmanship if we do not read it by the light of one sentence of three pure simple, sinewy Anglo-Saxon words, "How I love Bombay"—that was what Mountstuart Elphinstone wrote to a cousin of his in Scotland when he was Governor of Bombay. Sir Jamsetjee Jeejeebhoy was, from the point of public activity and usefulness, Sir Pherozeshah's grandfather, because when Mr. Dadabhai Naoroji started on his public career, it was Sir Jamsetjee who guided and inspired him, and Mr. Dadabhai in his turn became the inspirer and guide later on of Sir Pherozeshah Mehta when the latter was studying law in London. There you have in brief the political genealogy of Sir Pherozeshah Mehta. And all these men of Bombay rose with Bombay's civic spirit and shone as among India's loadstars. Say what you will, there is something in the genius and geography of Bombay which makes for a spirit above parochial patriotism and provincial narrowness. In these days of keen struggle among Indian cities, in these times of healthy competition among our Provincial Governors, our right to be the first city in India and our claim to Bombay as the Beautiful may be disputed, but there is one title no city dare wrench from us—Bombay stands on her pin-point rock of the power of sea as the Gate of India and sings with Britain "Britannia rules the waves". (Applause) And if that figure of speech—the Gate of India—suits Bombay so well, the man of Bombay's men whose loss we all mourn so deeply, Sir Pherozeshah Mehta, was throughout his public career the Watchman of the Gate of India. If a statue be erected to his memory, no fitter inscription, illustrative of his life, could be

found than in these words.—"Watchman, what of the night? The morning cometh," for Sir Pherozeshah Mehta was accustomed to say, it was his lifelong faith that the darkest cloud is followed by the brightest sunshine. He was a man of character for he possessed not that which runs out of ten of us loosely talk of as character when we wish to make experiments on young men at school and college but the character which the classics uphold and applaud—he had the reserved and latent force which makes itself felt by its very presence. He had but to enter an assembly for debate or discussion and affairs took their colour and appearance from his solar looks. (Applause). I have seen but three solar Indians in my time—Keshub Chunder Sen, the late Mr. Justice Kashinath Trimbak Telang, and Sir Pherozeshah Mehta. Keshub Chunder Sen and Telang were solar men of the New Testament; Pherozeshah Mehta of the old. Sir Pherozeshah Mehta was a fighter, and loved to cross swords with others and give and take blows. He was a Knight not in mere name and honour but in deed. He was not like the Knight of the poet he loved, Tennyson's King Arthur of the Idylls was too much of a god to come home to our human bosoms. He was, what the poet himself has said in another poem of another character, icily cold, splendidly dull, faultily faultless. Sir Pherozeshah had all the defects of his strong virtues, he was therefore, human and humanising. When and what he loved, he loved intensely, where and when he hated, he hated nobly. But the love was constant, the hatred died with the fight. Hard as flint when he espoused a cause which he felt convinced to be right, fighting for it like a Goliath, he could be tender-hearted too with all the sweetness of a woman.

Such is the protrait of the leader we have lost, which in my feeble way I have endeavoured to present before this sorrowing assembly. Sisters and Brother citizens, I have a thought and it is an appealing remembrance. On the day that death laid low this lion of Bombay, (applause) and on the next day when we carried his mortal remains to rest in the Towers of Silence, we wept sorely and we felt as we feel now and shall feel for years to come

O fallen at length is that tower of strength
Which stood four square to all the winds
that blew.

We felt: vanished is the voice of masterful eloquence and the tongue's imperial fiat, gone are the eyes of fire that knew also how to be gentle and to coax and cajole, disappeared the erect form, figure, and face, which elbowed out Nature when she cunningly strove to give his body a stoop and a bend. But after those dark days I have at early dawn, before sunrise,

walked up to the road fronting the Towers of Silence, stood on the edge of the road and watched the scene below. I have seen the waters of the Back Bay covered over with a mist as with a veil. I have eyed the domes of buildings and roofs of houses with a pall of cloudy smoke hanging overhead. And lo! I have seen the Sun suddenly emerge from the Chambers of Heaven and taking Bombay, his lady of love in his embrace to bathe her with light, give her a kiss and then shoot his rays straight towards the Tower of Silence, I have looked behind and felt the touch of Pherozezshah Mehta. I have felt as if he spoke with the ring of his voice so familiar to us. My faith is large in Time. He is not dead. Only he has left his house and chambers and familiar haunts and located himself in the Tower as the towering personality of Bombay and through Bombay, of India. (Applause). Again I have been to the same place after sunset when the shades of night had fallen on Bombay and I have seen the scene below—the shrouding darkness lighted up by the feast of lamps provided by Sir Pherozezshah Mehta's favourite Municipality and then again I have felt his touch as if he said culling a passage from one of his favourite readings. "In the midst of darkness there is light." (Applause). Vanished indeed is the figure of Sir Pherozezshah, but he who towered above us while he was alive in body by his Voice, now towers above us by his Silence. The solemnity of his silence has become greater and more eloquent than the eloquence of his speech. And there where his mortal remains rest stands true to its name—the Tower of Silence. To us mortals still who survive him to reap, if we will, the harvest of the richness and responsibility of his life and example, to us women and men who must think still of the great departed in terms of space and time it should be a thought of appealing remembrance that there in Bombay's Tower of Silence Sir Pherozezshah Mehta towers and his spirit speaks, the Watchman of the Gate of India, bidding us take heart and live lives worthy of the City, the Country, and the Empire all three of which he loved, served, and died for so faithfully, fearlessly and above all so unselfishly. (Loud applause).

MR. T. W. BIRKETT.

The Hon. Mr. T. W. Birkett, seconding the Resolution, said:—I consider it a very great privilege to be allowed to second the Proposition which has been proposed in such eloquent terms by Sir Narayen Chandavarkar. The whole of India has been expressing the deep sense of loss it has sustained by the death of Sir Pherozezshah and it

would be superfluous for me to add anything to what has been written and said during the past fortnight, but while India mourns the loss of a mighty man, we here in Bombay who have been so long under his magnetic personality and have for years been witness of his great eloquence and untiring devotion to the interests of this great city, it is but right that we should meet and express to the best of our ability our feelings of profound grief at the loss we have sustained.

My acquaintance with the late Sir Pherozezshah extends back to the year 1894. I first met him on a question regarding this very land on which this pandal of our meeting is erected. At that time it was feared that the land would be built over, and in order to try and prevent this, and to see if this and the adjacent maidans could not be put in proper order, I approached some of the leading gentlemen of Bombay, and seeing the large number of Parsi boys who used these maidans for cricket I resolved to get a leading Parsi gentleman to help me. Needless to say, I was recommended by every one whom I consulted to approach Sir Pherozezshah, and to him I went, and I shall never forget the kind help he afforded us and the keenness with which he went into the subject. Nothing was too small for him, and, as you all know, nothing too great. Ever since I have been in Bombay Sir Pherozezshah has been the leader in practically every movement affecting the welfare of this city and has ever been the leader in any questions affecting the constitutional rights of the people and the progress and prosperity of the country. His was a lofty mind that scorned all trivialities and raised the quality of any debate that he took part in or any council with which he was connected to the highest level. His death is a national calamity and we in this city will never forget him. All India will ever revere his memory as a man who put the interests of the people and of this city before self. I have the honour to be speaking here as representing the British merchants of Bombay. Sir Pherozezshah was ever held by them in the highest esteem while his charming personality, his wit and lofty intellect endeared him to all who knew him. But, gentlemen, the question of community, of caste or of creed, does not apply in these days, for, are we not one united nation confronting the Hun and as one nation we deplore the death of the great Sir Pherozezshah.

SIR IBRAHIM RAHIMTOOLA.

The Hon. Sir Ibrahim Rahimtoola, supporting the resolution, said that if it was permitted to the spirit of the departed to visit the scenes of their life-long labours, and if the spirit of Sir Pheroze Shah was present there that afternoon it must be a great satisfaction to him not only that there was such a large concourse of people to mourn his loss but also that in this assembly were centered and identified two of his leading loves,—his love for the city for which he laboured so strenuously and so long, and his love for the political advancement of his country. It was a fortunate circumstance that this meeting was held in a pavilion erected wherein to discuss the political needs and requirements of the country. There was a direct connection between the two points he had mentioned. Sir Pheroze Shah was one of those men who realised that the ultimate goal of national advancement under the aegis of the British Crown could only be won by carrying on first the strenuous work of local self-government. There was a large body of men in India who felt that to prove their fitness for self-government they had first to prove their capacity for local self-government. Sir Pheroze Shah devoted forty-five years to make local self-government in Bombay a huge success, and who would deny that he succeeded so tremendously? It was a great satisfaction to him that his life-long labours were gradually preparing his countrymen to reach the ultimate national advancement. Sir Pheroze Shah realised like the great patriot and statesman that he was that the path of progress must be slow, and the speaker believed that one of the greatest services which Sir Pheroze Shah had rendered to the British Empire was the strenuous efforts he made to control the political aspirations and to guide them in judicious channels in a spirit of far-sighted wisdom. (Applause).

MR. H. A. WADIA.

Mr. Hormasji A. Wadia, father supporting the resolution, said:—

I crave your indulgence for a few minutes. Fifty-one years ago Pheroze Shah Mehta and I were in college together. He had finished his college career and was about to proceed to England under Sir Alexander Grant's care, to study for the Bar. I had only passed the Matriculation. He persuaded me to go with him and finish my college career in England and study for the Bar also. In December

1864 we left these shores together to start on life's uncertain voyage. His life's long voyage is over and it was a glorious voyage. Happy man, he won the prize! He reached his goal!

During the last rains Sir Pheroze Shah and I were thrown together again in Poona and he often spoke of Gokhale's loss and how he felt crippled by it. If he, such a giant in himself felt the loss of Gokhale alone, what must we not feel, we who worked with them both, from the double loss of Gopal Krishna Gokhale and Pheroze Shah Mehta in nine short months, and that too at a time when we could least spare them.

Pheroze Shah Mehta was by nature rarely gifted and endowed. He developed those gifts with singular assiduity and industry in his boyhood and youth and from the threshold of his manhood to ripe old age he brought those gifts to the service of his city and country with such unswerving devotion to the public interest, such disinterestedness, such ability and courage, such earnestness and industry, such zeal and self-sacrifice and such sagacious statesmanship that the effect was a power and a personality which few, very few, have perhaps approached and which no one certainly has ever surpassed, in this country. And now.—

Now is the stately column broke! Such is educated India's universal cry; and no-where is that feeling greater than in this city with which he made himself and will ever remain, closely identified. Of all his services, his services to Bombay claim the foremost place; and of all our losses Bombay's loss is the greatest. Much has been said and spoken of those services and the loss; and I will only remark that in rendering those services he not only set an unique and unprecedented example of civic zeal and industry and devotion, but his so exalted civic life in public estimation and set such a high standard of civic virtue that his example will be a source of permanent benefit not to this city alone, but to every city and every town, in every province and presidency.

The loss to higher education by his death is almost equally great. He was one of its finest and proudest products. He knew what he owed to it. He held to it with deep and abiding faith. He fought for it with unflinching vigour and unflinching courage. He cherished the belief that it was the greatest gift and benefit of British Rule; and he made it his life's duty to see that it never was assailed and never impaired, but that it should extend and expand wider and further from day to day and permeate every class, every creed, every race, binding them all in a common patriotism and in undivided loyalty.

May I be permitted to refer for one moment to the loss to our community! Some narrow-minded critics sought at times to belittle him by saying that he rendered no service to the Parsi community! What passed at his death must have proved to them how little they understood him or our community! And what greater services could any man render to his community than to bring to it the name, the fame, the glory and the greatness which Sir Pheroze Shah Mehta brought to his community, and, what is more, the good-will and regard of the great communities among which we dwell and which number millions when we cannot count a hundred thousand in all the wide world!

We are grateful to your Excellency for referring to the loss to British Rule. The services rendered by citizens and subjects like Sir Pheroze Shah Mehta are not the less valuable because they are voluntary, and not the less real because they are not always recognised. Whenever I think of such services I am reminded of those lines in which your poet had said with so much truth:—

There is more faith in honest doubt,
Believe me, than in half the creeds.

There is more friendship for British Rule, believe us, my Lord, in honest criticism of the measures and methods of British administration, than in unthinking acceptance, or interested applause, or self-seeking subserviency. And if to-day the better mind of India looks with increased confidence and higher hope to our country's future under British Rule, I know no individual reader to whom greater credit is due for that result than this forty years fearless critic and faithful friend.

He is gone But the city and the country yet remain. It has been said that they are the poorer by his death. I do not deny that But I prefer to think and to dwell on the fact that they are the richer for the life he gave them. There is not a cause he espoused nor an institution he served which he has not left the better and the stronger for his life's labours. He has left to us in them a great inheritance. And if we wish to be true to his memory and worthy of that inheritance, let us unite and resolve not only to keep that inheritance intact, but to enlarge it, as faithful inheritors, from day to day. We cannot bring to the task his talents and capacity, his vast experience and his unique authority. But we may try at least to bring to it his earnestness and industry, his zeal and devotion, his disinterestedness and self-sacrifice and above all the faith that was in him from first to last, the faith that Great Britain alone had the power and a will,

if we are true to ourselves and true to our country, to mould India's future to higher and increasing purpose. For that future he lived and strove. And on that future, I know, his gaze was fixed, in calm confidence and high hopes, into his latest days.

The resolution was passed unanimously.

RESOLUTION OF CONDOLENCE.

DR. STANLEY REED.

Dr Stanley Reed then moved the following resolution.—

"That the Chairman be requested to communicate the deep sympathies and condolences of this meeting to Lady Mehta, and the other members of the family"

Dr Stanley Reed said—All of us who were brought into contact with the late Sir Pheroze Shah Mehta feel that our lives are the poorer for his death. We miss the ardent patriotism, the keen political sagacity, the dynamic force and the mental alertness which were so intensely characteristic of his life and work. We miss too the civic patriotism which was a constant inspiration to service, and the irradiating humour which made association with him not work but a pleasure. If this is our loss we can readily appreciate the void caused in his family circle by the removal of such a personality, and I ask you to pass this resolution as an expression of our deep and abounding sympathy.

Sir Bhalchandra Krishna supported the resolution.

Mr H. P. Mody further supported the resolution. He said:—

It is a little over a month since Sir Pheroze Shah passed away to the profound sorrow of millions of his countrymen, and during that period, so much has been said in the press and on the platform in appreciation of the great services rendered by him to the city and the Empire, that I think any lengthy remarks would be out of place on this occasion. I shall, therefore, content myself with touching upon only one or two aspects of the character and career of the deceased statesman.

Ladies and Gentlemen, it has been recognised on all hands that what distinguished the late Sir Pheroze Shah from all his contemporaries,

what made him such a remarkable force in the public life of the country, was his vigorous commanding personality. Apart from all those intellectual gifts which compelled respect and commanded allegiance, his distinguished presence, his impressive manner, and the masterful way in which he handled those around him, proclaimed him a born leader of men. And that was why, at a fateful period in India's history, when a new spirit was breathing into the land and forces were being created whose strength and direction it was impossible to predict, Sir Pherozeshah was able to wield an authority which few men dared to question, and to guide the currents of the new life that was coursing through the veins of the people. And at a later period, when tendencies of an unpleasant and dangerous character were beginning to manifest themselves, and he was no longer able to maintain the same intimate touch with the events of the day, he still showed himself the most vigorous champion of the party and the methods which he himself had so largely created. Though not quite as active as before, his influence did not diminish, and he remained to the last the most forceful exponent of all that is healthy and good in the political life of the country. He was a great fighter. For close upon half a century, he championed the cause of the people with a robust optimism, manliness and sturdy independence which extorted the admiration of his bitterest opponents. Always in the thick of the fight, the old warrior never complained, never drew back, but fought to the last, giving and receiving hard blows. His end was typical of the man, and in many ways as inspiring as his life. Refusing to recognise that his life-work had been done, that the burden must be laid aside, he struggled against the encroachments of a fell disease, with the same courage and determination with which throughout life he had struggled for the principles he held dear, and with intellect unclouded and a spirit unconquered, he passed away to his final rest. The disappearance of such a personality from the public life of this country must be in the nature of a national calamity, and as the years roll on and we look vainly for another like him, we shall feel more and more the bitterness of the loss, and realise what a giant among men has gone.

With these few remarks, ladies and gentlemen, I beg to support the resolution which conveys to Lady Mehta the heartfelt sympathy of the citizens of Bombay, to whose interests her illustrious husband devoted for more than 40 years all that was best in him, and where he has left land-marks, which will endure long after he is gone and his name becomes a memory.

PROPOSED MEMORIAL

SIR DINSHAW PETIT.

Sir Dinshaw Petit moved the following resolution.—

"That this meeting resolves that a suitable memorial or memorials be raised to Sir Pherozeshah M Mehta, and that a Committee and Secretaries, be appointed to collect subscriptions and to take all necessary measures in that behalf."

Sir Dinshaw Petit said—I have been asked to put before you for your acceptance the next resolution, and whilst doing so, I beg your leave to pay my humble tribute of admiration to the work and worth of the great man in whose honour we have assembled here this afternoon. So much has been said and written about the great acts and deeds of the late Sir Pherozeshah Mehta, which marked him as one of the greatest of our countrymen of the present times, that it would be superfluous for me to attempt to mention or describe them to you. I cannot, however, resist the temptation of referring to that part of his work which I had personally witnessed for a considerable time and for which work he was valued and esteemed no less than for what he had performed in other directions. I had come in contact with him for many years in his municipal career and I can assure you that the interest he took in every municipal matter, big or small, the way he guided the Corporation in coming to proper decisions in difficult questions, the light he threw on the many sides of the subjects he handled, and the solicitude he displayed in keeping up the prestige and dignity of the Municipal Corporation, could not but command the respect and admiration of every one who had at heart the good of the city. If Sir Pherozeshah had taken out a portion from the time he devoted to municipal matters, and had applied it in the pursuit of his profession, he would have amassed a great fortune, but he considered the interests of the city supreme to those of his own. His one object was to perform his duty towards the country and he did it in accordance with the dictates of his conscience and without any consideration for favour or frown from any quarter. If he had sought favouritism, he would have acquired the highest titles and honours

within the reach of any man born in this country. He despised, however, honours and titles so acquired as he did also those who entered public life with the object of furthering their own personal ends. In short, he was the life and soul of the municipal administration of this city and his death has been to it a blow from which it will take many years to recover. Gifted with an eloquent tongue, endowed with a great mind, possessed of a strong nature and independent character, with all the advantages of higher education, he had in him a combination of qualities, which made him a great leader, true to his country and true to the Government which he was convinced was the most beneficial and suitable to it. His services were confined not only to his city or to his country or to their merit as well. Without allowing it to be known, he, on many an occasion, gave such advice and counsel to misguided people and their leaders, that he often averted a very unpleasant situation both for them and for Government. His chambers were the temple where men of all shades and of many minds went to pay homage to him and to seek his advice and guidance in matters of all descriptions, political, social and communal and they received from him such good and wholesome directions, that many a difficult problem was solved and very often many people were saved from an embarrassing situation. When such a man is lost to us our grief is deep and our sorrow unbounded and no memorial, however big it may be, could be considered too great for him.

DR. MACKICHAN.

The Rev. Dr. Mackichan, seconding the Resolution, said.—

The proposal now laid before you which I have the honour to second is that which focusses the resolutions which you have already passed and gives practical expression to those feelings by which this great assembly is moved through the resolutions that gather around an honoured name. We are met to-day to do honour to the memory of the late Sir Pherozeshah M. Mehta as a great citizen. If the personal virtues of men can often be measured by the many blanks which they leave in the social life of their fellow men, it is still more true than their public virtues can be measured by the number and importance of these public movements and public institutions which are conscious of a great loss when

such men are removed by the hand of death. The widespread sense of loss that has passed over the whole land is a striking testimony to the large place which the late Sir Pherozeshah filled in the public life of India and to the public virtues with which he was endowed.

It is about forty years since I first became acquainted with Sir Pherozeshah's name and in the subsequent years of his career I have been in frequent contact with him. In two of our great public institutions he was a most conspicuous figure. I refer to the Municipal Corporation and to the University of Bombay. It is indeed difficult to think of the Municipal Corporation deprived of his presence and of his strong guiding hand. Nor will he be less missed in the University where his influence was always potent both in administration and in debate.

MASSIVE INFLUENCE.

That influence I would characterise as massive—arising as it did from a strong personality enriched by an experience which was gained through strenuous labour and reinforced by strength of conviction and eloquence in expression. In the massive influence, which he thus acquired, the late Sir Pherozeshah has left an example full of instruction; for this influence was due to no mere fluency of utterance but to the careful preparation which underlay all his public efforts. Whether in the Corporation or in the University, Sir Pherozeshah was careful to master the facts in all their details he took pains, and it was this painstaking that lay at the foundation of his further achievements. The breadth of his reading and knowledge enabled him to seize the initial points of a question and his sound common sense was nowhere more evident than in his power to get at the root of the issues with which he had to deal.

It is a matter of deep regret to the University that it has been prevented from conferring on Sir Pherozeshah the degree which it had resolved to bestow. While technically his name cannot stand in the list of its honorary graduates I trust that the University will continue to record the fact of its resolution to confer this honour on one of its most distinguished alumni. For the University owes much to his loyal and unflinching attachment to it, to his unflagging perseverance in the advocacy of his convictions and to the practical wisdom which he devoted to its

affairs. As one who has had to fight the battle sometimes against and often side by side with our late friend I rejoice to have this opportunity of bearing my testimony to the great contributions he has made to the life and work of the University of Bombay.

I shall not refer to the activities of the late Sir Pherozeshah on other spheres particularly in the wider field of Indian politics. That is a region from which I have kept studiously aloof but as one who could not help watching the movements of our time I could not but admire the moderation and soundness of judgment which he brought to bear on many of the questions of the hour. It is a matter of common knowledge that it was he who saved the National Congress from hopeless shipwreck, that like his great contemporary the late Mr Gokhale, he discerned the line on which this movement might be guided to usefulness in the service of the country. I do not believe that Bombay has had among its citizens any one who was more truly loyal to the British Government of this country than Sir Pherozeshah Mehta. His appreciation of British rule was sincere, his conviction that the best interests of India are bound up with its connection with Great Britain was unchanging and that noble utterance of loyalty which came from him at the opening of the great public meeting held in this city when war was declared was the expression of a mature and deep seated conviction. I have often heard him speak with enthusiasm of the spirit of British Administration and such manifestations coming from one who was ever on the alert to detect the slightest possibility of danger to any Indian interest had a unique value. To-day we are met to do honour to his memory and foremost amongst the things which we remember are his passionate devotion to this city and his loyal attachment to the rule that has made this city great.

INSPIRATION TO COMING GENERATIONS.

The resolution proposes steps be now taken to secure a suitable memorial or memorials of this great public life. This is a resolution which asks you to give effect to those demonstrations of feeling that have been embodied in the resolutions already passed. It calls upon Bombay citizens, and it may well address itself also to citizens of the Indian Empire beyond the limits of our own city or Presidency, to perpetuate in

some enduring memorials the name which was so familiar to the men of this generation. The object of such a movement is not merely to do honour to one who has passed from us but also to inspire succeeding generations and to raise up from among them those who will carry on the best traditions of laborious public service which we all associate with Sir Pherozeshah's name.

The large representative committee that is named in this resolution may be safely entrusted and of indicating the directions in which they can best be utilized to carry out the purpose of the resolution. But without your hearty and liberal response to their appeals they cannot expect to accomplish worthily the task with which you now entrust them. That this response will not be wanting must be the assured conviction of every one who knows this city and its people.

The Hon. Sir Fazalbhoy Currimbhoy, supporting the Resolution, said that in his life-time they were anxious to erect a memorial to Sir Pherozeshah, but Sir Pherozeshah sternly vetoed all such movements, saying they should not talk to him about that. The speaker believed the funds raised would be great and Sir Pherozeshah's statue would be erected on the space in front of the Municipal buildings. His memory would endure as long as the city and the country endured.

The Hon. Mr. Chimanlal H. Setalvad further supported the Resolution, which was carried unanimously.

On the motion of the Hon. Mr. Lallubhai Samaldas, seconded by the Hon. Dr. De Monte, a vote of thanks was accorded to the Hon. Sir Jamsetji Jejeebhoy, Sheriff of Bombay, for convening the meeting.

Sir Dorab Tata, in proposing a vote of thanks to Lord Willingdon for presiding, said:—

I am sure no words of mine are needed to commend for your acceptance the proposition I have been entrusted with. For, it is not only our warmest thanks that are due to His Excellency for his kindly presence here to-day amongst us, but I think you will agree with me that we owe him deep gratitude for the sympathetic terms in which he has referred to Sir Pherozeshah, whose loss we have all assembled here to mourn to-day. Nearly every body who has spoken to-day has dwelt upon the public career of our lost leader, but as an old friend of Sir Pherozeshah—and I have known him intimately from my childhood—

I feel deeply grateful to His Excellency for the appreciative terms in which he has referred to our friend: the man, not the political leader: and told us that he felt his death to be a personal loss. There are many amongst the thousands assembled here who came under the charm of his personality and valued his friendship, who have not yet got over their feeling of personal loss and will agree with the Governor when he described him as:

"A true and loyal friend, a courteous gentleman, a man full of the warmest, deepest human sympathy."

In their names I tender to His Excellency our deepest gratitude for this appreciation of Sir Pherozshah, the man. As for this vast multitude, as I have already said, no words of mine are needed to commend this proposition to your heartiest approval.

Mr. Narotam Morarji Gocaldas seconded the resolution, which was carried with acclamation.

SUBSCRIPTIONS ANNOUNCED.

His Excellency thanked the assembly for the vote of thanks. He then announced the following contributions to the Sir Pherozshah Mehta Memorial Fund:—

	Rs
H. H. the Maharaja Gaikwar	4,000
Sir Dorab Tata	5,000
H. H. the Thakore Saheb of Gondal	1,000
H. H. the Nawab Saheb of Palanpur	1,000
Messrs M. N. Gobhai and B. N. Karanjia	1,000
Mr and Mrs. R. B. Jijibhoy	1,500
Messrs. Hormusji and Merwanji Cama	1,000
Sir Cowasji Jehangir	1,000
Sir Currimbhoy Ibrahim	1,000
Messrs. Narotam and Batansi Morarji Gokaldas	1,000
The proceedings then terminated.	

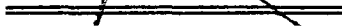
MR. R. C. DUTT'S SPEECH

IN THE

TOWN HALL OF CALCUTTA,

IN REPLY TO A FAREWELL ADDRESS,

Presented 23rd Feb., 1900.



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FRIENDS AND COUNTRYMEN,

I am unable to find words to adequately express my feelings on an occasion like this. You overwhelm me by your kindness and by your cordial appreciation of the humble services which I have attempted to render to the cause which we have all have at heart. Your kindness and your appreciation will live in my memory through years of future toil and endeavour. I shall remember that you did not forget your humble fellow-worker, who shared your aspirations and shared your endeavours during years of absence from his country; and I shall remember that on his return amidst you, you extended to him the hand of kindly appreciation and of brotherly love. There are ties which are stronger than the ties of blood, and they are the ties of a common country, common aims, and common endeavours. These are the ties which bind all castes and creeds in India as one united people, and these are the ties which will nerve our hands and strengthen our hearts in our future endeavours.

It is not possible for me, gentlemen, to refer to the various matters which you have dwelt upon in your kind address, nor is it possible for me, to make, an adequate reply to all that you have stated. You will permit me therefore to confine my reply to only one or two salient points in your address, and to say a few words on our present situation.

Literary Work of Educated Indians.

You have alluded in flattering terms to that humble literary work which has been, not a task, but a recreation and a joy to me during the last 30 years. That work has beguiled my saddest hours, solaced me in lonely hours, and refreshed me in the midst of overwhelming work of a different nature. I remember the solitary evenings when I was encamped in the midst of the rice-fields of Dakkhin Shahbazpur, a sea-washed island in the mouth of the Ganges, when I read Grant Duff's inspiring work on the History of the Mahrattas, and spent my nights in dreaming over a story of Sivaji. I remember the days when I travelled over Tippera, and occasionally crossed over to Hill Tippera, with Tod's spirited History of Rajasthan in my knapsack, and when I ventured to compose a story of Pratap Sinha. I remember how, after weary days spent over official work and official bundles in the heavy District of Mymensingh, I sought recreation and rest amidst the countless volumes of European and Indian scholars who have written on Indian Antiquities, and I conceived the presumptuous idea of writing a connected history of Civilisation in Ancient India. In my long furloughs, and with the help of many Pandits whose learned names grace the pages of my works, I placed before my countrymen, in original and in translation, the substance of that vast body of Sacred Hindu Literature which is the noblest heritage of the Hindu nation. And I did not consider that task complete till I was able, after my retirement from service, to place before the modern world, in a condensed and readable form, the great Epics of India. This, gentlemen, has been the recreation of my life: it has strengthened me and sustained me amidst multitudinous work, and I hope it will continue to help and sustain me in all my labours during the remaining days of my life.

Gentlemen, other and more gifted men than myself have devoted themselves to literary work during this half century, and surveying their work as a whole, it is possible to discern a certain direction which our literary work has taken. In one word, all the greatest works of the half century, about to close, centre round the cardinal idea of *Service to our Mother Land*. Till the middle of this century, we were taught to regard our ancient religion as a system of superstition, our ancient history as fable, and our own languages as unfit for ambitious literary endeavours. That

we have outlived those times, that we have discarded those degrading notions, is due to the endeavours of our own countrymen, to that band of noble-hearted and patriotic men who explained to us our ancient religion, elucidated our ancient history, created our modern literature. The venerable Vidyasagar led the van of progress, and explained to us, when we are little children, what was great and glorious in our ancient religion and literature. The talented Madhu Sudaṅ Datta turned away from fruitless compositions in English to his native language, and constructed that splendid fabric of Epic Poetry which is now the pride of his countrymen. And the inimitable Bankim Chandra devoted a well-spent life in creating a body of literature which strengthens and inspires us, while it charms and fascinates. These were the pioneers of our contemporaneous literature, and I know of no truer patriot and no truer servant of his country than these gifted men who taught us to regard our country's religion and history and literature with a legitimate and manly admiration. For, gentlemen, that nation has no future which has no faith in itself; that nation will know no progress which is not conscious of its own strength; and our first and greatest indebtedness for the progress of this half century is to those who have taught us to have faith in ourselves. That progress has not been altogether perfect. We have great sins to answer for. No one knows, better than ourselves, our little weaknesses, our petty jealousies, our vanity and disunion, our self-seeking and selfishness. But making every allowance for our sins—and they are many—we may still confidently declare that in the broad results we have made a distinct progress in this half century. We stand farther ahead than where we were fifty years ago. We feel more strength in our endeavours and more faith in our hearts than we did fifty years ago. And we have more confidence in our country's cause than we had fifty years ago. To those who were the first pioneers in this progress is due our utmost gratitude and our loving homage. And we who humbly follow in their footsteps shall do well to remember that literature itself adds to its own title to glory, if it is consecrated by the love of mother land. If, following the great masters of this generation, we too succeed in contributing towards this end, and in inspiring in our children a firmer faith in our country's religion, a loftier admiration of our country's history, and a manlier pride in

our country's literature, our own literary works, humble and poor, as they may be, shall not have been done in vain.

Administrative Work of Educated Indians.

Gentlemen, you have alluded in flattering terms to my administrative work during more than a quarter of a century. I look back with pleasure on those long years of my life during which I worked in friendliness and perfect good feeling with other members of the great Civil Service of India. Gentlemen, we understand them better, and they understand us better, when we work together with the same common object, and to the same common purpose. We learn to appreciate their hard work and devotion to duty, and they learn to appreciate our fitness for serving our own country. I can look back through long years to those days when I served under men for whom I still feel the highest admiration, and something more than admiration,—men like Sir Charles Stevens, some time Lieutenant-Governor of Bengal, like Sir Antony MacDonnell, now Lieutenant-Governor of the North-West, and Sir Steuart Bayley, now Member of the India Council. It is a pleasure to work and agree with such men, it is a pleasure even to differ from them in opinion. For, gentlemen, not unoften we discussed in perfect friendliness our opposing views, and I may say the value of the admission of Indians in the Civil Service consists in the fact that they represent the views of their countrymen which do not often coincide with Official views. The weakness of the Civil Service lies in the fact that, with all its ability and honest work, it is not in touch with the people and does not know the people. And I look forward to the admission of more Indians in the Service to counteract this defect, and to make the administration of the country more sympathetic, more efficient, more in touch with the people.

Political Creed of Educated Indians.

Gentlemen, you have also alluded in exceedingly flattering terms to the humble endeavours I have made to advance the political cause of our country. Our political aim and endeavour, as I understand them, and as you all understand them, may be described in two words. We identify ourselves with the British rule and pledge our support to that rule at every sacrifice. And we demand

under the British rule a larger share in the administration of our own concerns. This is my creed, and this is your creed, and there is not an educated Indian at the present day who does not in his heart subscribe to this creed. Educated India has identified itself with the British rule, and educated India seeks, through the continuance of the British rule, that larger measure of self-government and representation which it is our aim and endeavour to secure.

Self-government, under necessary control and supervision, is the secret of good government among all civilised communities. "It is an inherent condition of human affairs," says the greatest political thinker of this century, the late John Stuart Mill, "that no intention, however sincere, of protecting the interests of others, can make it safe or salutary to tie up their own hands." This is a truth which has been illustrated in every page of the administration of India within the present century. There is no civilised country in the world in which the administrators are inspired with a more sincere desire to promote the material welfare of the people than India, and there is no civilised country in the world where that desire has been so imperfectly fulfilled, because the people have not been consulted, and have had no voice in the control of their own affairs.

I do not propose this evening to go over the entire field of Indian administration. But the attention of the whole country is at the present moment directed to the great famine which is desolating the western portions of India, and I wish with your permission to say a few words on the land revenue administration of the last 40 years, which is mainly responsible, not in bringing about this famine, but in deepening and accentuating its disastrous effects.

Land Administration during 40 years.

Gentlemen, when the history of the Land Revenue Administration of India during these 40 years is fully written, it will be found to be one of the strangest and saddest in the annals of mankind. Forty years ago, India was desolated by a great famine, and I remember the days when as a school boy I heard harrowing accounts of death and starvation in Northern India, when as school boys we were asked to contribute our humble mite for the relief of suffering and distress. The year of famine

was at last over, and Lord Canning, who was then the Viceroy of India, sought to introduce some remedial measures, such as would permanently improve the condition of the people and make them more prosperous and resourceful.

Lord Canning's scheme of Land Settlement.

You know that an enquiry, instituted by Lord Canning, was made under the guidance of Col. Baird Smith, and that a recommendation was made that the Permanent 'Settlement of the Land Revenues, which had secured prosperity to the peasantry and the landlords of Bengal, should be extended to other parts of India. Lord Canning had the courage to place this recommendation before the Secretary of State for India, and the Secretary of State recorded a memorable resolution, describing the proposal as "a measure dictated by sound policy and calculated to accelerate the development of the resources of India, and to insure in the highest degree the welfare and contentment of all classes of Her Majesty's subjects in the country."

Had Lord Canning lived 5 years longer, India would have received this coveted boon. But the great statesman died in 1862, and then followed one of those long and fruitless controversies which have so often ruined the best intentions, and marred the noblest objects of British rulers in India. The controversy went on for twenty years between the Secretary of State's Council and the Viceroy's Executive Council in India, and the strangest part of it is, that the people of India, whose welfare it was intended to secure, were not consulted and not informed as to what was going on, Gentlemen, we are not a race of savages, incapable of understanding our own material interests, nor have we been wanting in experienced and moderate and trusted leaders, commanding the confidence of the Government and the confidence of the people. In Bengal we had wise and thoughtful men like Ram Gopal Ghose and Digambar Mitter and Kristo Dass Pal, and other provinces produced even more eminent men, like Madhava Rao and Dinkur Rao, who virtually ruled kingdoms, and secured order and prosperity out of chaos and misery. If these men had been consulted, if these men had seats in the Executive Council of the Viceroy, and even in the Council of the Secretary of State, if these men had been allowed to plead the cause of their suffering countrymen

and to represent facts in their true light, the decision on Lord Canning's proposal might have been other than it was. But by a strange irony of fate, a strange exclusiveness on the part of the British Government, the leaders of the Indian nation were not consulted with regard to a measure intended to secure the welfare of the Indian nation, the long controversy was carried on among alien administrators secretly and in the dark, and in the end the interests of the people, who were not represented and not heard, were sacrificed. The proposal for a Permanent Settlement was rejected in 1883, and the policy of continuing recurring settlements and recurring enhancements of revenue was continued to the impoverishment of the nation. Gentlemen, at the present moment we are hearing a great deal of the poverty of the Indian peasantry, and it was only last week that the present Viceroy of India raised his voice in this very hall for raising subscriptions for the relief of suffering and distress. Our sincere gratitude is due to that kind-hearted nobleman, who is struggling in the midst of appalling difficulties to relieve the suffering and distress of our countrymen; but I will say this—and few who know the revenue history of the country will contradict me—that if Lord Canning's noble remedial measure had been passed after 1860, it would have been unnecessary for Lord Curzon to appeal to the generosity of the Indian nation for a distress so intense and so appalling in 1900.

Lord Ripon's scheme of Land Settlement.

Gentlemen, I have brought down the history to 1883. Permit me to narrate the subsequent events in a few words. The Marquis of Ripon was our Viceroy from 1880 to 1884, and while His Lordship consented to the abandonment of the original proposal of a Permanent Settlement, he at the same time made a fresh proposal in a modified form. Looking at the harassing nature of the recurring settlements in Madras, Lord Ripon, in his Despatch of the 17th October, 1882, made a proposal that in all Districts which had been once surveyed and settled, the assessment should be regarded as final and permanent, subject only to variations on the sole ground of rise or fall in the prices of food grains. You will see that this was not a Permanent Settlement such as Lord Canning had proposed; it permitted the future increase of land revenue on the ground of a rise in prices; but subject to this one limitation it was

a Permanent Settlement of the land assessment and saved millions of cultivators from repeated and harassing surveys and re-classification of soils. Gentlemen, this equitable proposal was cordially accepted by the Madras Government in 1883, and for a time there was some hope again for the oppressed and impoverished cultivators of India.

But History repeats itself, at least in the revenue administration of India, and Lord Ripon's proposal had the same history as Lord Canning's previous proposal. For two or three years, Lord Ripon's proposal was under the consideration of the India Office at Whitehall. We, the people of India, knew nothing of it, our leading men were not informed, our representative men were not consulted. In the prolonged discussions which took place in the dark and secret chambers of Whitehall, we were not permitted to express our views or to plead our cause; in the equally dark and secret chambers of the Viceroy's Executive Council, our voice was not heard, and our eyes could not penetrate. While our attention was engrossed in a *Legislative* measure known as the Ilbert Bill, an *Executive* proposal of far greater importance, because concerning the well-being or poverty of millions of our suffering and voiceless cultivators, was discussed by our alien rulers, here and in England, and they did not think it worth their while to consult the leaders of the nation for whose welfare the proposal was meant. The result followed which might have been expected. So long as Lord Ripon remained at the helm of affairs in India, the India Office held its silence. Lord Ripon retired from India in December, 1884, and in January, 1885, came the reply from the India Office vetoing Lord Ripon's fair and moderate proposal. Gentlemen, I know of no sadder incident in the history of British rule in India than a decision like this, arrived at by the India Office at Whitehall, rejecting the moderate and beneficent proposals of the Indian Government and condemning the population of India to continued poverty, misery and indebtedness. I repeat that if we had representatives in the Viceroy's Executive Council and in the Council of the Secretary of State, if we had been permitted to represent our interests and our wishes when Lord Ripon's proposal was secretly debated, the decision on the proposal might have been different. Madras would have been saved from harassing and repeated surveys and unjust enhancements; and if the proposal had been:

extended to Western India, Western India would have been free from the present famine in its intense form. ✓

Mr. Cotton's scheme of a Land Settlement.

One more word on this subject, and I have done. There are still some administrators among us who are inspired by the benevolence of a Canning or a Ripon, and who place the happiness of the people before the interests of land revenue, and one of such administrators is now the Chief Commissioner of Assam. That Province, Gentlemen, has vast possibilities in the future, for most of the cultivable land in the Province is still waste grass-jungle. But it requires capital, it requires enterprise, and it requires leadership to bring the vast country under cultivation, to import cultivators, to build huts and villages for them, to supply them with ploughs and bullocks, to dig tanks for them, to do all that a far-sighted and benevolent Zamindar can do when he wishes to reclaim waste lands. Some sort of a Permanent Settlement is necessary to induce capital and enterprise, and the Chief Commissioner of Assam recommended some sort of a Permanent Settlement for Assam in order to open up the country. But the prospect of private Zamindars reaping the future benefits from the extension of cultivation in Assam did not commend itself to our rulers, and Mr. Cotton's proposal has been virtually disallowed. Much regret is often expressed by responsible rulers at the want of capital and enterprise in India. Gentlemen, if some of these fine words could be translated into deeds in the land revenue department, if measures were adopted which would help enterprise in our cultivators, and lead to accumulation of capital in the hands of our landlords, India would not be so utterly resourceless as she is to-day. And I repeat, gentlemen, that if we had been represented in the Viceroy's Executive Council, if we could have taken a share in the discussions which took place in that Council over Mr. Cotton's beneficent proposal, if we could have represented there the interests of the people for whose good all righteous Governments exist, the decision on the proposal might have been different from what it is. But we are not admitted to these secret discussions, the people are not allowed to speak in those Councils which shape the administration and decide on the fate of the Indian nation, and the result is that the land revenue administration of India during these 40 years has, in spite of the best intentions, been fatal to the welfare of the nation.

General Administration during 40 years.

You will pardon me, gentlemen, for dwelling so long on the subject of land administration. Land is virtually the one means of subsistence left to us as a nation after our various industries have been killed by an unequal and unfair competition, and land-administration concerns our well-being as a nation more intimately than administration in any other department. And blunders in land administration are mainly responsible for the frequency and intensity of recent famines. I do not wish to take up your time by reviewing the administration in other departments; but you will find on examination that, in every department, the administration, inspired by benevolent intentions, and carried on with undoubted ability, has failed to safeguard the interests of the people, because it has chosen to tie up the minds of the people. England and India have both enjoyed uninterrupted internal peace during the last 40 years; within this period the financiers of England, working under popular control and inspired by the genius of a popular leader like Mr. Gladstone, has reduced the public debts by over a hundred and seventy millions; but in India our finance ministers, working without the control of the people, have added to the people's debts by over a hundred millions sterling. England pays the whole or a part of the cost of the Imperial troops maintained in every self-governing English Colony; we, in this country, have in the midst of our distresses and famines to pay for the entire army, European and Indian, maintained in India, not merely for the defence of India, but for the safety of the British Empire in Asia and Africa. Every self-governing English Colony has taken measures to protect its infant industries against unfair competition; in India our ancient industries have been ruined, and no adequate measures have yet been taken by the Government to revive, as far as may be, those ancient industries on modern lines. Every self-governing English Colony protects its own interests against foreign labourers, in the most complete and efficacious manner, and you know the harsh laws of Natal against Her Majesty's Indian subjects who wish to work there for a living. In India cheap labour is free from the danger of foreign competition, but we are virtually excluded from the higher ranks of all services. From a Parliamentary return issued in 1892, it appears that nearly one-fifth of the gross revenue of India went in the payment of salaries to Europeans; and since 1892, the posts

open to the people of the country have not been widened, but rather contracted under an ungenerous and reactionary policy, especially in the Education and the Engineering Departments.

Gentlemen, I bring no charge against any class or individuals for these disappointing results of the last 40 years of British rule. I have said repeatedly, and I firmly believe, that there is a sincere desire in the higher administrators to promote and safeguard the interests of the people, and many of them, whom I have the honour of knowing, are men who are incapable of passing an order which they consider detrimental to the good of the people of India. But the most beneficent desire fails in its object, unless it is accompanied by a willingness to concede to the people some share in the control of the administration. Good administration in a great and civilised country is an impossibility, unless the people are allowed a share in the administration, and therefore, gentlemen, we ask for and demand a share in the control of the administration of our own concerns.

Lord George Hamilton on the Congress.

This is the claim which you have put forward loyally before the Government for years past, and this is the claim which I repeated in my Presidential speech at Lucknow in December last. I explained our common object as clearly and as forcibly as my knowledge of the English language enabled me to do, and while I expected my proposal to be criticised, I certainly did not expect it to be misunderstood. Nevertheless, I find that my proposal has been misunderstood by so high an authority as the Secretary of State for India, Lord George Hamilton. In a speech which His Lordship made recently in London, he used these words in reference to my speech.

"I read the other day a remarkable speech by no unfriendly critic of British Administration in India. He admitted frankly and fully that British Administration had conferred great benefits on India, and that it was conducted *for* the people, but he wished to substitute another phrase, that Government in India should be conducted *by* the people "

Gentlemen, I feel flattered by the kind and complimentary remarks made by so high an authority about my speech, but I wish to point out once more, as I have already pointed out

elsewhere, that nowhere in my Lucknow speech did I propose to substitute the present form of Government by another phase, a Government conducted entirely by the people. *Theories*, as such, have no attraction for me; I always endeavour to find out what is *practicable* under existing circumstances, and all that I claim under the existing circumstances of India, is that we should have a voice, a humble share, in the control of administration of our own concerns. This I stated distinctly in my Lucknow speech, and this I repeat on the present occasion.

Exclusive Rule unexampled in History.

Gentlemen, History records scarcely any example of a great and civilised nation permanently placed under a system of government which allowed them no share in the control over their own concerns. In ancient India, the entire village administration was in the hands of village communities or local landlords, and though there was no representation in its modern forms, kings and potentates listened to the wishes of the people and the leaders of the people in deciding on great questions of administration. In ancient Europe the policy of Imperial Rome was inspired by the same spirit, and you no doubt recollect the eloquent words in which Gibbon has described the treatment of conquered provinces by Rome:—

“The grandsons of the Gauls, who had besieged Julius Cæsar in Alesia, commanded legions, governed provinces, and were admitted into the Senate of Rome. Their ambition, instead of disturbing the tranquillity of the State, was intimately connected with its safety and greatness.”

The history of Moghal Rule in India may also be described in almost the same words, and we can truly say:—

“The grandsons of the Hindus who had fought against Babar in the field of Fatehpur Sikri, commanded legions, governed provinces, and were admitted into the Councils of Akbar. Their ambition, instead of disturbing the tranquillity of the State, was intimately connected with its safety and greatness.”

Shall we for ever continue to describe British Rule in India in words the reverse of this? Shall we for ever have to say:—

“The grandsons and great-grandsons of those who helped the British in the fields of Plassy and Wandewash, of Laswari and Assye,

were excluded from the command of armies, from the government of provinces, from the Council of the Secretary of State for India, from the Executive Council of the Viceroy, from the Executive Councils of the Indian Provinces ?”

Gentlemen, this defect in British rule, this reproach on British administration, cannot last. One of the strongest of British Imperialists of modern days has recorded :—

“ To those who take a purely selfish view, it may be urged that we can hardly long go on as we are, refusing to proceed further in the direction of the employment of natives in high office, with the Russians at our door pursuing the other policy.** The unshared rule of a close bureaucracy from across the seas cannot last in the face of widespread modern education of a people so intelligent as Indian Natives.”

Future Prospects.

This was recorded by Sir Charles Dilke many years ago, but I can tell you from personal knowledge, and I betray no confidence in saying this, that this is emphatically Sir Charles Dilke's opinion to the present day ; and this is the opinion of the vast majority of Englishmen and Englishwomen in England. Englishmen will retain the Indian Empire at any cost ; Englishmen will preserve their Indian trade at any cost ; but Englishmen do not desire to exclude the people from a legitimate share in the management of their own concerns. The English view and the Indian view on the subject are identically the same ; we desire the continuance of the British rule, and we desire a share in the control over our own concerns under that rule. Therefore, gentlemen, we confidently look forward to the future, and we may feel certain we shall eventually obtain a legitimate share in the administration of our own concerns.

This is the hope and this is the faith which sustains us in the darkest moments of our history. We are living in reactionary times ; we have achieved nothing of late ; we have lost a great deal of what we possessed before. I have felt this, gentlemen, as well as any of you ; I have made my humble endeavours against the tide of reaction ; I have struggled to save the wrecks of our established rights ; I have seen the object of my endeavours snatched away from me almost at the moment of triumph ; I have been beaten, defeated, swept away by the overwhelming tide. It would be idle to

pretend that I did not feel the disappointment as bitterly and acutely as any one of you ; but I can truly declare before you that I have never, in the bitterest moments of disappointment, been filled with despair. Our cause is so just, our demands are so moderate, our claims are so much in consonance with all wise governments, ancient and modern, that they are bound to triumph. We desire the continuance of the British rule in India ; we desire a strong and centralised British Government to maintain order and peace in this vast Empire ; but consistently with these objects, we desire admission in the Councils of the Empire, and a share in the control over the administration of our own concerns. These are just and righteous and reasonable concessions, which the British nation shall not refuse, and which we are bound to obtain, if we are true to ourselves.

THE
PRESIDENTIAL ADDRESS

BY

MR. R. P. KARANDIKAR,
(Pleader, Satara)

AT

The First Belgaum District Conference

HELD AT

Chikodi on 12th, 13th and 14th April 1917.

POONA:

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1917.

The First Belgaum District Conference.

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CHIKODI, 12th, 13th, and 14th April 1917.

THE PRESIDENTIAL ADDRESS

BY

Mr. R. P. Karandikar, (Satara.)

Mr. Chairman, brother delegates, ladies and gentlemen :

It is customary for the President-elect, on his election, to apologise for his shortcomings, but if I do not waste your precious time by adding one more instance to the practice it is because of my full consciousness that you already know them and that you have in your pleasure put me into a position to maintain me in which must be your anxious thought throughout your deliberations.

2. You will naturally expect me to say something on the question of the hour and that is the World War and India's duty towards those that have been trying to protect the innocent weak from the unreasonable strong and have been so far successful in vindicating the cause of justice. Instead of, however, putting my own thoughts in my own words, I do consider it of the utmost importance to state to you what has been on this point the axiom of the Congress, of which in a manner this Conference is a component part, having been held under the auspices of the Belgaum District Congress Committee.

3. The late Mr. Hume, than whom no other Englishman respected and loved India more, none tried to uplift her from her abject political condition; and who has justly been looked upon as the Father of the Indian National Congress, while exhorting all Educated India to push on constitutionally, delivered himself

22 years ago thus on the burning question of the day with a prophetic vision like the *Delphic oracle*. Referring to the possibility of a great European war, he laid down for the guidance of the followers of the Congress what he considered to be the duty of India and the faith of the Congress. He observed, replying to the address presented to him by the Bombay Presidency Association on 18th March 1894 :—

“ But, alas, a darker shadow yet broods, for all who have eyes to see, above us in the near distance – a shadow which when it emerges into manifestation will arrest all constitutional progress, not only in India but even in Great Britain itself.

“ No greater calamity can befall the civilized world and yet though none may prophesy its exact time of appearance, every thinking European politician feels that it is already in the air. Years may pass before the bolt falls, but that fall it will and must, before the close of this century, few can doubt. A great European war, in which despite all efforts England will be involved. I do not pause here to deprecate, or deplore this terrible visitation. You all know from history what these outbursts of legalised murders and national demoralization import and involve. Famines are bad, cholera and Plague are terrible, but war, a great European war, with all the incalculable loss of life and misery that it entails, and its involved arrest of moral progress and of freedom's onward march, is the most terrible of all the scourges which crime and the violation of natural laws in their ultimate results entail on the human race. Throughout Europe they are crying Peace, Peace, but all know that war is already trembling on the horizon ”.

Proceeding, he said :—

“ For this you must be prepared as for the other hinderances to the triumph of your cause, but why I specially dwell on this, as some may vainly fancy, visionary danger, is because, I know that some have said and in an evil sense that England's difficulty will be India's opportunity. Believe them not. In touching upon this question, remember that it is not our well-meaning but too often obstructive and short-sighted bureaucrats, not even Ministerial groups of unprincipled politicians

" whose existence will be at stake, but that of a noble nation,
 " that has ever sounded the advance to all the listening peoples
 " of the world along the paths of freedom, the nation to which
 " you owe most of what you now most highly prize, the nation
 " though not, alas, Omniscient and Omnipotent to secure at once
 " the full enforcement of its beneficent designs, has ever in all
 " its most solemn utterances decreed that you shall be, if you
 " will only deserve it, some day free and happy ".

Then he declared :—

" No, if war should break out and England should unfortu-
 " nately be involved, subordinate all considerations to the welfare
 " and safety of the entire commonwealth. Hang up for a time
 " all political programmes and band together as one man, with
 " one design to support and strengthen England. Let the Local
 " Government be good or bad, for if good it is only an additional
 " incentive to action, if bad they are only unfaithful servants
 " of England. Join together, volunteer to serve as peace-makers,
 " special constables, and the like, so as to leave the trained
 " soldiers as free for employment as possible. Subscribe spon-
 " taneously as much as you can, each and all, possibly spare.
 " Organize, with Government's permission, measures to collect
 " funds ; and give England, in all your papers, in all your
 " speeches, your fullest, warmest, most generous and unquestio-
 " ning moral support. You have hundreds of thousands of brave
 " and capable youths fit to make soldiers second to none in the
 " world. Let every family that has two such make it a point
 " of honour that one at least volunteers and presses Government
 " to enrol and train and arm him and send him if needs be to
 " the world's end to fight for what after all is one of freedom's
 " strongest and most reliable bulworks, the fall of which would,
 " for perhaps whole generations, arrest the higher progress of
 " the world ".

" No doubt I may be taken away from the evil to come and be
 " dead and gone before the storm bursts and I pray that it may
 " be so ; but when it comes—and come it will—let all who have
 " ever cared for me, followed me, believed in me, remember my
 " words and rally as one man, not hesitatingly and grudgingly

“but spontaneously and enthusiastically to the side of those little Isles which have been justly designated “Freedom’s last stronghold”—“Freedom’s Keep”. Yes; in the noble sense of the words a great war will be India’s opportunity—opportunity for proving that if in periods of peace she clamours—at times somewhat angrily,—for equal civil rights, in the hour of war she is ever ready and anxious to accept equal Military risks”.

4. Gentlemen, I have quoted rather largely in order to let you have a comprehensive idea of the real creed of the Congress. Prophetic words these! Has not every word of what the late Mr. Hume asked every one of us to remember, been sanctified by India’s conduct on this trying occasion? Have we not shown by internal peace that ours is no lip loyalty, proved by our action that we do organize measures to collect funds, demonstrated, by shedding our blood on the field of battle and by supplementing the treasury, that India is in the time of war ever ready and anxious to accept equal military risks, and have we not translated into actuality what Mr. Hume wanted us to do—join together—volunteer to serve—so as to leave trained soldiers as free for employment as possible? It rests with Government now to afford full opportunity to hundreds of thousands of brave and capable youths fit to make soldiers second to none in the world and are we not pressing Government to enrol and train and arm the youth of the Country? In short have we not rallied as one man to the side of those little Isles—and why and what for—because, they are justly designated “Freedom’s last stronghold”—“Freedom’s Keep”.

5. Only one point needs amplification. Mr. Hume has said that England has ever in all its most solemn utterances decreed that “You shall be, if you will only deserve it, some day free and happy”! All we have been toiling for these 22 years and more is to make sure that we desire, and also to prove that we do deserve to be, free and happy. If therefore we have in some manner deviated from the line indicated to us by Mr. Hume and agitated for and not hung up for a time all political reforms, it is in the sincere desire to demonstrate still further to those that having eyes will not see, that we deserve and try to deserve the

more to be free and happy, and from this point of view it is necessary to demolish "Round Table" views and theories and at the same time to say clearly what we mean by being free and so being happy. Our critics have put us on our defence and in our political agitation, as in our offer for volunteering, our motto is "Defence and not defiance".

6. It is a matter for regret that our defensive attitude in claiming "Home Rule" has often been misunderstood by some belonging to the official world. "But," said an English paper, "The Bradford Observer" in August 1890, a part from its special Irish significance, "Home Rule may be taken to mean the Government of a country with primary and indeed exclusive reference to the well-being of the people contained in it". A distinguished Member of the Indian Civil Service writing to that Paper on August 6th 1890 said "Home Rule defined as the Government of a country.....with exclusive reference to the well-being of the people contained in it is, may well be admitted a desirable end". That was the view of Sir, then Mr., J. J. Heaton; and there is no reason to doubt the correctness of this dictum. That is exactly what we Home Rulers want and that is the ideal towards which movements like our District Conferences are steering.

7. Friends, ours is the 1st District Conference so far as the Belgaum District is considered. But this is not the same thing as saying that Belgaum is entering upon political agitation for the first time. Not only Belgaum has all along held its own in political activities but supplied a Captain in the Hon. Mr. Belvi to lead the Congress work when the steamship of the Bombay Provincial Conference began to roll in the waters of the interlude between 1907 and 1914 and lent help to Satara to be some way useful in solving a great problem. Over and above that it was in this District that the Home Rule League was established and the famous lectures, by our revered leader, Mr. B. G. Tilak, who has again honoured this District by attending your 3rd District Conference to-day, since judicially declared to be legally offensive, were made available to the public. ~~It is here~~ that under the sympathetic guidance of your ~~Commissioner~~ and the District Officer that the Co-operative ~~Conference~~ and the

Sanitary Conference brought home to all how to help the betterment of the mute thousands and it was here that the political sagacity of the people of Belgaum contributed to bring about union between the two wings of the Congress whose ideal has been so beautifully laid down by Mr. Hume. In a word, let none feel the least chagrine at the thought that this should at this distance of time only be the 1st District Conference for Belgaum. And if I am present among you at this 1st District Conference it is to do you homage for the sincere help you rendered to Satara in the hour of trial in 1914.

8. It is a pity that to the people—the educated people of India—with such high ideal and noble purpose, should attach the suspicion that has been haunting the Administration, who seem to think that the C. I. D. alone is the saviour, so much so that in every District there should be numbered on the list gentlemen marked as political suspects ; and it is disheartening to find that, when the grievance is ventilated in the local Legislative Council, the Executive should try to belittle the importance of the matter by quoting the illustration that even the head of the Government is attended by the Police. Everybody knows the distinction between the Police walking in front of and those walking behind and alongside an individual, and an attempt such as the one exhibited in the Council cannot fail to create rather disgust than pleasure.

9. Happy Belgaum has supplied to the Bombay Legislative Council an indefatigable supporter of the cause of the public in the person of our friend the Hon. Mr. Belvi, who has been keeping up the tradition of good and substantial work sustained by the late Mr. V. R. Natu and our friend Mr. S. A. Chattré. I am not sure, however, whether the Hon. Mr. Belvi's presence in Belgaum has not been the cause for extra Police belonging to the C. I. D. who are constituted under no law and who are sometimes not subordinate to common sense itself ; and Government is at times powerless against its own Department as the late Mr. K. T. Telang once said. Prevention is no doubt better than a cure but when the malady does not exist even prospectively, it irritates the constitution to try any preventive, since the use of such homœopathic doses does not fail to introduce the disease into

the system. Suspicion breeds suspicion, and sooner the policy of suspicion gives way to that of mutual trust the better for good Government. Inappropriate steps to stop lectures, as instanced by the orders of the Dharwar Magistrate in the case of Mr. B. G. Tilak and by the still fresher order by the Belgaum Magistrate in the case of our friend Mr. K. P. Khadilkar, fall under the category of such questionable and preventive measures.

10. Gentlemen, I have heard that your District officers have issued orders to Village officers not to take any part in our District Conference. I have had a little bit of experience myself, but I must say to the credit of the present administrators of the Satara District that it is as old as 1899. When in 1899 we were about to hold the 10th Provincial Conference (1900), we issued circulars with a view to obtain first-hand and correct information whereon to base our representations, and this could only be actually supplied by the Village officers. The then Collector, however, warned the village officers not to respond to our circulars and we had to accept the golden advice of the aphorism that prudence is the better part of valour. The Government attitude towards the Congress movement, though clarified by the need of enabling the moderates to rally round the flag, is yet not free from the strictures which disable public officers from taking part in political agitation. There are exceptions to this rule far from honourable, though the gentlemen themselves are "Honourable", as for instance the Hon. Sir James Meston and the Inspector General of Police of the U. P. interesting themselves in the literature and the movements of the Round Table propagandist. They say that example is better than precept. It looks inconsistent in Sir J. Meston warning the Congress to make moderate speeches when the writings traceable to him, I mean his own consultation, use language insulting to Indian intelligence. However, we do not lose much by the village officers not taking part in our Conference, but on the contrary the Administration is likely to suffer much by withdrawing the Village Agency from a sphere, where they can be more in touch with educated opinion.

11. Apart from this there is in my opinion one remedy and that is of supplying the public with a brief statement of the Administration Report of the District when the same is submitted

to Government. I may tell you for your information that Satara has been urging for this help as conducive to appropriate criticism on public questions affecting the District and I am glad to be able to say that Mr. B. A. Brendon, I.C.S., our present Collector of Satara, has felt the reasonableness of this suggestion. If he is unable to help us it is not he but the system that is responsible, as a system like a custom is a tyrant, and the Commissioner C.D. has not made up his mind to agree with Mr. Brendon, but I have no doubt that your enlightened Commissioner, Mr. Mountford, I. C. S., will see the expediency of supplying, if not a copy of the whole, at least such part of the District Administration Report as is not confidential, to the public through local Papers. I have reason to hope that among the subjects to be dealt with, you will devote attention to this very important and necessary reform.

12. Brother Delegates, this being a District Conference, it is natural you have to deal more directly with local matters, keeping always an eye on the ideal towards which activities outside the district are driving. To me personally, next to Home Rule agitation, the broad question of the Local Self-Government Scheme as a whole, is tempting and you all know I have personally addressed letters to the several Municipalities and District and Taluka Local Boards to meet in a Conference and your Municipalities and Local Boards have been similarly addressed.

13. Gentlemen, the circular letter, inviting the opinions of Municipalities and Local Boards in the Presidency about the holding of a Conference was issued on 3rd February 1917. Till 1st April, that is to say within two months of the date, 56 Municipalities, 4 District and 24 Taluka Local Boards have replied. 49 Municipalities are in favour of holding a Conference, 2 want the Conference to be held by Government, 2 want to know under whose authority the present Conference will be held ; the Committee of Management of Hyderabad (Sind) do not want it ; one Municipality in Sind thinks it would not be useful for Sind ; in the Poona Suburbun Municipality there is a difference of opinion, but a considerable number of councillors are in favour. Among the Boards, four District Boards want to know more

about the signatory to the circular before considering the proposal, three Taluka Boards answer similarly ; one wants to have the report of the Conference held in 1894 before deciding the case, and 19 Taluka Local Boards are in favour of holding the proposed Conference. Ranebenur Taluka Board is in favour of a Conference, but the Vice-President, the Hon. Rao Bahadur V.S. Naik, suggests that it should be held under the patronage of the Government, so that controversial matters like those of Self-Government, Home Rule etc., would not be allowed for discussion under the garb of Local Self-Government.

14. So far, I think, the response has been good. Such of the bodies, as have not been able to answer till now, will be glad to know about this response. We may take it then that there has been enough of response from the bodies concerned, to set about arranging the details of the Conference.

15. The following points now will have to be settled :—
 (1) The place; (2) the dates; (3) the President; (4) the subjects. Many people think that the Conference should be held at Nasik, either before or soon after the political Conference, to be held there in May. Many people are likely to go there in connection with the Provincial Conference and we may be able to take advantage of their presence. For our President we may have a non-official advocate like the Hon. Mr. V. J. Patel, the Hon. Mr. Setalwad, Rao Bahadur Chitale, Diwan Bahadur Godbole, Prof. Bhagwat of Poona, or some other gentleman who has had a good deal of experience of the Local Self-Governing bodies, and who would be a great help to us in our discussions.

16. The subjects for discussion should be the following, among others :—

- 1 The reconsideration of the whole elective franchise with a view to broaden the right of voting, as well as to increase the number of the non-officials to be elected.
- 2 The question of augmenting the resources of the Municipal Councils and Local Boards in view of the increasing burden on these Bodies,

- 3 An increasing decentralisation with regard to the preparation of the Budgets etc.
- 4 The question of primary education and affording special facilities to make it free and compulsory, and of considering as to what steps should be taken to arrive at the ideal.
- 5 The institution and the formation of a separate, graded Local Self-Government Service, including the appointments of Sanitary, Engineering and Chief and Executive officials, with better prospects of pay etc. ; so as to secure the co-operation of the several Bodies.
- 6 Suggestions for the bettering of the Municipal and Local Boards' Acts especially with regard to securing the above objects.

17. We are glad Government is not sleeping over the importance of this step as leading to substantial reform in the whole scheme of Local Self Government through necessary Legislation. Directly we were moving in this direction and Government is moving, and has appointed an officer of theirs to make an enquiry. We note that in the G. R. of the Municipal administration 1915-16, H. E. the Governor observes that he has no doubt that conferences like that held in Belgaum under the presidency of the Hon. Mr. Lawrence are of great value. All honour to those of our representatives in the Legislative Council who strove hard to ask Government to notice that piecemeal legislation, like the one liable to be rushed through it at the present moment, does not do adequate justice to the requirements of the situation and the only way of rewarding their endeavours is acknowledging publicly their having advocated our cause, at the cost of much that is undesirable and discourteous. I have no hesitation in hoping that our friend, the Hon. Mr. Belvi, will rightly locate the praise and enable this Conference to see clearly where we are in the matter of Local Self-Government.

18. Gentlemen, when I speak of Local Self-Government, especially the District Local Boards, I am reminded of the responsibilities likely to fall on those Bodies, and also of the fact

that they have often to look to Government for pecuniary help. There is one item of Revenue which, if even partially handed over to these Bodies, would enable them to meet the demands on their purse. I mean the Excise Revenue. It is notorious that this item of General Revenue is out-growing its original expectations and the steps taken—those of raising the tax on consumption by raising the price of drink—instead of checking drink contributes to raise the Revenue enormously. China in recent years fore-swore opium, Russia as a lesson from the War reduced this item by stopping drink. Our Government cannot afford to do away with this ever-growing source of Revenue. When we cannot afford to purge the treasury of money raised on vice, be sure that is an index of pecuniary embarrassment. Indeed it would look as if embarrassing Government to ask it to stop drink and thus to forego the enormous Revenue at the present moment. But there is no harm in pleading for the spread of Temperance and for the establishment of local option, by increasing the powers of the Advisory Committees.

19. The noble example set by our beloved King-Emperor is ever green in our memory. It was on "Chaitra Shudh 15th" about two years ago, that His Imperial Majesty proclaimed his intention and desire to stop drink, so far as his private requirements were concerned. The 30th March 1915, the day of that Declaration, falls on the "Chaitra Shudh 15th (Pournima) Shaka 1837", and it would be very much assisting the cause of Temperance if on every recurring "Chaitra Shudh Pournima (15th)" *every* village were to celebrate the King's mandate. I consider it of special interest to be able to remind you of the King's desire : History repeats itself and what was done in the Puritan period in English history comes to be repeated now under the pressure of the present times. I have no doubt, you will devote your attention to the Abkari question, especially in view of the example you have before you of His Excellency the Governor contributing to the War Fund the savings effected by banishing from his banquets a particular kind of drink. Strictest economy is advocated in the Western countries and luxuries are condemned. India—poor India—is happy so far ; she cannot afford to entertain luxuries—now that the drain of

her wealth has been uplifting Western countries in the pecuniary scale for the last two thousand years. If it were not so indeed how could the daily expenses of the terrible War have been borne by the belligerents to-day ?

20. But the foremost subject and a *sine qua non* is that of education, that leads the soul out of the darkness of ignorance. The indentured labour battered upon ignorance and local handicrafts and trades also succumbed through ignorance before the rush of skilled labour and advance of science. With ample local supply of material for making glass and improved tiles and even for match industry, who is responsible for the disappointment ? Ignorance is at the root of all misery, and as the people so the Government. The latter also suffers if ignorant of the needs of the people. You remember the golden aphorism, "it is better to be a slave of the wise rather than the master of the ignorant". What will the compeer Nations of England say to her if she is found in possession of souls leading a sluggish and ignorant life ? I consider it the first charge on the Revenues of the State to provide for the education of the tax-payers. Protection is the dominant duty but protection from ignorance is the most substantial part of it, as that alone will make protection really successful, since it fosters self-reliance. I quite agree in the historical fact that England herself was slow in the matter of National Education some years back and so not much can be expected, as we say in Marathi, "of water in the pot when there is hardly any in the well". Even so it is our duty to press for free and compulsory education even at the cost of other less pressing improvements. The three "Rs" are the birthright of every citizen of the British Empire ; I am not talking of Lee Warner's "Citizen of India" who can afford to look in amazement and dismay on the "Golgumaj" of the advance of the Western Nations without concern. I am speaking of every living factor of Britain's body politic as every living soul in India is in relation to the Empire and I do not agree with some well-meaning officials that the knowledge of the three "Rs" makes the fringe of Indian society more useless by leaving their original avocations and losing the higher ideal as impossible to attain. Education will never prove useless and we should not be slow in massing under the banner of Gokhale's Education Bill for its fruition. But real advance

does not depend solely on the knowledge of the three "R's" which are simple means to an end—the realization that one is and has always to be a living factor of the world.

21. I have no hesitation in affirming that whether under the Home Rule System, or our present day Administration, the District will and must assume its proper function as the unit of Administration embodying all that popular representative Government expects of it. And in view of this important responsibility, it is absolutely necessary that a sort of self-imposed training must form the object of special care with every one that looks forward to such a welcome event. Is it not possible for us to band ourselves into voluntary surveyors of public events in the several Departments of the State organization, recorders to begin with, so that when public questions affecting a particular District come to be discussed there should be at least some in the District who have made it a special study of that particular branch of the Administration, whose information for its accuracy and up-to-dateness must command attention and reliance? Let that one consider himself as in charge of a particular portfolio. Of course he cannot in the beginning hope to influence the conduct of affairs in the District, but when those responsible for the proper Administration feel that there is at least one in their District who closely watches events, collects them and on proper occasions enlightens the public thereon, that will in itself be both a check and help acting on the course of the Administration. It is on the past that the future is built. Not only instances of waywardness on the part of our servants discharging the administrative functions from the Civilians in the District downwards, but also their good actions, such as contribute to the convenience and the comfort of the people, will find place in our record; that will be an incentive to work and prepare the ground for the safe introduction of the Home Rule System. Sir J. Heaton when writing to the "Bradford Observer" said in 1890 :—

" Indian Civil Servants may, I think, fairly claim that they " face facts and do not shirk them. We know perfectly well " that the Political developement of India must take, indeed has " taken, the direction of giving to the Natives of India a steadily " increasing power in determining how they shall be governed ;

“ and knowing this, we have set ourselves to aid that develop-
 “ ment as far as we can. There is no dispute as to the direction,
 “ the only question is the rate of movement. The watchword of
 “ Indian administration has been and still is caution.” *

22. Time! it is simply a question of time when Home Rule shall prevail in India. While on the one hand one deplors that a quarter of a century of the British Administration since 1890 has not added proportionately to India's capacity, it is equally unsatisfactory that the ground work for “Home Rule” should be neglected by our own men. It is only when ‘timid’ caution of the Administrators will be strengthened by our own zealous and assiduous work that the rate of movement will be quickened. Take the fullest advantage of what exists. You have District Darbars. Whether the Collector invites queries or not—most probably he will gladly encourage them—do not hesitate—at least such of you as will equip themselves with accurate knowledge of passing events—to probe the Administration as well as pat it, when it deserves, by questions. For a time they may be ignored, but rest assured no question will die without leaving an impress on the tone of the official work.

23. When therefore we realize that our attainment of Home Rule depends upon ourselves and never upon the sweet will of those in power, that must mean we are earnest about it and side by side with the expansion of the propagandist work, we shall have to find out cabinet workers. Just as in the administration machinery we have the Civil and the Military, in the propagandist Home Rule work, we shall have our Civil workers, in the sense that they will be pioneers of that mode of watchfulness and application which are so essential a foundation for the Executive. Even for the present purposes of our District Conferences whenever our Resolutions are discussed in the Subjects Committee or spoken to and supported on the platform, let none challenge them as unsupported by facts or as exaggerated by ignorance. Try to approach the Head of the District and even the Heads of the various Departments with your Resolutions, indifferent as to whether you are accorded an interview, but when an interview is afforded let such of you go as will create the true impression that your grievances are well-considered, and

not merely re-echoed or copied. Don't be discomfited when you are denied interviews but hope that when you will be in power you will not create a sense of disappointment by denying interviews. I am told your good Commissioner has specially reserved a few moments for the public to see him. Many must have taken advantage of it. Take every care that you do not let any good opportunity to slip by. Catch time by the forelock say they, for, the ancient sculptor designed no lock in the hind part of the statue's head. We ought not to run *after* the time, but let it come and serve you when you catch it by the forelock.

24. This means that there must be a division of labour. While some will go and visit distant parts of the District and come back, laden with information to store it in the beehive, others will convey to distant geographical centres fresh information as arteries, yet others will open and superintend free reading rooms and circulating libraries. Most of us patronise some paper or other and must patronise those like the "Kesari" which the coy maiden, Administration, bashfully avoids, do you think that we all make a proper use of the papers, when after glancing over the issues, as they pour in into our house, and perhaps once in the year applying the unction to our hearts that we have supported their existence financially, we allow them to flutter away uselessly? Why not collect the papers and hand them over to chosen centres in the Taluka to lie there if they may? Do not apprehend that the Village Bania will use them for bundling away articles, or even if he should, there will be the Bania's son, who will read the "Kesari", -the "Dnyana" or the "Indu Prakash" or the "Sandesh" notes on "Home Rule or the Self-Government," also. In every Taluka there must be at least one subscriber to the "India" which, when our "Home Rule" propaganda is encouraged by the march of events, cannot afford plead for a mere 'larger part in the Administration'. There must to be held, in the Head-quarter station of every District and Taluka, meetings on every occasion of public rejoicing and grief or grievance. Do not be subdued at the thought that if you copy them into the smaller centres, you will be styled as led by wire pullers. Having seen personally what agitation at the 'seat of liberty' has to be, it is, it seems to me, all the same all over the

world. The educated few have always to be the framework of administration in any crisis; otherwise do you think that the countless millions of scattered Russia have all been voiced in the Duma whose excellent work of Reformation has been applauded by the British Nation? May those interested try to accentuate the cleavage between the classes and the masses, but believe me it is the classes out of these masses that truly represent them both in their joys and their sorrows. Look at the genuine outburst of loyal approval of War measures. Who is it, if not the classes, who are not only appealed to but do feelingly and sincerely act between the needy and the ignorant?

25. Friends, you have shown by your joint action how the Karnatak College has been an accomplished fact, and why shall we not succeed in attaining the key to all improvement when there is an excellent and a hopeful future dependent on our dauntless adherence to the cause of the progress of India and this District Conference demonstrates how that progress is sure in course of time to attain its ultimate object *viz.* Home Rule.

THE
Indian National Congress

SPECIAL SESSION

BOMBAY.



Presidential Address

BY

SYED HASAN IMAM.



28th AUGUST 1918.

BROTHER DELEGATES, LADIES AND GENTLEMEN,

With history looking on us, our labors to-day may well strike sympathy in the hearts of those who have the refinement to feel the agony of a race that, conscious of its rights, is struggling to realize them. The struggle is arduous, every step of it is laborious, but our purpose is firm and our courage is enduring. We are earnest and we mean to achieve our object, and it is at such a moment that you have called me to a duty that is most responsible, most onerous. I would not be human if I did not feel the honor you have chosen to confer on me—the greatest that you had in your gift—and I would be less than human if I did not express to you my deep sense of gratitude for the high privilege so generously conferred. But while I am expressing to you my gratitude, I am not, I fear, quite unselfish in my acknowledgment, for to be thankful for a favour is to lay out for another. I have much indulgence to ask of you to overlook my deficiencies and to assist me in conducting the proceedings of this great Congress of a nation struggling for freedom, to a successful end. This Special Session of the Congress is of exceptional importance and therefore of exceptional difficulty. Our task is burdensome for we have to discuss the proposed constitutional reforms as emanating from a Secretary of State and a Viceroy who, at least in their declarations, have not been wanting in a spirit of sympathy towards Indian demands. Their frank acknowledgment of the justice of our claim to equal civic rights with the rest of the British Empire lends to their proposals a sincerity; which it is difficult to question. But in a matter so grave as the laying of the foundation of our constitutional structure the duty of analysing and sifting the proposals outweighs all considerations of mere courtliness or thanksgiving. While acknowledging the high purpose of the British Cabinet in directing an investigation into the present Indian situation and in desiring to find a solution thereof and while rendering the fullest tribute of praise to Mr. Montagu and Lord Chelmsford for the single-mindedness with which they have collaborated in formulating their proposals, we yet, as the persons most affected, have to examine the proposals on their merits. Reading their joint Report it will strike any observer that in the first portion of it—which I regard as a historical survey of events leading to the present situation—the illustrious authors have by their declarations, furnished strength to our demand for that charter of liberty for which we have been fighting for the third of a century through the Congress, in spite of much discouragement, at times attended with unseemly and indecent ridicule. When we read in the Report a passage such as this: "We must remember too that the educated Indian has come to the front by hard work, he has seized the education which we offered him because he first saw its advantages; and it is he who has advocated and worked for political progress. All this stands to his credit. For the last thirty years he has developed in his Congress and latterly in the Muslim League, free popular convocations which express his ideals. We owe him sympathy because he has conceived and pursued the idea of managing his affairs, an aim which no Englishman can fail to respect," our memory naturally goes back to the contemptuous phrase of Lord Dufferin's "microscopic minority", used in reference to the Congress when that noble Marquis was not in a mood to accord to educated Indians a recognition. Time has justified us and to-day we stand on the principles of our demand where we did thirty-three years back.

The announcement of the 20th August 1917 declaring the policy of His Majesty's Government certifies to the correctness of our demand and that our claim was not prematurely conceived is indirectly acknowledged in the Report in the following noteworthy passage: "It is no longer sufficient to administer India; it is necessary also to satisfy her political aspirations; and because we were all too slow in taking cognizance of the changes that were occurring the task is all the heavier because there is lee-way to make up." The Report is full of generous acknowledgments of our claim and if acknowledgments alone could not merely gratify but satisfy us the need for us to meet in this Congress would not exist. It is when we come to the proposals themselves that disappointment meets us. The Secretary of State and the Viceroy, it has to be admitted, have made their proposals with a genuine desire to ultimately secure for us the right of governing ourselves and determining our own future, but the proposals in themselves seem to be afraid of themselves and do not comprise any such real measure of reform as we had a right to expect. We realize the difficulty of their delicate task, placed as they have been between conflicting bureaucratic and Indian interests. The deficiencies of the proposals appear to me to be due not to any intention on their part to withhold from us what we should have, but to a spirit of compromise to secure the support of the bureaucrats. It, therefore, behoves us to consider the proposals in a spirit of sympathy and not of mere carping criticism. Now our criterion is the Congress-League Scheme and, if the proposals lack the essentials of that, we should with all the emphasis that we can command, make our protest, but we must guard against a hasty rejection of the proposals. Opinion in the country is more or less divided on the subject of the acceptance or the rejection of the proposals. There is a small section of political thinkers that advocates a rejection of the proposals. Treat their views with respect, for their attitude of mind is based upon the political sagacity of not allowing a consent decree to be passed against them and upon the political philosophy that national rights have to be won and not merely to be received as gifts. Underlying their principle of rejection is the desire to continue the struggle for freedom and every one will admit that the severer the struggle the greater the vigor of the race. On the other hand there is another class of our political thinkers that stands for the acceptance of the proposals with the proviso that we must go on asking for more. The country, however, is agreed that the proposals, as they stand, certainly do not embody the essentials of our demand and are not calculated to satisfy our just aspirations. If you will permit me to point out, there seems to me no material difference between those that advocate rejection and those that advise acceptance, for the common feature of both is to continue the struggle till our rights are won. In politics as in war, not combat but victory is the object to be pursued and where ground is yielded, not to take it would be to abandon what you have won. The Secretary of State and the Viceroy in their Report have earnestly exhorted us to put our heads together in constructive statesmanship and I have no doubt that at this crucial juncture in our political history we shall preserve that deliberative calm which is necessary for the building of a great project.

The proposals have placed us under a great disappointment for, though the essentials of our demand are acknowledged in theory, they have not been conceded in substance. Under disappointment our mind would naturally be prone to be occupied with the evil that disquiets it, but true wisdom lies in calmly finding out the means to remove the evil. The history of our Congress is a history of patient constitutional struggle. The traditions that we of the present generation have inherited from those that founded and

established this great national organisation are of perseverance in the face of even tremendous opposition and to-day it stands acknowledged as the champion of the rights of the Indian people. Those traditions are dear to us and we cherish them. We know no extremists and we know no moderates, names that have been devised by "our enemies" to divide us. We know only one cause and we have only one purpose in view. Our demand is the demand of a United India and so long as our rights are denied to us we shall continue the struggle,

"Unchained in soul—though manacled in limb—

"Unwarped by prejudice—unawed by wrong,

"Friends to the weak and fearless of the strong."

Coming now to a discussion of the details of the reforms our attention must be first directed to the terms of the declaration of policy as announced on the 20th August last year. That declaration lays down the policy to be:—

- (1) "The increasing association of Indians in every branch of the administration."
- (2) "The gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire."

Towards the fulfilment of the above policy the decision is stated in the announcement, "that substantial steps in this direction should be taken as soon as possible." The Secretary of State in making the announcement stated that "progress in this policy can only be achieved by successive stages." He further explained that "the British Government and the Government of India on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance." The policy as enunciated is a pledge to the Indian people that they shall be raised from their present abject position to one of dignity and honour as a nation, and it is worthy of the freedom-loving British race. But it is when we examine the cautious qualifying phrases of the Secretary of State that we come to suspect the length of time that we may have to wait before there is fruition of that policy. The successive stages may be distant stages as the Reform proposals clearly demonstrate and "the time and measure of each advance" may prove illusory, dependent as it is declared to be on the "extent to which it is found that confidence can be reposed in their (Indian people's) sense of responsibility." The decision that substantial steps in the direction of the policy should be taken as soon as possible brought the Secretary of State to us, but where do we find the "substantial steps" in the proposals? I shall now venture to place before you, as briefly as I can, my estimate of the proposed reforms.

The Government of India.

The Imperial Legislative Council is to be replaced by (1) a Legislative Assembly of India consisting of about hundred members and (2) by a Council of State consisting of about fifty members. The Legislative Assembly is to have an elected majority of two-thirds of its total strength, but the Assembly is to have no power and must remain content with exercising that shadowy stuff, "Influence." To render that ineffectual a Council of State has been designed. It is to have a large majority of official and nominated members and it will be the supreme legislative authority for India on all crucial questions and the revising authority upon all Indian legislation.

It will have the right to over-rule all the work of the Legislative Assembly in the matter of legislation, budget allotment and financial proposals, and even pass them at the bidding of the Governor-General over the head of the Legislative Assembly. There is no element of popular will in this, nor is the pretence made that there is any. Apart from the objection that the people's representatives in the Legislative Assembly will be over-riden by a body of men not representative of the people the mischief of the proposal is accentuated by according to the members of the Council of State the status of a class by themselves. I see in that the danger of a division of our people, the formation of a new caste. This will no doubt further strengthen the already existing arbitrary powers of the Government of India and, considering that it is proposed that British control over the Government of India should be relaxed, the danger of reckless irresponsibility in the Central Government will be enhanced. Our demand is for the amenability of Provincial and Central Governments alike to the people's wishes, but instead we are being given a Central Government more autocratic than ever. The joint Report admits that the bureaucratic system that has prevailed hitherto is no more suited to our needs, but the second Chamber that is proposed and which is to have the decisive voice is to consist of bureaucrats and their nominees with a powerless minority of elected members. It would be, to my mind, the perpetuation of the bureaucratic rule that we have been striving to remove. We cannot give our willing assent to a packed second Chamber created to render inoperative what the people's representatives decide. The proposal is reactionary in its character and by no manner of means can it be described as a reform intended to increase popular control. The creation of such a Second Chamber is a confession of the distrust of the people—a distrust that is visible in the proposals as a whole.

Describing the legislative procedure the nervousness of the authors of the Report is made manifest. I quote from the Report. "A Government Bill will ordinarily be introduced and carried through all the usual stages in the Legislative Assembly. It will then go, in the ordinary course, to the Council of State and if there amended in any way which the Assembly is not willing to accept; it will be submitted to a joint session of both the Houses by whose decision its ultimate fate will be decided. This will be the ordinary course of legislation. But it might well happen that amendments made by the Council of State were such as to be essential in the view of the Government if the purpose with which the Bill was originally introduced was to be achieved, and in this case the Governor-General-in-Council would certify that the amendments were essential to the interests of peace, order or good government. The Assembly would then not have power to reject or modify these amendments nor would they lie open to revision in a joint session." Not content with this the Report proceeds:—"Further, there may be cases when the consideration of a measure by both chambers would take too long if the emergency which called for the measure is to be met. Such a contingency should rarely arise; but we advise that in cases of emergency so certified by the Governor-General-in-Council, it should be open to the Government to introduce a Bill in the Council of State, and upon its being passed there merely report it to the Assembly." Similar but even more cautious safeguards are provided for nonofficial members' bills. These extraordinary provisions to protect the Government against the people's representatives are particularly noteworthy when we find provided for the Government of India the power of making Ordinances for emergent purposes. Reading the proposals contained in Chapter IX of the Report

dealing with the so-called reforms in the Government of India, the impression is left on the mind of the reader, that the Central Government had been in the past the object of much tyranny and oppression by the people and special measures were needed to protect that Government. It is difficult to estimate the political reasons that have induced the illustrious authors of the Report to treat the Government of India and the people of India as two combatants constantly pulling in opposite directions—the Government of India being always right and the people of India always wrong. The ideal that we have always set before us is that the Government of India should be so constituted that that Government should be the Government of the people. So long as these extraordinary safeguards are devised and exist, it would be but natural for us to feel that those that carry on the Government are removed from us and as human beings, subject to human failings, will subordinate the people's interest to theirs. No one can conceal the facts that the interests of the bureaucrat, whatever his services may have been, have been widely different from the interests of the people and if the same bureaucrat is to shape the destinies of India, even at this juncture, the reason for the special safeguard is obvious. The cardinal principle of our demand is that Indian interests are not any more to be subservient to the interests of others and if the proposed reforms are intended to restore to us what we have lost then the reformation of the Government of India should not be and must not be on the lines of the proposals but on those that would secure to the people at least an effective voice in the governance of the country. The Congress-League Scheme has been discarded as unworkable in practice. It may not be artistic in its features, it may have the defects of inexperience of actual administration, it may even appear to be crude in form. But we do not attach ourselves to the externals of the scheme but to the true spirit of it. We insist on the essentials being left untouched, we demand their incorporation in the reforms that may hereafter be ultimately decided on.

The proposal that in the Council of State the Ruling Princes should be associated with the Government of India for the purpose of deliberation on matters of what have been vaguely described 'common concern', is neither happy for us nor happy for them. By the very nature of their relations with the Suzerain Power the Princes are in a state of subordination to the Governor-General as representing the King-Emperor. Their task in their own principalities is difficult enough and it will only add to their burden to be invited to take part in the Council of State in British India. Then again there may be complications hereafter if the pledge of full responsible Government to us comes to be fulfilled, as we hope and trust it will be in the near future. The Council of State with its present proposed constitution spells to me the dread that the Government of India will at no time entertain a popular Assembly whose voice will be listened to, for if that were to be so the introduction of the Princes into the Council of State would be incompatible with their sovereign rights. Supposing that at a future date the Council of State becomes a representative body of British Indians, would it suit the Princes to descend from their high state to seats in a people's assembly and would it suit us to have them in our midst? What is the special need of the presence of the Princes in the Council of State? Is not that Council, if established, strong enough, even without them, to protect the Government of India against the people?

Dealing with fiscal legislation we frankly told that the budget will be introduced in the Legislative Assembly but the Assembly will not vote it. Resolution upon budget matters, as indeed upon all other questions, will

continue to be merely advisory in character and will stand on record as the considered opinion of the Assembly. This clearly is no advance upon the existing system. It no doubt is consistent with the safety of the constitution of the Government of India as proposed, but our protest is against such a constitution and our protest is against a budget that has not received the sanction of the people's representatives. It is certainly not in the direction of the Government of India that the illustrious authors of the Report propose to apply their considered opinion that "because we were all too slow in taking cognizance of the changes that were occurring the task is all the heavier because there is lee-way to make up."

The distrust of the people is further made manifest when the introduction of the Indian element into the Executive Council of the Governor-General is limited to but two. Our demand has been that at least half the number of the Executive Councillors should be Indians. In the proposals, while recommending the appointment of a second Indian member, the illustrious authors of the Report say that they do not think it necessary to argue the expediency of enabling the wishes of India to be further represented in the cabinet of the country. The reason of this illiberality is not explained and we are left to judge for ourselves. It is admitted that the presence of an Indian Member in the Executive Council has proved of value in enabling the Government to have first-hand acquaintance with Indian opinion. Lord Morley's policy of appointing an Indian member to the Executive Council created a feeling of assurance amongst the people that at last the Government's attitude was to hear, if not to listen to, the people. Our claim to a larger increase in the Indian element of the Executive Council is based not merely on our just rights but also on the efficient and loyal performance by the Indian Members of their duties. I appreciate that the numerical strength of the Executive Council under the new constitution has not been disclosed and it may be that the existing number may, with changed conditions, be reduced, in which event the two Indian members, as proposed, will constitute a much larger proportion of the Indian element in the Executive Council than is the one Indian member in a Council of eight as at present. Judged by comparison even an illiberal increase of the Indian element in the Executive Council will mark a stage in India's political development. But is that enough? We want a declaration of the proportion and that proportion to be half, as that will give us in some degree an assurance of the intentions of the Government regarding the establishment of responsible Government in this country. We are now no more content with promises. The illustrious authors of the Report themselves remark that "there is a belief abroad that assurances given in public pronouncements of policy are sometimes not fulfilled." I would say, not "sometimes" but "seldom" fulfilled. The Morley-Minto Reforms were hailed by the whole country as ushering in a new era of political progress, but when they were brought into actual operation the bureaucratic framers of the rules and regulations succeeded in nullifying the liberal policy of Lords Morley and Minto. After our sad experience of the Reforms of 1909 our faith in promises and pledges stands much shaken to-day. Just as we are told to realize that India's political future is not to be won merely by fine phrases, so we ought to make it clear to Government that a whole fifth of the human race cannot be kept loyal to foreign rule by mere promises. The days of fine phrases and hollow promises have equally passed and if we are to be kept within the great British Empire, our confidence must be won, our affection must be secured. To the Secretary of State and the Viceroy we are grateful for the genuine desire their Report demonstrates for the political progress of our country, but to be perfectly

frank, we are not without just apprehensions that in much of their work their good intention will be frustrated by those to whom the carrying out of the policy will be entrusted in this country and it is for this reason that our demand for the Indian element, in the Governor-General's Executive Council must be insistent on being half of the total strength.

The Provincial Governments.

In regard to the Provincial Governments we are more liberally treated than in the Government of India. The proposals start with two postulates:—

- (1) Complete responsibility for the Government cannot be given without inviting a break-down.
- (2) Some responsibility must be given at once if the scheme stated in the proposals is to have any value.

These governing conditions are to be satisfied by a bifurcation of the functions of the Provincial Government into two branches, *viz.*, one subject to popular control and the other in official hands. The subjects of popular control are to be called "Transferred Subjects" and those in the hands of the officials are to be designated "Reserved Subjects." It follows, of course, from the above division that the Executive Government must also consist of two parts. The proposal is that one part is to comprise the head of the Province who will be known as Governor and an Executive Council of two Members, and the other is to consist of a Minister or Ministers, according to the number and importance of the Transferred Subjects, chosen by the Governor from amongst the elected members of the Legislative Council. It is gratifying to observe that the Secretary of State and the Viceroy have noticed the unreality that characterizes the existing Councils, the cause of which they ascribe to the system of indirect elections. They consider that that indirect system should be swept away to give place to direct election on a broad franchise. We welcome this real step towards reform but it is right to point out that the unreality of the existing Councils has not been due so much to the indirect system as to the rules framed under which the members of the Councils were permitted to work. When the Reforms of 1909 were inaugurated the defects of the indirect system were pointed out but we were told then, as we have been told so many times in regard to all progressive demands, that the country was not fit for any better. While the indirect system was deliberately introduced rules were also framed as to reduce the usefulness of the members to zero. Now it is proposed that there shall be in each province an enlarged Legislative Council differing in size and composition from province to province, with a substantial elected majority, elected by direct election on a broad franchise with such communal and special representation as may be necessary. The members' right to ask supplementary questions and to move resolutions is enlarged and concession is made that the resolutions on the budget, except in so far as they trench on the Reserved subjects, may be binding. So long as certain subjects remain reserved the policy of keeping them unaffected by the popular wish is in keeping with the principle on which the Central Government is to be based. It has, therefore, been found necessary in regard to the Reserved Subjects to institute a Grand Committee within the Provincial Legislative Council to serve the purposes for which the Council of State, is designed in the Central Government. The illustrious authors of the Report say:—
 "For the purpose of enabling the Provincial Government to get through

its legislation on Reserved Subjects, we propose that the head of the Government should have power to certify that a Bill dealing with a Reserved Subject is a measure essential to the discharge of his responsibility for the peace or tranquillity of the province or of any part thereof or for the discharge of his responsibility for the Reserved Subjects." The effect of such a certificate will be that, if no reference to the Central Government is made for their decision, the certified Bill will be automatically referred to a Grand Committee of the Council. Similar procedure is proposed for controlling non-official Bills, amendments and clauses. The Grand Committee is to consist of forty to fifty per cent of the total strength of the Council and comprise members partly elected to it by the elected members and partly nominated to it by the Governor who will have the power to nominate a bare majority, exclusive of himself. Of the members, so nominated, two-thirds may be officials. The procedure laid down for the passage of a certified Bill is through the Grand Committee and it seems to me that the Legislative Council has but a nominal place in it. Here again is the same spirit of distrust of the people as in the Constitution of the Central Government though it has to be acknowledged that it is not so manifest. Talking of the politically-minded Indian the Report says—"He has made a skilful and on the whole a moderate use of the opportunities which we have given him in the Legislative Councils of influencing Government and affecting the course of public business, and of recent years he has by his speeches and in the press done much to spread the idea of a united and self-respecting India amongst thousands who had no such conception in their minds." If that is so, then may we not ask to be a little more trusted in these great reforms? I am alive to this that in the provincial administration a considerable advance upon the existing system is proposed and I believe that if the proposals are carried into effect the journey to self-government in provincial matters will be sure, though long. No one amongst us wishes a breakdown and we would, as the party most interested, be ourselves most anxious to see the success of the reforms that promise us the Pisgah view of the Promised Land. It is not impatience in us, it is not any desire to force the pace, that makes us ask for greater rights and, therefore, greater duties in provincial administration. Our submission is that greater responsibility should be cast on us so that our training towards self-government may be the earlier commenced in that proportion which may correspond to the magnitude of the work before us. No one can question the true objective of the Report. The realization of responsible Government in provincial administration is the anxious care of the Secretary of State and the Viceroy, but towards the attainment of that end are their proposals not lacking in bold courage?

After all, our past does not justify so many safeguards in the reforms. These same safeguards in the hands of a "strong man" may be turned into effective weapons for the destruction of the reforms themselves. It is true that periodic Commissions are suggested for the purpose of re-surveying the political situation in India and of re-adjusting the machinery to the new requirements from time to time and no doubt it would be within the province of the Commissions to investigate into the course of constitutional development in the country and a "strong man" will have the fear of his acts being examined and judgment passed thereon by a Commission that would derive its authority from Parliament itself. But it has to be borne in mind that these Commissions will be at distant intervals and however much credit one may be disposed to give to them for their anxiety to make a thorough investigation, the lapses of the "strong man" are bound to escape scrutiny when time has dulled the directness of perception. Without

referring to any particular "strong man", we naturally get apprehensive when we find an administrator of a province indulging in wholesale denunciation of the politically-minded Indians, as men engaged in sowing distrust and in propagating vile propaganda. The latest pronouncement of one such "strong man" is that such of us, as ask why these restrictions, reservations, safeguards, this machinery for saving the authority of the Government and why this distrust, are those that spend their time in spreading sinister influence over the people and he explains that it is not the mistrust of the people but the distrust of the sinister influence of those whom he calls the extremists that renders it necessary to include in the new constitution safeguards, restrictions and reservations. Mr. Montagu and Lord Chelmsford may well piteously cry "Save us from our friends." Throughout the Report on the reforms no such suggestion for the distrust has been expressed by its illustrious authors and whatever distrust that is noticeable could be ascribed to cautious steps being warranted by the want of experience of the Indian people in matters administrative, but this commentator on the Report, if his exposition be correct, rouses us to a just resentment. This same "strong man" talks of an unbridled and defamatory press when he of all persons ought to know that the press legislation in India, of all measures, has been the most destructive of legitimate public criticism and has secured for the "strong man," as also even for the milder bureaucrat, an unimpeded passage to the fulfilment of his arbitrary will. It is such "strong men"—and this unfortunate land has many of this breed—against whom we, the people, require special measures of protection.

In the Reserved Subjects are included the important heads coming under maintenance of law and order, Civil Justice, Land Revenue, Industrial matters, business concerns and the like. The subjects proposed to be transferred to popular control are as numerous as those of the Reserved class. I believe that the transferred subjects will afford to us sufficient opportunities of administrative training in the first few years to enable us to qualify ourselves for the transference of all the subjects to popular control. The objection to the scheme, as a whole, lies, however, in the proposal that at the end of a period of five years the Reserved Subjects are not to come automatically under popular control but it will be open to the Central Government to hear applications from either the Provincial Government or the Provincial Council for the modification of the Reserved and the Transferred subject lists of the province, and it will be upon the recommendation of the Central Government that the Secretary of State is to approve the transfer of further subjects. While this method of devolution of power has the merit of providing the incentive to the peoples' representatives for earnest and statesman-like discharge of their duties, it has the demerit of withdrawing the stimulus that they would have, if they were now assured that at the end of five years the responsibility of the entire provincial administration would devolve upon them. In the language of the Report itself, advance can only come through previous failures and exercise of responsibility calls forth the capacity for it.

The financial arrangement provided for effecting the administration of the two branches of the Government appears to me to be exceedingly unsatisfactory. The first charge on provincial revenues will be the contribution to the Central Government and after that the Reserved Subjects will have priority in the matter of supply, the residue, after meeting the above charges, will be available to the Ministers for the purposes of the Transferred Subjects. The provision is made that if such residue is insufficient for their requirements the Ministers can suggest additional taxation within the schedule

of permissible provincial taxation or outside the schedule by obtaining the sanction of the Government of India. The question of any fresh taxation will be decided by the Governor and the Ministers and the Executive Government as a whole will not bear the responsibility for the proposal. Considering that the Governor is not expected to refuse, ordinarily, assent to the proposals of the Ministers, it is apparent that the responsibility of a fresh taxation will in effect rest upon the Ministers. It is admitted that the new developments which are to be anticipated will necessitate fresh taxation. Thus it comes to this that the odium, which is inseparable from a new levy, is to be borne by the Ministers alone, the sequel to which may be the engendering of a repugnance in the people against popular Government. The responsibility for administering Transferred Subjects will be the Minister's, while the power of deciding what part of the revenue shall be allotted for the discharge of that responsibility will be retained in official hands! The Legislative Council under the proposed constitution will be bound to submit to the proposals of the Governor-in-Council with regard to expenditure on Reserved Subjects and it is more than likely that the reaction of their disability in the matter of the Reserved Subjects will operate prejudicially on the Minister's proposals for new taxations for Transferred Subjects. The proposed arrangement, it strikes me, is unfair. It is giving to the popular side of the Government an unsatisfactory start. The collective responsibility of the Executive Government in matters of fresh taxation is necessary for the success of the reforms. The obvious defects of the system proposed are so many that I think it is our duty to insist upon modifications that may insure to the Transferred Subjects a fairer and a more equitable treatment. It is worthy of note here that of the departments proposed to be transferred to popular control several are of vital importance to the progress of the country and they have been the most starved under official regime. The duty of constructing them and developing them will devolve upon the people's representatives but without sufficient provision for them. The subjects of Education and Sanitation, involving as they do the building up of healthy mind and healthy body in the people, are of supreme importance as upon them will rest the creation of healthy electorates. If the franchise, on which responsible Government is to be based, is to be broad and extensive, due provision has to be made from now to secure its expansiveness as time grows, and towards that end it will not do to treat those two subjects with stint.

As regards the appointment of Ministers the Governor is to exercise his choice from among the elected members of the Legislative Council. They are to hold office for the lifetime of the Legislative Council. They will be members of the Executive Government but not of the Executive Council. The portfolios dealing with the transferred subjects are to be committed to them and in respect of those subjects they with the Governor will form the administration. No provision is made for the Ministers to resign if they lose the confidence of the House. Our proposal that Indian members of the Executive Government should be elected by the Council has been based on our experience that Government have in the past chosen men not because they were sound but because they were, according to bureaucratic view, safe. This has been noticed by Mr Montagu and Lord Chelmsford in their observation: "We are aware that in the past the nominations made to the executives have not always given satisfaction. There has been a disposition to regard the men appointed as chosen because they are safe and not likely to give Government trouble; and if legislature and executive are to work smoothly together, it is, we agree, necessary to make appointments which command confidence and insure efficiency and ability." The election of Ministers is disapproved but no injunction is laid that the nominations should be of persons

who had the confidence of the Legislative Council. The justification for our proposal of election lay in our apprehension arising out of bureaucratic methods. If we can be assured that really capable men will be chosen for appointment as colleagues of the Governor our scheme of elected members of the Executive will not require to be pressed, for our demand is for capable men only. Our objection however to the irremovability of Ministers stands. It has been stated that it is not contemplated that from the outset the Governor should occupy the position of a purely constitutional Governor bound to accept the decisions of his Ministers. That may be so, but in that proposal I do not see any justification to give to the Ministers a place above the will of the representatives of the people. What we have to guard against is a too ready submission on the part of the Ministers to the wishes of the Governor. Under the constitution proposed the Governor will occupy a predominant position, and if at any time he chooses to disapprove of a measure he should be made to take the responsibility of refusing his assent instead of securing by methods of powerful suasion the acquiescence of Ministers. The scheme if carried into effect will be demoralizing for the Ministers themselves. Some method should be devised whereby the responsibility of the Ministers to the representatives of the people should not be diminished while their harmonious co-operation with the Governor may be maintained. I suggest that it be made incumbent upon every Minister on his appointment to seek re-election, failing which his appointment will automatically cease to operate. A further condition of his office should be that he should continue to enjoy the confidence of the House. Should the House, as a body, express its want of confidence in him he must resign his office as a matter of course. This suggestion that I make does not in any way reduce the position of the Governor, nor his powers under the proposed constitution.

Dealing with the subject of Ministers I must refer to their exclusion from the Executive Council. While they are permitted a place in the Executive Government they are not wanted in the Executive Council. The reason of such exclusion seems to be their unconcern with the Reserved Subjects. Here again the distrust of the people in the proposed reforms raises its venomous head. Ample safeguards for the protection of the Reserved Subjects have been provided and the hands of the Governor have been more than strengthened by restrictions and reservations. I realize that the inclusion of the Ministers in the Executive Council is not free from danger to popular aspirations as such inclusion is more likely, than not, to create a natural bias in the mind of the Governor to choose a safe man as his Ministers, but I would sooner take that risk and have the Ministers within the Executive Council than out of it. Whatever the underlying policy of two compartments of the Government may be and whatever its justification, I am decidedly of the view that a total unconcern of the Ministers in the Reserved Subjects is not desirable, for the objective being the ultimate realization of responsible Government, the association of Ministers in some form or other with the administration of the Reserved Subjects will the better prepare them, for the ultimate devolution of power on the people. If expediency does not permit that they should have an effective voice in the Executive Council they should at least be given a place therein of more or less advisory character, as additional members. The constitution as proposed is open to the very serious objection that until actual transference takes place the people's representatives will have but little touch with subjects of the Reserved class; while at some future date, and let us hope not a distant date, it is they that will be asked to assume charge of the administration of those subjects. Another point in connection with the subject of Ministers is that of their dignity in the Executive Government. The Report says that the illustrious authors of it do not

make any recommendation in regard to Ministers' emoluments. This gives a faint idea that their salary may not be on the same scale as that of members of the Executive Council. I am not one to advocate expensive machinery of administration but when it comes to a distinction arising between Ministers of the people and Ministers *not* of the people I would sink all considerations of financial economy and insist on the Ministers enjoying the same salary as Members of the Executive Council. I consider it as affecting their dignity but if economy has to be effected it must be effected by reducing the salary of the Members of the Executive Council to the level of the salary that may be proposed for Ministers. In this connection I may be pardoned for referring to what will appear to be trivial, but my excuse is that the illustrious authors of the Report have concerned themselves with details of the honourific designation of members of the several legislative bodies. At present the advent of a Member of an Executive Council, whether Provincial or Imperial, is attended with a noisy salute of guns that does no one any good. It is merely reminiscent of the age of vanity in which the bureaucrat lived and thrived. The days of catching the imagination of Indians by noise and din are passed and we have now learnt to appraise the value and worth of men by their work and not by their tinselled trappings. Let these salutes be discontinued and powder saved from unmeaning waste.

The proposal to appoint additional members of the Executive Council, if the Governor chooses, does not seem to me to be open to any serious objection as no portfolio is to be assigned to them and their functions will be merely consultative and advisory. So long as the additional members continue to discharge the functions of their substantive appointments and draw merely the pay attached to those appointments, and no burden of additional expenditure is thrown on the Province, the proposal may be regarded as harmless. In respect of the Indian member of the Executive Council he is not to be elected, nor is the field of choice limited to the Legislative Council. The Governor will be free to recommend whom he wishes and to take into consideration the names of persons who have won distinctions whether in the Legislative Council or any other field. I admit that if the Governor is sympathetic and broad-minded and works with a view to the ultimate realization of responsible Government, chances are that his Indian nominee for the Executive Council will be a person acceptable to the people but the satisfactoriness of a nomination becomes conditioned on the tendencies of an individual and the fear may well be entertained that with the varying temperaments of individual Governors the search for a safe man may become common. Our proposal for the election of Indian Executive Councillors is no doubt open to certain objections but in the existing state of things if the Indian people are to be assured that the Indian element in the Executive Council will be truly Indian in aspiration, there seems to be no other method but that of election whereby such an assurance can be given. It may be said that an Indian Executive Councillor holding his office by election may not work as harmoniously with his colleagues as one who holds his office by nomination. As we have not suggested that the elected Indian member should be removable at the will of the Legislative Council and his appointment being permanent for five years there is no reason to apprehend that he will indulge in unwarranted friction with his colleagues. What we want is that the Indian member in the Provincial Executive Council should be one to possess courage to present the Indian view of a question faithfully. If the nominations, in the past, in the Provincial Executive Councils had been as satisfactory as, happily, the nominations have been in the Governor-Generals' Executive Council, our apprehension regarding the search for a safe man would never have come to exist.

Fiscal Policy.

The fiscal policy concerning India has not been stated in any detail by Mr Montagu and Lord Chelmsford. They say that connected intimately with the matter of industries is the question of the Indian tariff. No one can doubt the defect of the existing fiscal policy so far as the interest of India is concerned. The subject is obviously excluded from discussion as it has been thought undesirable at this juncture to raise any question of the modification of the fiscal policy. The illustrious authors of the Report say that they have no immediate proposals to make but they are anxious that any decision which may hereafter be taken should be taken with full appreciation of educated Indian opinion. We have through our representatives in the Indian Legislative Council, by our speeches from public platforms and by the medium of the press, expressed the Indian desire for a protective tariff. With growing expenditure on administration and expanding individual needs we look to protective tariff as a means of bringing relief. We believe that if industries are to be nurtured tariff must be adopted. We are told that our belief is wrong but so long as our error in calculation is not demonstrated our faith in protective tariff will remain. Our desire for fiscal autonomy is not based upon any hostility to British interest. No doubt the extent of Indian gain will mean a corresponding loss to the British merchant but in the larger economy of the Empire a strong and prosperous India is of much greater value than mere commercial gain to Great Britain. The need to strengthen the Empire is demonstrated by the present War and the necessity for the strengthening of every unit of the Empire is now beyond question. I do not think any one will dispute the statement that in the past Indian commercial interest was subordinated to British interest, but with a more spacious view of the Empire we expect greater attention to be paid to what will conduce to the prosperity of the country. Much of the political situation in India is due to economic forces that have been silently but surely working. It has often been said that foreign capital, which means British capital, has done much for the development of Indian resources. That is true if the development of resources as an abstract idea, detached from actual benefit, were regarded as a title of the British capitalist to the gratitude of the Indian people. The question is has the kind of development, that we have had, brought to the Indian the prosperity that he wants. The Indian has merely been the producer of raw materials for the benefit of British manufacturers who have purchased the materials from him at low prices and sold the manufactured articles to him at high prices. Industrially we have been left so utterly untrained that we have not been able to free ourselves from the importation of foreign manufactures, while the export of raw materials has continued on an ascending scale. Frankly stated our conviction has been that our industrial backwardness has been positively encouraged in the interest of British manufacturers. This conviction is not based upon a mere prejudice that one race may have against another, but it is based upon facts of history dating from the time when the commercial development of the country was fostered by the Company as a matter of business. The traditions of the Company inherited by the Government under the Crown, we believe, have not been departed from and British commercial interests have had the same fostering care as in the days of the Company. The maintenance of the duty on cotton goods manufactured in the country has been unquestionably in the interest of Lancashire. The need for industrial development has been felt by us for a long time and it is at our solicitation that the Government now seems to be cognizant of it. We are glad to note that Mr. Montagu and Lord Chelmsford are agreed that if the resources of the country are to be developed the Government must take action. We have long urged that the Govern-

ment ought to be alive to their responsibility for the industrial development of the country ; we have been crying for scientific institutes and technical institutions ; we have urged upon their attention the examples of Germany and Japan. Have the Government up to now responded to our call with that depth of sympathy that the circumstances demanded ? The dearth of technical institutions in the country testifies to the correctness of the charge that the Government, contrary to their duty, are indifferent to our industrial growth. Until the Government come forward as guide and helper the charge will stand and we would be entitled to entertain the belief, as indeed at present we do, that in the policy of the Government the interest of India is but merely secondary. The political consequences of such a belief can be easily imagined, for no Government can afford to allow the impression to prevail and to spread that the ruled are being "bled white" for the profit of the rulers. The whole subject has been comprehensively put by Mr. Montagu and Lord Chelmsford in language that is impossible to be excelled. They say : "After the war the need for industrial development will be all the greater unless India is to become a mere dumping-ground for the manufactures of foreign nations which will then be competing all the more keenly for the markets on which their political strength so perceptibly depends. India will certainly consider herself entitled to claim all the help that her Government can give her to enable her to take her place as a manufacturing country ; and unless the claim is admitted it will surely turn into an insistent request for a tariff which will penalize imported articles without respect of origin. On all grounds a forward policy in industrial development is urgently called for not merely to give India economic stability ; but in order to satisfy the aspirations of her people who desire to see her stand before the world as a well-poised, up-to-date country ; in order to provide an outlet for the energies of her youngmen who are otherwise drawn exclusively to Government services or a few over-stocked professions ; in order that money now lying unproductive may be applied to the benefit of the whole community and in order that the too speculative and literary tendencies of Indian thought may be bent to more practical ends, and the people may be better qualified to shoulder the new responsibilities which the new constitution will lay upon them."

The Public Services.

So far I have dealt with the proposals that come under that part of the announcement of the 20th August that relates to the gradual development of self-governing institutions. I now take up that part of the announcement that declares the policy of the increasing association of Indians in the administration.

The subject is of sufficient importance to have been accorded the first place in the declaration of policy. Happily the proposals of Mr. Montagu and Lord Chelmsford neutralise the effect of the recommendations of the Royal Commission of 1912. The report of the Commission was unsatisfactory enough even for the time when it was prepared and it would be much more so now under present changed conditions, when volcanic events have caused an upheaval in our modes of thought. The Report on the Reforms as a whole bears testimony to the liberal and sympathetic inclination of its authors in treating Indian questions and we welcome their observation, in dealing with the subject of the public services, that an entirely new policy towards the Indian Government has been adopted which must be very largely dependent for success on the extent to which it is found possible to introduce Indians into every branch of the administration. The

declaration of policy of His Majesty's Government ushers in a new era in the destiny of India and if that policy is worked out in its integrity, until responsible Government is established, within a reasonable period of time, the discontent that stalks the land will not have disappeared. The two great changes that the Secretary of State and the Viceroy propose in respect of the public services are (1) the removal of all racial bars and (2) recruitment in India and England for services for which recruitment in England only is permitted at present. These changes will be a concession to the Indian demand that has been voiced from the Congress ever since its birth. It will not serve any useful purpose to refer to the past history of the exclusion of Indians from the superior services. The declaration of policy gives us a hope for the future and we are now concerned more with what the services are going to be than what they have been. No one minimises the record of the Indian Civil Service. From its inception that Service has comprised earnest and ardent workers of Great Britain and the Indian Empire of to-day is a production of Great Britain in which they have had a considerable, if not the main, part. Judged from our point of view their labours have not been altruistic, but incidentally, while they have worked for their own country, they have helped us to ideas of freedom and liberty, of nationhood and political rights, which I treat as acquisitions of the greatest value for the up-building of that India which is our dream to-day and we hope will be our realization to-morrow. No question of gratitude arises in this as we have paid heavily for what we have received. It would be unjust to construe our demand for a larger share in the Services as denoting any hostility towards the members of the Services. The changes proposed in respect of the public Services are merely steps towards the restitution of our rights and it is a gratifying feature of the changes that in the future there is to be between the official and the non-official more of partnership and less of dictation. The Royal Commission of 1912 had recommended that 25 per cent of the superior posts of the Indian Civil Service should be recruited for in India but Mr. Montagu and Lord Chelmsford have raised the proportion to 33 per cent and this percentage is to be increased by $1\frac{1}{2}$ per cent annually until the periodic Commission is appointed which will re-examine the whole subject. This means that if the periodic Commission comes at the end of 12 years the proportion of recruitment in India at the time will be a little more than 50 per cent. The method proposed is ascending. Our complaint that we have been shut out from practical experience of the problems of administration is acknowledged and it is towards the remedying of that defect that racial bars are to be removed and recruitment in India is desired. I for my part welcome the proposed changes for they, while assuring to us our purpose, do not carry with them the dangers of abruptness.

The Army.

The policy concerning admission of Indians into Military Service has been enunciated by Mr. Montagu and Lord Chelmsford in a spirit of sympathy towards Indian aspirations. The refusal to provide military training to the Indian people justly laid the Government open to the charge that their motive was to keep the Indian, down—in order to rule them. It is gratifying to note that the angle of view on Indian questions is changed and the policy of keeping India in a state of degrading subjection by emasculating her people is altered. The promise of King's Commissions to Indians is a happy augury of the good time to come.

The Non-official British Community.

We have no quarrel with the non-official British community, nor do we desire to have any. Under the changed conditions if responsible Government is really

established in the land our attitude towards them should be of cordial friendliness for, whatever conflict there may be between interest of individuals, it would be in the higher interests of India that the co-operation of all inhabiting the land must be sought and secured. Towards the Anglo-Indian community our attitude must be equally friendly. Their position is peculiar in the economy of India and when a Government resting on the wishes of the people comes to be established the duty of protecting small communities will devolve upon those that are numerically superior. I am looking forward to the day when the Anglo-Indian community will feel that its interests are not different from the interests of the Indians and will drop that aloofness from us which unfortunately at present characterizes its attitude. We are asking for a free India and a necessary condition of such an India is the blending together of the large and small communities into one united nation. The unification of all interests is the task before us and lovers of the country no doubt realize that this is not the time, nor the occasion, to quarrel amongst ourselves. Those that are not in the fold must be brought into it. On the subject of social relations Mr. Montagu and Lord Chelmsford have given to all parties words of advice that we may all well take to heart. It would be useful to quote here the words of the illustrious authors of the report. "If there are Indians who really desire to see India leave the Empire, to get rid of English officers and English commerce, we believe that among their springs of actions will be found the bitterness of feeling that has been nurtured out of some manifestation that the Englishman does not think the Indian an equal. Very small seeds casually thrown may result in great harvests of political calamity. We feel that, particularly at the present stage of India's progress, it is the plain duty of every Englishman and woman, official and non-official, in India to avoid the offence and the blunder of discourtesy and none the less is it incumbent on the educated Indian to cultivate patience and a more generous view of what may very likely be no more than heedlessness or difference of custom".

Conditions of the Problem.

Leaving aside historical survey of the past, facts have to be faced whether by British statesmen or by us. Macaulay has said: "Of all forms of tyranny I believe that the worst is that of a nation over a nation" and "the heaviest of all yokes is the yoke of the stranger." That is as true now as in the days of Macaulay and his observation applies as much to India as to any other country. To deny that India feels the yoke of the stranger is to shut one's eyes to fundamental facts. The apologists of British rule in India have asserted that the presence of the British in this land has been due to humane motives; that British object has been to save the people from themselves, to raise their moral standard, to bring them material prosperity, to confer on them the civilising influences of Europe, and so forth and so on. These are hypocrisies common to most apologists. The fact is that the East India Company was not conceived for the benefit of India but to take away her wealth for the benefit of Britain. The greed of wealth that characterized its doings was accompanied by greed for territorial possession and when the transference of rule from the Company to the Crown took place, the greed of wealth and lust of power abated not one jot in the inheritors, the only difference being that tyranny became systematized and plunder became scientific. The people know it, they feel it, and they are asking for a reparation for the incidents of the past. If, as in the language of Mr. Asquith, the Empire is to be for us worth living in,

as well as worth dying for, that reparation must be made. The plea, to resist our demand, is put forward by short-sighted people that India is not yet educationally fit. They ignore the fact that it is not in literacy that the knowledge of one's rights lies but in that intuitive capacity which is God's gift to all races. We are told that the educated Indian is removed from the masses and between them there is no bond of sympathy to unite them to a common purpose; that the educated Indian is not capable of representing his less fortunate brethren; that the interests of the uneducated classes can be best administered by the British officials. The charges against us are unjust calumnies and the claims of the bureaucrat to represent the masses are arrogant assumptions. After more than a hundred years of uncontrolled sway over India the British administration in this country is not able to show a greater result in the spread of literacy than about six per cent. of the population. Those that have kept the people in the darkness of ignorance are the very people who lay claim to the entrustment of the people's interest to them. It is we who have been crying for more education and it is they that have been trying to retard mass education. It was our representative Gopal Krishna Gokhale that introduced the Primary Education Bill and it was the bureaucrat that threw it out. It is we who have been trying to broaden the political basis and it is they who are trying to narrow it down. The interests of the rulers and the ruled have been not only apart but widely divergent. To the advocates of the patriarchal system of sheltered existence we raise our warning finger to point out the importance of facing facts. For India to remain within the Empire she must be freed from an unwholesome tutelage and unless she is accorded a place of honor and of dignity alongside the self-governing units of the Empire, what is now a source of profit will assuredly turn into a source of peril. The present war has revealed the importance of cohesion, and unless that cohesion means to India her uplift, it is idle to expect her to work for an Empire in which her position is base and degrading. The sense of the unity of sentiment and consciousness of the identity of interest that now pervade all classes can not now be checked and Indian progress can not any more be resisted, and wise statesmanship dictates that in dealing with India Great Britain should adopt the noble policy of helping India to rise to the full stature and dignity of a Self-governing member of the British Empire.

Brother delegates, I have in this address to you purposely refrained from indulging in generalities, for I felt that I could more usefully engage your attention with the consideration of the reform proposals than abstract discussion of political philosophy. I have not dealt with every detail of the reforms but I have tried to touch upon, in brief, the more important of the proposals. The subject itself is vast, the atmosphere in which it has to be discussed has to be calm, heat has to be avoided, rhetoric has to give place to sound reasoning. To my countrymen I say "Press your demands forcefully and insistently and if you are not heard now, your cause being righteous you will prevail in the end". And to the great British nation I commend the warning words of their great liberal statesman, Lord Morley: "If Imperialism means your own demoralization, if it means lowering your own standard of civilization and humanity then in the name of all you hold precious, beware of it."

Bande Mataram.

**ALL INDIA-
MOSLEM LEAGUE.**

SESSION, 1917.



Welcome Address

of

Mr. ABDUL LATIF AHMED,
CHAIRMAN, RECEPTION COMMITTEE.

CALCUTTA,

December 30th, 1917.

(11)
Brethern of the Moslem League, Ladies and Gentlemen,

I do not use the language of conventional formality when I say that I feel extremely flattered by the compliment that has been paid to me by the Reception Committee of this Session of the All India Moslem League, in electing me the chairman of the Committee. I need hardly say that I feel proud to be accorded the high privilege of welcoming on behalf of Bengal, and Calcutta in particular, such distinguished and brilliant representatives of the leaders of political thought in Moslem India. Next to being called upon to occupy the Presidential chair, I look upon the honour which has been bestowed upon me as one of the highest in the gift of the community and I am all the more grateful to my friends that they have been kind enough to make me the fortunate recipient of such a reward at so early a stage of my political career. I feel overpowered by a sense of diffidence at my own incapacity for the great task which has been entrusted to me, but I hope that the same kindness and indulgent consideration to which I owe this exalted honour will also animate my brethern whom I am addressing, in overlooking my faults and shortcomings in the discharge of the onerous and responsible duties entrusted to me to-day.

Brethern of the Moslem League, on behalf of the Mussal-
mans of the Bengal Presidency in general, and of the city of
Calcutta in particular, I beg to offer you a hearty and sincere wel-
come to this city. On their behalf as Chairman of the Recep-
tion Committee, I also offer my heartiest thanks to all who have
taken the trouble to come here to take part in the deliberations
of the All India Moslem League, and I particularly offer my
thanks to all my brethern who have travelled long distances at
great personal sacrifice, discomfort and inconvenience. It is be-
cause there are men in our community who will not hesitate to
make such sacrifices that we see gathered here to-day the best, the

noblest and the highest representatives of the intellect of Moslem India of the present day. It is a matter of the utmost gratification to every Mussalman who has the good of his community at heart that such a representative gathering of Mussalmans from different parts of India is possible even under adverse circumstances, for these gatherings are the surest indications of the success of those activities for which the All India Moslem League has become conspicuous amongst the representative institutions of this vast continent as the staunchest champion of the rights and privileges of the Mussalman community in India. There can be no doubt that these gatherings are amongst the surest indications that the labours of the League have not been in vain, and that through the blessing of Almighty Providence the work which the League has undertaken will be productive of the utmost benefit to the community.

Brethren of the League, in welcoming you to our beloved city, I cannot boast that it has any attractions to offer to lovers of antiquity or the student of historical research. Calcutta is after all a modern city, and has grown up with the growth of the British rule in this country. It is essentially a handy work of a few generations of Englishmen who have laboured to build up a centre of trade and industry which, in the rapidity of its growth and its marvellous developments, bears eloquent testimony to the unrivalled constructive genius of the British race. But I think I may well maintain that Calcutta has also got its own claims to your attention, more varied though less sentimental in character than the older cities in other parts of India. I think that its very modernity must be a welcome change to gentlemen coming from older cities, for I feel that, while amidst the surroundings and ruins of vanished glory you can only derive inspiration by recollections of the past, in a modern city like Calcutta you are stimulated to exertion and activity by a hopeful outlook into the future. For those to whom a contemplation of

the past glories of the Islam brings mournful recollections, the stress and turmoil of modern Calcutta brings home the lesson of the supreme necessity of honest work and earnest endeavour as essential requisite in any programme of work for the regeneration of our community. Viewed in this light, a visit to Calcutta can hardly be looked upon as having been in vain, or without its object lessons. The bustling activity on all sides of modern conditions of life brings home to the mind the stern reality of the doctrine of the survival of the fittest, which Indian Mussulmans are so apt to forget, but which is the one lesson of all which they ought to lay deep to heart.

Brethern of the League, my heart almost breaks when I am reminded of the fact that in welcoming you to Calcutta I cannot claim that we are welcoming you to the metropolis of British India. Our city has fallen from its high position which it occupied on that score, but it still continues as before to be an epitome of all India in consequence of the diversity of races living here. I do not think I will be far wrong when I say that members of the League from different parts of India will find numbers of their own countrymen amongst the heterogenous population of this vast city. I sincerely hope that our brethern of the League will find themselves at home, at least in coming across their own people from their own respective provinces. It is true that Calcutta some times called the "City of Palaces", but Mahomedan Calcutta after all has a much humbler prospect from the point of view of wealth and affluence. We cannot boast of any merchant princes like those in Bombay, or the magnates of Lucknow, and hence there can be no wonder that our hospitality is also poor; but I can assure our brethern that the will to offer our services for their comfort and convenience has not been wanting, and true to Islamic traditions, we have placed our little all before them and have tried our best to make their stay amongst us pleasant and comfortable. If we have failed in any degree in

our efforts, we confidently look up to all our brethern to overlook our shortcomings.

Brethern of the Moslem League, my joy at your presence here is tempered with unspeakable sorrow on account of the sad and depressing circumstances under which we meet to-day. The vacant Presidential chair expresses our feelings far more eloquently than I can do. I believe that for the first time in the history of all representative gatherings, the present audience has been compelled by force of circumstances to hold deliberations with a vacant presidential chair. The history of Moslem India during the past few years has been full of many surprises, but I assure you gentlemen, that this has been the most cruel, the most poignant and the most heart-rending of all. I grieve for the absence of Mr. Mohamed Ali, not merely because he was our President-elect, but also because he has all along been one of the sturdiest champions of the Moslem cause in India. I grieve for Mr. Mohamed Ali, for I feel that his absence from the Presidential chair to-day is the result of an act of despotism and unreasoning autocracy on the part of our rulers, which has cast a slur upon the fair fame of the British rule in India. I grieve for Mr. Mohamed Ali, because at a moment when the most vital questions of constitutional reform are being discussed from all points of view, his absence from our midst has been the greatest possible disaster to Moslem interests. I grieve for Mr. Mohamed Ali, because at a moment when the most vital questions of constitutional reform are being discussed from all points of view, his absence from our midst has been the greatest possible disaster to Moslem interests. I grieve for Mr. Mohamed Ali, because he was one of the most trusted, and most intrepid of our leaders, and we can ill afford to be deprived of his sage counsel and sober guidance at this crisis in the history of our community and our country. I grieve for Mr. Mohamed Ali, because I firmly believe that he has fallen a-victim to misrepresentations and mischievous

reports of the Criminal Intelligence Department, for no other reason than being a true Mussalman and a fearless exponent of the progressive ideals of Islam. I grieve for Mr. Mohamed Ali, because his absence from our midst to-day is a studied insult to the feelings and sentiments of the loyal Mussal-
mans of India. I grieve for Mr. Mohamed Ali, because the refusal of the Government to release him inspite of our repeated prayers and entreaties is an act of unparalleled high handedness on the part of our rulers, which is sure to rouse discontent amongst the peaceful members of our community in India. I grieve for Mr. Mohamed Ali, for I feel that he is at the present moment suffering an unjustifiable and unmerited incarceration whereas the Crown of glory should have adorned his head as a reward for his unselfish labours on behalf of his community and his country.

But, gentlemen, while I grieve so much for Mr. Mohamed Ali, and feel the keenness of our loss on account of his enforced absence from our midst, I grieve still more for the blundering self-sufficiency of those officials who seem to be bent upon pursuing a policy which stands condemned by the unanimous opinion of all the leaders of political thought in India. We are all human and liable to make mistakes, but we can hardly lay claim to any sense or reason if we continue acting in defiance of the unanimous and unmistakeable opinion of the public in general, or persist in adhering to a course of conduct about the error of which there is a perfect unanimity of all shades of opinion. Whatever may be the differences of opinion about other matters of public interest amongst the various sections of the Indian people, I think I am right in saying that there is a perfect unanimity of opinion on the question that the internment of Mr. Mohamed Ali is wholly unjustified. Within the last few months there have been public meetings all over the country denouncing the internment of Mr. Mohamed Ali and all

other leaders in the strongest terms, and still Government persist in defying all this volume of opinion in a spirit of autocratic high handedness of which even the Russian Czar would possibly have been ashamed I wonder how these officials, who seem to be so utterly impervious to public opinion and public criticism, can lay claim to any of those qualities of which the British people are often so proud. For the fair fame of the British people themselves I am sorry, for these Englishmen whose blind career of autocracy in India has brought discredit on the British Government and branded the British nation in the eyes of the whole of India. The interned Moslem leaders will survive the injustice that has been done to them, but I doubt very much if the prestige of the British administration will survive the shock it has received by these ill conceived and narrow minded acts of a set of officials who ought to have known better and whom experience, if nothing else, should have taught the inestimable lessons of prudence, caution and statesmanship.

And this leads me gentlemen to the subject of the interment of Moslem Leaders in general. Azad, Mohamudal Hasan, Hasrat and many others of the trusted leaders of our community have been taken away from us by the machinery of what I consider to be one of the most cruel and unjust enactments that has ever been in force in this country. I maintain that these interments are wholly illegal and unjustifiable, as being based on orders which have been passed under an arbitrary and unjust law. The War has been responsible for many anomalies, not the least remarkable of which is the Defence of India Act. The executive in this country were long on the look out for powers by which they could readily pounce upon their victims without the risk of their actions being challenged in a Court of Law. The War

gave them their long looked-for opportunity. A Bill, intended primarily for the defence of the country against the enemies of the King, was rushed through the legislature, but no sooner did the Bill become law, than this supposed measure of defence was utilised as one of the most terrible means of offence. The Executive took full advantage of the authority given to them under the Act by ruthlessly depriving the unoffending citizens of their liberty. No formal charges were brought against them, no definite accusations made, the accused were not even given a chance of clearing their conduct while mere suspicions based on the report of an irresponsible C- I. D., were enough to wrest a man from his friends and his family.

As in the case of the operation of the Press Act, the Mussalmans were again singled out for the special mark of executive favour. Within the three years of the passing of the Act, almost every one of our honoured and trusted leaders have been taken away from us. I do not wish to dwell on the case of all the inteaned leaders, but I will certainly make a passing reference to only a few of them. The case of our President elect Mr. Mohamed Ali, comes naturally uppermost in my mind. The story of his internment has been told from so many hundreds of platforms that it will only be a waste of time to repeat the same melancholy story over again. I will therefore only refer to the reasons given by the Government for detaining him in custody. An interpellation in the Viceroy's Legislative Council by the Hon'ble Mr. Jinnah elicited the austounding assertion that the order of internment was justified on the ground of Mr. Mohaned Ali's sympathy with the King's enemies. Although the Government did not care to specify who these enemies of the Government are, we have no difficulty in finding out that by these enemies Government means the Turks. Now;

gentlemen, the attitude taken up by the Government with regard to the internment of Mr. Mohamed Ali directly raises the issue whether an expression of sympathy, or even the promotion of that sympathy with our co-religionist in trouble, is such a serious offence as to merit internment under the Defence of India Act. Mussalmans all over India have considered this question, and whether the answer is palatable to Government or not, there is now no ignoring the fact that every sincere Mussalman adheres to the opinion that such sympathy is not in itself any sufficient ground for an interference with our liberties under the Act. Mussalmans have answered the question, and have declared from hundreds of platforms and in hundreds of thousands of voices that every genuine and sincere Mussalman does feel sympathy for the Turks in their present troubles. Of course, if any one were to translate this sympathy into action, and be guilty of any act of sedition or disloyalty, the case would of course be quite different; but so long as the Mussalmans keep within the bounds of loyalty and due allegiance to the Crown, I do not think the Government has a right to quarrel with their opinion in this matter, any more than it can take exception to their religious tenets or articles of faith. It is time that Government were to take note of this considered opinion of the Moslem community and cease persecuting people for the sake of their personal opinion.

I next pass on to the case of Moulana Abul Kalam Azad for whom Bengal, not to speak of the rest of India, has been mourning for nearly two years. The family of the Moulana has been domiciled in Bengal for nearly half a century, and its members always made it the mission of their life to impart religious instructions to the people. Like his father of revered memory, the Moulana also had devoted himself solely to the life of a teacher and preacher of Islam.

For politics he never cared, and so far as I am aware, he never allowed himself to be dragged into it. His activities were mainly confined to the compilation of works on religion, and imparting religious instructions to his disciples. But the all knowing C. I. D., suddenly discovered that his presence here in Calcutta was dangerous, and the order immediately went out demanding that he should remove himself bag and baggage from Bengal. People were horrified at this order, but there was no help for it and the Moulana had to obey. A memorial signed by over 70,000 Mussalmans of Bengal was sent to the Government for the cancellation of the order. To the credit of the Government of Lord Carmichael, be it said that His Excellency was disposed to accede to our prayer and permit the Moulana to come back to his peaceful avocations. But, unfortunately, before this order of cancellation could take effect, the Behar Government intervened and passed orders for the internment of the Moulana on the alleged ground of treasonable correspondence with the King's enemies. The voice of criticism had to be hushed for the moment in the face of the enormity of the alleged offence, but the Moulana immediately repudiated the charge and challenged Government to prove the accusation in a court of Law. This challenge has not yet been taken up by Government, while insults were heaped upon him by offering him a pittance by way of allowance and putting restrictions on his movements which interfered with his attending the Mosque for offering his *Isha* and *Maghreb* prayers. We all know how the Moulana met the situation. He declined to accept the allowance, and he has been attending the Mosque regularly to say his prayers in defiance of the orders passed by Government.

The case of Moulana Mahmudal Hasan stands on a par with that of Moulana Azad. Throughout his life he has

been a recluse, and his activity either religious or political, had never been at all pronounced. We have not the means of knowing what secret intrigue he was carrying on, or what seditious doctrines he was preaching to his disciples, for we are not in the confidence of the C. I. D.; but all we know is that by nature and temperament he is not a man who could have got himself entangled in any revolutionary movement against the established Government of the country. While on his way home from Mecca, it was suddenly discovered by the C. I. D., that he was dangerous to the safety of India, and he was accordingly arrested and removed to the prisoners of War Camp at Malta, where he has been rotting in internment ever since. In his case also, neither any definite accusation nor any attempt to justify the action taken by Government has been made. It is rumoured that in deference to public demand, the Government are going to restore the respected gentleman to liberty. If so, it is a matter of sincere gratification. Let us hope that in this case at least, the wrong done will at last be rectified.

Gentlemen, I cannot pass on in silence over the case of Mr. Hasrat Mohani who has given singular proof of courage, devotion to duty and honesty of purpose of which every Mussalman ought to be proud. He is another of those brilliant leaders of our community who by sheer merit, strength of character and steadfast devotion to the cause of the country and the community, have covered themselves with undying glory and renown. At a time when the whole of Moslem India was filled with bitter feelings of hostility towards the Hindus, it was he who dreamt the dream of a Hindu-Moslem unity and persisted in teaching the doctrine of co-operation with the advancing communities of India for the common good of our mother land. Like many other leaders it was not long before he was interned.

Restrictions were placed on his movements, but he refused to admit the legality of these restrictions on the ground that they were passed under an Act which he did not admit to be either just or proper. He purposely disobeyed the orders passed against him, and was prosecuted and placed on his trial. When brought before the Court, he freely admitted having broken the conditions imposed upon him under the Defence of India Act, and instead of defending himself, he expressed his willingness to go to jail rather than recant his conduct. He was sent to jail at Faizabad; and then came one of the most touching episodes in his life. His health broke down in the Faizabad jail, and his wife sent a petition to Government praying that he might be transferred to Aligarh Jail, where the climate suited him better. His wife also submitted that she was too poor to pay for the Railway fare from Aligarh to Faizabad and that if Mr. Hasrat were kept at Aligarh, she would be in a position to see him frequently and render him whatever services were permissible under the Jail Regulations. She never for a moment prayed that her husband might be released. Gentlemen, you will be horrified to learn that the prayer of this unfortunate lady was summarily rejected by the benign Government of the United Provinces. At the present moment, it is a familiar sight in that part of the country to see Mrs Hasrat in almost the tattered robes of a beggar-woman covered by a *borka*, leading her little daughter by the hand and wending her weary way from Aligarh to Faizabad to see her husband in Jail. Gentlemen, if you have tears of blood, this is the time to shed them. To the eternal credit of Hasrat and his wife be it said, that they are as firm and unyielding as ever. All honour to this brave and courageous lady who has set an example of wifely devotion, courage and fortitude of which the woman-kind of India may well be proud.

Gentlemen, I could go on recounting other instances and adding to the tales of the sufferings of our leaders in exile and in Jail, but I hardly think it necessary to do so. These are melancholy chapters in the history of our community, and I doubt very much if they redound to the credit of the British rule in India. But apart from the illegal and highly arbitrary character of this policy of internments, I wonder that our rulers do not recognise the fact that an unrestricted career of repression is hardly consistent with the gratifying message of hope of the 20th August last which the pronouncement of the Imperial Government seeks to convey to the Indian people. The words of that announcement are still ringing in our ears and only serve to add to the keenness of our disappointment at the failure of our efforts to release the interned leaders of our community. Let us hope that our rulers will yet learn and remember that it is never too late to mend, and that by an early cancellation of these orders of internment will make amends for the injustice and wrong done to the Mussalman community. The release of these leaders will come as a balm and a solace to the afflicted hearts of the millions of loyal Mussalmans and is the only effective means of bringing about that calm political atmosphere, which the Viceroy desires, should prevail in India.

Gentlemen, we cannot begin our deliberations at this session of the All India Moslem League without being reminded of the fact that the year which is just coming to a close is destined to mark an epoch in the history of India. The pronouncement of the Imperial Government dated the 20th of August to which I have already referred, is one of the most weighty and solemn declarations of policy which the Imperial Government has made from time to time relating to the constitution of the Government in this country. Ever since the memorable day when Lord Macaulay speaking

from his place in Parliament on the occasion of the passing of the Charter Act of 1833 uttered those memorable words about the growth and development of political consciousness in India; all the communities in this country have been anxiously looking forward to the redemption of those solemn promises which our rulers have repeatedly made for the political emancipation of the Indian people. "It may be," said Lord Macaulay, "that the public mind of India may so expand under our system as to outgrow that system; that our subjects, being brought up under good Government, may develop a capacity for better Government; that being instructed in European knowledge they may crave for European Institutions. I know not whether such a day will ever come, but when it does come, it will be the proudest day in the annals of England." To the credit of our British rulers in India it must be said that in spite of occasional blunders and even grievous mistakes, they have steadily pursued a policy of generous sympathy and helpful guidance in directing our activities into well ordered channels of a steady and progressive political development. Following on the declaration of policy in 1833, our rulers in India flung open wide the gates of the Temple of Knowledge and Indians began to drink deep and with avidity of the fountains of Western learning and culture. Through more than half a century, Indians were nurtured on the vivifying food of English constitutional freedom, and through the pages of history, our countrymen were brought face to face with the struggles and triumphs of the English people in their progress towards the attainment of constitutional liberty. Macaulay foresaw the day in his almost prophetic vision, but the day came much sooner than either he or his contemporaries ever contemplated. And no wonder that it was so. English constitutional history is replete with inspiring examples of courage, devotion and

sacrifice, courage tempered by caution, devotion leavened by sobriety, even partizanship softened by large hearted charity, and all subordinated to the one predominating ideal of a readiness to sacrifice self in the solemn cause of the love of country. We would have been unworthy of ourselves and of our preceptors, we would indeed have been something less than human if, with our souls stirred to their inmost depths and our warm Oriental sensibilities roused to an unwanted pitch of enthusiasm by the contemplation of these great ideals of public duty, we did not seek to transplant into our own country the spirit of those institutions which have made England great amongst the liberty-loving nations of the world. And we, the Mussalmans of India, would also have been unworthy of ourselves and unworthy of our past traditions if the rousing call of England to liberty and emancipation had failed to receive a responsible echo in our hearts. For a time indeed, Mussalmans were apathetic to western education and maintained an attitude of sullen indifference to passing events. But the heart of democratic Islam could not long remain unresponsive to a call which it had been her own privilege to raise in Europe when the Western nations themselves were mute and dumb, and when it was the Mussalmans alone who were trusted repositories of the treasures of knowledge and culture. From the platform of the Indian National Congress, India first raised her voice for constitutional freedom, much like an infant crying for the light. The cry grew in volume and intensity as years rolled on, till at last the greatest political organisation of the Mussalmans of India—our own, our cherished Moslem League lent its voice to swell the national cry. No earthly power could resist such a cry, coming deep from the inmost recesses of millions of hearts. The resolutions of the Congress and the League were hardly more than a few months

old, when the Imperial Government made the epoch-making pronouncement of August 20th which we all hope is a pledge for the final political emancipation of the Indian people.

And this gentlemen, brings me to the important question of constitutional reforms, about which so much has been said, and whose discussions have brought down so much unmerited obloquy on the devoted heads of the members of the All India Moslem League. It was in November last that, by a joint consultation of representatives of the All India Congress Committee and of the All India Moslem League, the scheme of reforms were formulated which is now known as the Congress-League scheme of reforms. The scheme was presented to the Indian National Congress and the All India Moslem League at Lucknow just a year ago, and was considered and accepted by both these political organisations. It was then published and distributed broadcast all over India, and not a single voice was raised in dissent either as regards the principles or the details of the proposals underlying the scheme. After the pronouncement of the 20th of August and the announcement that the Secretary of State would visit India, a number of Mushroom political organisations grew up all over India, and they arrogated to themselves the high privileges of suggesting schemes of reforms for the future Government of India. It is quite certain that but for the declaration of the Imperial Government about Self-Government in India, and the announcement of the Secretary of State to visit this country, all these political prophets would have remained in the seclusion of their homes, and there precious proposals and schemes would never have seen the light of day. The temptation of getting an opportunity of shaking hands with the Secretary of State was too much for most of these leaders to resist, and they set about devising ways and means to

accomplish their cherished end. They well knew that no interview would be granted except to those who claimed to represent one or other of the various schools of political thought in this country, and they accordingly set about formulating schemes to be put forward before the Viceroy and the Secretary of State to serve as passports for their cherished interview with these representatives of our Sovereign. A wholesale copy of the Congress-League scheme would not however have served their purpose, for in that case they would have been told to come through the gates of the League, gates which alas! they knew would open to only one magic "open Sesame" namely, acceptance of the creed of Self-Government for India; but these were words they could not utter. Devoid of any power of making any suggestions of their own, they had to fall back on the Congress-League scheme as a basis of operation, but variations in that scheme were necessary in order to give their proposals an air of originality. This is the reason why our critics, while dissociating themselves from the Congress-League scheme, have invariably taken our scheme as their guide and model, and in most cases have copied wholesale passages from it *verbatim*. This will be evident from a comparison of our scheme with every other that has been presented on the question of constitutional reforms. Imitation, gentlemen has always been regarded as the sincerest form of flattery, and we think that in freely copying from our scheme, our critics have really paid us a compliment of which we should all be justly proud. Far from bearing any animus towards our critics, I think we should offer our hearty thanks to all our opponents who have borne unconscious testimony to the value of our suggestions and have unwittingly subscribed to the dominant principles underlying our scheme of constitutional reforms.

And this leads me, gentlemen, to a consideration of the scheme of reforms itself. It has been said that in voting for constitutional reforms we have imperilled the interests of our community in India, and have betrayed the trust which had been implicitly laid in us by our community. It has been argued that the best policy for the Mussalmans would have been to pursue a policy of political inaction, and some have even gone the length of suggesting that it was the bounden duty of the Mussalmans of India to oppose constitutional changes which might have the effect of undermining the power and influence of the beauracracy in India. This specious *Kalema* of political notation has been sought to be preached by so many false prophets that I would crave your indulgent leave to examine it a little closely.

Gentlemen, the world has grown older and wiser by more than half a century since our leaders, headed by Sir Syed Ahmed Khan, advocated for the Mussalmans of India a policy of total abstention from politics. I am not going to sit in judgement over our great leaders of the past, but I will certainly venture to say that a policy like the one advocated by Sir Syed Ahmed and his colleagues more than half a century ago, can hardly be held applicable for all time and to all circumstances. Even the great Sir Syed himself had to modify his own views in his own life time: At a meeting held on the 10th May, 1866, at Aligarh, Sir Syed in a deliberate speech, said :—

“It is with great regret that we view the indifference and want of knowledge evinced by the people of India with regard to the British Parliament. *Can you expect that body to take a deep interest in your affairs if you do not lay your affairs before it?...* There are many men now composing it, liberal in their views, just and virtuous in their dealings, who take a deep interest in all that affects the welfare of

the human race. To excite this interest, however, it is necessary that the requirements and wishes of that portion of mankind on whose behalf they are to exert themselves be made clearly known to them. Their interest and philanthropy once excited, you may feel assured gentlemen, that the wants of the Jew, the Hindu, the Christian or the Mahomedan, of the black man or of the white will be attentively studied and duly cared for. India, with that slowness; so characteristic of Eastern races, has hitherto looked on Parliament with a dreamy apathetic eye, content to have her affairs, in the shape of her Budget brought before it in an annual and generally inaudible speech, by Her Majesty's Secretary of State for India. Is this state of things to continue, or has the time now come when the interests of this great dependency are to be properly represented in the governing body of the British Nation? It has come, gentlemen, and I entreat you to interest yourselves for your country. The European section of the community in India, now grown so large, have set on foot an association in London with branch associations in India, in order to have Indian affairs, and the wants and desires of all classes of her inhabitants, brought prominently to the notice of Parliament; *but unless the entire native community out here co-operate with them, place funds at their disposal, and take such measures as may conduce to place the scheme on a permanent basis, the opportunity will be lost, the natives of India will be unrepresented, and you will only have yourself to reproach when in after-years you see the European section of the community enjoying their well-earned concessions, whilst your wants remain still unmet.*"

"I am afraid that a feeling of fear that the Government or the District authorities would esteem you factious and discontented were you to inaugurate a measure like this, deters you from coming forward for your country's good. Are the Europeans thought factious and discontented? Believe me, that this moral cowardice is wrong, this apprehension unfounded; and that there is not an Englishman of a liberal turn of mind in India who would regard with feelings other than those of a pleasure and hope such a healthy sign of increased civilization on the part of its inhabitants. *If you will only show yourselves possessed of zeal and self-reliance, you are far more likely to gain*

the esteem of an independent race like the English than if you remain, as you now are, apathetic and dependent. The actions and laws of every Government, even the wisest that ever existed, although done or enacted from the most upright and patriotic motives, have at times proved inconsistent with the requirements of the people or opposed to real justice. The natives have at present little or no voice in the management of the affairs of their country, and should any measure of Government prove obnoxious to them they brood over it, appearing outwardly satisfied and happy whilst discontent is rankling in their minds. I hope you, my native hearers, will not be angry with me for speaking the truth. You know that you are in the habit of inveighing against various acts of Government in your own homes and amongst your own families, and that you, in the course of your visits to European Gentlemen represent yourselves as quite satisfied with the justice and wisdom of these very acts. Such a state of affairs is inimical to the well-being of the country. Far better would it be for India were her people to speak out openly and honestly their opinions as to the justice or otherwise of the acts of Government."

Sir Syed then quotes from John Stuart Mill the following passage:—

"The rights and interests of every or of any person are only secure from being disregarded when the person interested is himself able and habitually disposed to stand up for them. The principle is that the general prosperity attains a greater height and is more widely diffused in proportion to the personal energies enlisted in promoting it."

Our respected leader then proceeds:—

"These principles, my friends, are as applicable to the people of India as they are to those of any other nation, and it is in your power, it now rests with you alone, to put them into practice. *If you will not help yourselves, you may be quite certain no one else will.* Why should you be afraid? Here am I, a servant of Government, speaking out plainly to you in this public meeting. My attachment to Government was proved, as many of you know, in the eventful year of the Mutiny. It is my firm conviction—one which I have invariably

expressed, both in public and in private—that the greater the confidence of the people of India in the Government, the more solid the foundation upon which the present Government rests, and the more mutual friendship is cultivated between your rulers and yourselves the greater will be the future benefit to your country. Be loyal in your hearts, place every reliance upon your rulers, speak out openly, honestly, and respectfully all your grievances, hopes and fears, and you may be quite sure that such a course of conduct will place you in the enjoyment of all your legitimate rights, and that this is compatible nay, synonymous with true loyalty to the State, will be upheld by all whose opinion is worth hearing.”

Gentlemen, I do not think a more eloquent testimony to the efficiency of political agitation could be forthcoming than is contained in the words of our great leader, and I am sure I would be guilty of reprehensible impudence were I to add anything more on this point. It is recognised on all hands that organised political agitation on constitutional lines is the only effective means for a just consideration of our rights and that a policy of political inaction would be utterly suicidal to the interests of our community. We must move with the times, or else we are doomed. But apart from all these considerations, I would ask you, gentlemen, to consider whether it would have been wise or politic on our part to maintain an attitude of stolid indifference to passing events, or to the political activities of the various communities in this country which have naturally been moulding the policy of our rulers in matters affecting the Government of this great Dependency. Even if we had remained silent, or worse still, even if we had taken up an attitude of active hostility towards the communities which have been agitating for reforms, I do not doubt that reforms would have come sooner or later, in spite of the attitude taken up by the Mahomedan community. It is a great mistake to suppose that the British people have any idea of governing India in the interests of any class or community, or that they will consent to sacrifice

the interests of the Empire at large by showing any special predilections in favour of any one class as against another. It is only natural that any policy they adopt in this country must be guided by considerations which have in view the interest of the Empire at large and it is these considerations which, and which alone, must always guide them in granting or withholding privileges. If, for instance, at any time our rulers have shown any desire to ignore agitations for political concessions, it is because in their judgment concessions would not be justified by reasons of imperial concern, and not because any particular community or communities may have been opposed to such concessions. Of course any opposition from any section of the Indian people must carry the weight which it deserves, but such opposition can never be the sole guiding factor in inducing our rulers in coming to a decision. Similarly, if our rulers think that certain concessions ought to be granted, we may be sure that these concessions will be forthcoming, irrespective of any opposition to the grant of such concessions which may exist in this country. I could illustrate my remarks by quoting numerous instances, but I would content myself with only a few recent cases. We all know that for long Mahomedans kept themselves aloof from all political movements, and it was an accepted political doctrine in India that the Mussalmans, as a community, were opposed to the demands of the Hindus. Yet in spite of our indifference, and even opposition, the Government of Lord Ripon made a big concession to the demands of the Hindus by introducing those beneficent measures of reform which have inaugurated the beginning of Self-Government in this country, and for which we all now cherish the memory of Lord Ripon in loving regard and veneration. Then gentlemen, when the Indian National Congress was started, the Mussalmans thought it wise to keep themselves away from it and they were known as opponents of this Institution which in its earlier days

was considered a purely Hindu organisation but it is the demand of the Indian National Congress which induced the Government of Lord Landsdown to make a beginning towards the expansion of our Legislative Councils, and the introduction of an elective element in these Councils. Be it remembered that in deciding upon this reform, Government had to ignore or at any rate had not the support or endorsement of the expressed opinion of the leaders of the Mussalman community. Hardly a decade had passed when we find a further expansion of the Legislative Councils, in deference to the demands of the Congress, and again unsupported by the endorsement of the Mussalman community. Then came, again within less than a decade, the Minto-Morley reforms which brought about the present expansion of the Legislative Councils and a real and effective recognition of the demands of the Congress for a non-official majority in the Legislative Councils, as also various other rights and privileges for which the Congress had been fighting for nearly a quarter of a century. These examples emphatically prove that political concessions have been granted to the Indian people, quite irrespective of the attitude taken up by the Mussalman community. I do not for a moment imply that these concessions have been made by our rulers regardless of the interests of any of the various communities in this country, but the point I wish to emphasise relates to the outstanding facts that the question whether any concessions are to be granted or not, quite apart from the manner in which these concessions are to be applied to the fabric of the Indian administration, has always been decided, and very rightly decided by our rulers in accordance with reasons of state and according to the particular policy which required that a particular concession should be granted or withheld. A glaring instance of what I mean was afforded by the reversal of the Partition of Bengal. Our brethren in Eastern Bengal were told that the Partition was a *settled fact* and they were induced, and

even encouraged to carry on an agitation for the maintenance of the Partition. Successive Viceroys and Secretaries of State, including even Lord Morley declared that the partition of Bengal would be upheld at all risk, even as much as the British would be prepared to uphold the British Empire in India. "The Mussulmans of Eastern Bengal" says Lovat Fraser "were told again and again by Ministers, by Viceroys, by Lieutenant-Governors, by all the officers of the new Province, that they would never more be placed under the dominion of Calcutta Bengalis. Under the greatest provocation they remained perfectly quiet for seven years, relying and implying upon British pledges." Speaking in the House of Lords in February 1912 Lord Minto gave his testimony on this point with his accustomed directness :—

"We told the Mussalman population of Eastern Bengal of our appreciation of their loyalty and our determination to safe-guard their interests. I should think there could have been scarcely a civil servant in India who had not declared that it would be impossible for the British Government to reverse the decision it had come to as regards the maintenance of the partition of Bengal."

Hardly any political leader in India thought, after all the weighty declaration of our rulers that the reversal of the partition of Bengal was within the bounds of human possibility. But what is the actual fact ? As soon as it suited Government to annul the partition, our rulers did not hesitate a moment to disown the declarations of the Government both of India, and at Home ! The pledge that had been solemnly given to our brethren of Eastern Bengal and repeated over and over again for six years was ruthlessly sacrificed in furtherance of what is called the Delhi scheme ! All the sturdy loyalty and the devoted

allegiance of the Mussalmans of Eastern Bengal were quickly forgotten, and our rulers did not hesitate to sacrifice them, like so many valueless pawns on the political chess-board; to suit the requirements of Imperial expediency. I maintain, therefore, that it is of very little moment or consequence whether Mussalmans take part in politics or not. The problems that arise in connection with the constitutional changes in this country must be answered, and if the Mussalmans do not furnish an answer or a solution themselves; so far at least as such changes affect their interests, the answer or the solution will be furnished by others. The Moslem League is a living protest against the policy of political inaction and the members of the League have decided after having learnt many a bitter lesson in the school of experience, that questions affecting the well-being of the community had best be decided by Mussalmans, and Mussalmans, and Mussalmans themselves

Gentlemen, I hope I have made out my point that a policy of political indifference could hardly have been justified in the light of the happenings in recent years. But apart from the question of advisibility or justification, I think it would have been extremely foolish on the part of the Mussalmans of India to range themselves in opposition to the forces of progress. Had we done so, we would only have covered ourselves with ridicule, without having advanced by one jot the interests of the community. We would only have found ourselves in much the same position as our Mussalman brethren of Eastern Bengal are after the reversal of the Partition. We had therefore to take it as a settled fact that the reforms were due and forthcoming, and the only question we had to answer related to the manner in which it was necessary to safeguard the interests of our community in any scheme of constitutional changes. For this purpose, the All India Moslem League issued notices all over India for Mussalmans to come and take part in the deliberations,

and at the Bombay session of the League a strong committee consisting of representatives from every province of India was appointed to draw up a scheme of constitutional reforms. This committee met a representative committee of the India National Congress in November 1916, and after a deliberation lasting for four days, a scheme of constitutional reforms was drawn up on the basis of a mutual understanding between the various communities in India. This is the much vilified Congress-League scheme which has been repudiated by many, but which has been followed, copied, endorsed and practically accepted by all.

Gentlemen, I do not wish to enter upon an elaborate discussion of this scheme, nor do I propose to defend the scheme or answer the adverse remarks of our critics. I firmly believe that as time goes on and people begin to take a saner and juster view of things, and to look at the scheme in its true perspective, all the objections to the scheme will disappear, and the voice of opposition will grow faint and few, and will be ultimately and finally hushed. But there is one point about the scheme on which much has been said in Bengal and I therefore think it necessary to say a few words in order to throw some light on the subject. It has been said that in providing for the representation of Mussalmans in the various Legislative Councils, our scheme puts the Mussalmans in a position of numerical inferiority, and the apprehension has been expressed that if our scheme is accepted, Mussalmans will only be at the mercy of a dominant Hindu majority. Now, a slight reflection will show that this criticism is unjust, in as much as the apprehensions expressed are wholly unfounded. It will be observed that according to our scheme, the Mussalmans in the Punjab will be in an absolute majority and in all the provinces except Bengal, the representation provided for Mahomedans is very much more than their numerical strength in the population.

In Bengal alone we have accepted a representation less than our numerical strength in population but we did so after careful thought and anxious deliberations. It is a matter of common knowledge that the leaders of all the non-Moslem communities in India have always been strenuously opposing the principle of communal representation. We have only to recall the persistent manner in which resolution after resolution has been passed at sessions of the Congress and at all public meetings in this country, All the distinguished leaders of the Hindu community, not to speak of others, had hitherto expressed themselves most strongly in opposition to the principle of communal representation, with the single exception of perhaps the late Mr. Gokhale who ultimately consented to tolerate this principle of communal representation as a necessary evil under the present political condition of India. The late Mr. R. C. Dutt from his place as a member of the Decentralisation Commission put on record a note of emphatic protest against separate representation of Mahomedans on local self-governing bodies, as being contrary to acknowledged policy of absolute neutrality as between class and class to which the British have pledged themselves in the Government of India. It is true that in the Minto—Morley scheme, the separate representation of Mussalmans forms an important feature of the changes introduced by the expansion of the Legislative Councils and it is also true that Lord Morley defended this principle from his place in Parliament as being not only justifiable but also fair.* But the fact cannot be ignored that the representation of Mahomedans hitherto recognised by Government is so hopelessly inadequate as to be practically ineffective and further, that there have as yet been no guarantee that this principle would be adhered to for any length of time, Having regard to the persistent agitation

against communal representation and the weight of opinion opposed to it, we thought that it was quite within the bounds of possibility that the separate representations of Mahomedans on public bodies might one day be suddenly taken away. Our leaders, therefore, felt that it was of the highest importance that a compromise should be arrived at on the basis of a mutual understanding* of the rights and duties of the various communities in India, so that a matter of such vital importance to our community may not be left entirely at the mercy of the caprices or the whims of British politicians. The All India Moslem League therefore gave an ultimatum to all other communities through the medium of the Indian National Congress that any demand on the part of an united Indian people must proceed on the basis of a common understanding and a common agreement between all, and that, in any case, the principle of the communal representation of Mussalmans in any scheme of self-government in India must be definitely and clearly recognised and amply provided for. After mature deliberations on the part of the leaders of non-Moslem communities, the conditions imposed by the League were accepted by the Congress, and it was on this basis that the committee of the League and the Congress set about working out a joint scheme of reforms. We might have worked out a scheme of our own without reference to the rights and privileges of other communities, and I admit that in such a scheme we might have asked for the lion's share of the prizes on behalf of our community. But in that case the scheme would not have been binding on the other communities and the controversy as regards the separate representation of our community would have remained wholly unsettled. - In such circumstances, it would have been open to the Government to recognise the principle or not, and even in case of recog-

nition, to have reduced our representation to an insignificant minority. Experience has shown that Mahomedan interests have seldom received adequate representation when left solely and entirely in the hands of the authorities. I have already referred to the inadequate representation of Mussalmans in the present Legislative Councils. In the Calcutta University, where the Government exercises the power of nomination to the unusually large proportion of 80 per cent, the representation of Mussalmans on the Senate does not exceed even 6 per cent. In the proposed amendment of the Calcutta Municipal Act, the representation which it is proposed to give to the Mussalman interests continued to be grievously neglected, until recently when our leaders adopted the modern and the more effective method of public agitation for securing recognition of our legitimate rights and claims. Our leaders in the Moslem League therefore very properly thought, that to leave the question of our communal representation within the pale of controversy would be extremely risky, and they accordingly thought it prudent to clinch the matter and come to definite understanding between ourselves and the other communities in this country. If the Moslems and non-Moslems had disagreed on the question of communal representation, either as to the principle involved or the details, the matter would necessarily have gone into arbitration by a third party, namely, the Government. Having learnt by past experience that the result of such arbitration has generally been disastrous to Moslem interests, we thought that it is better and wiser to leave no chance for arbitration at all. This is the principal merit of the Congress-League scheme of reforms, and our leaders thought that to secure the end in view we might even make some sacrifices.

But have we really made anything in the nature of a sacrifice? In the Punjab we have provided for an absolute majority, and in all the other Provinces the proposed representation is very much in excess of proportion in population. It is said that even with this excessive representation, Mahomedans are in a minority in all these Provinces, but our critics forget that there is a world of difference between a minority whose votes can effectively turn the scale on an important question, and a minority which is so insignificant as to be capable of being ignored and left out of calculations altogether. It is in Bengal that the acceptance of a representation of 40 per cent. has been most strongly criticised and the Congress-League scheme denounced in the strongest terms. Let us examine the position very briefly. It is provided that the Mussalmans will have a representation of 40 per cent. of the total number of Indian members, and when we remember that the remaining 60 per cent. would consist not merely of Hindus, but various other communities as well as the representatives of special interests such as Municipalities, District Boards, Universities, Landholders, Trade and Commerce, I doubt very much whether the Hindus themselves will have a representation of more than 40 per cent. Besides, there will be the Anglo-Indians and the whole body of officials in order to keep the balance even between contending communities, if perchance the expanded councils become the scenes of petty strife and party factions rather than trusted repositories of our national interests, I cannot conceive of Mahomedan interests being ever imperilled, except on the supposition of a combination of all the other elements in the Council against them. This, gentlemen, is a contingency which can hardly arise; and if it ever did arise, I should be disposed to think that the Mussalmans were in error on that particular ques-

tion, and a defeat under such circumstances can hardly be a matter of much concern. We claim that under the Congress-League scheme, even the apparent slightly inadequate representation of Mahomedans in Bengal can never be of real risk to the interests of the community, and a little reflection will show that all apprehensions on this score are wholly unfounded.

Gentlemen, I hope I have been able to show that we are in a position of advantage in the Congress-League scheme of reforms so far as the representation of our community is concerned, and that even in Bengal there is no risk under the slightly inadequate representation to which we have subscribed. At the same time, with all these advantages to ourselves, we have wrung from the important non-Moslem communities of India a formal acceptance of the principle of adequate representation of the Mussalmans in any scheme of reforms in the future Government of India. Far from the Congress having captured the League, the members of the Moslem League might as well claim that the League has captured the Congress. We claim that it is a great triumph for such a young organisation like the Moslem League, and it is a matter of very great regret that the community has not yet acknowledged or fully appreciated the achievements of the Moslem League in this direction.

Gentlemen, I have dealt at some length on the question of constitutional reforms, because I think that opinion of all shades and grades is now unanimous that for a patriotic Indian there can be no higher, no loftier, no nobler duty than working for the ideal of the political enfranchisement of India. To attain this end ought to be the highest aim and ambition of every Indian, and no sacrifices ought to be too great to enable us to reach this

cherished goal. When we remember the various and obvious defects in the present system of Indian administration; when we remember the untold oppressions that are being daily committed on simple and inoffensive people by the Police under a system which has been condemned by judges of all shades of opinion; when we remember the appalling poverty of the Indian masses which renders them an easy prey to devastating famines; when we remember the ceaseless economic drain which is sucking the life blood of the Indian people and rendering them an easy prey to visitations like plague, pestilence and famine—I cannot but feel that a system of Government which is mainly responsible for such a deplorable state of things and against which such severe indictments could be levelled, stands in need of urgent and speedy reform. I repeat that in my opinion no sacrifices can be considered too great to make to attain the goal of our ambitions. I therefore regret that some of our educated fellow countrymen have actually set themselves in opposition to the agitation for self-Government in India, and are doing their very best to render reforms distant, if not actually impossible. I have no doubt that our rulers will be in a position to discriminate between the false traitor and the true patriot, and our countrymen will not also be slow to recognise the essential difference between a genuine patriot and one whose sole business in life is to trade in politics.

Unfortunately, however, our efforts towards attaining any substantial measure of constitutional reforms are not free from difficulties. There are oppositions on all sides, not merely the veiled and secret oppositions of the bureaucracy whose vested interests are threatened and imperiled but also from a few sections of the population, in this country. The

case of those Indians who are playing the part of traitors to their country for the sake of base lucre or for other selfish motives, deserves only to be treated with the most unutterable contempt. Their motives will soon be exposed, and the country will know how to meet out condign punishment for such mean and base treachery. But there are others whose opposition has got to be reckoned with, and whom it is necessary to reconcile, in view of the influence which they are likely to exercise in the councils of our rulers. I refer to the opposition of the Anglo-Indian community. They claim that they are protesting against all impending reforms not so much in their own interests as on behalf of the voiceless millions of India for whom they seem to have constituted themselves trustees and guardians. It almost moves one to laughter to hear Anglo-Indian merchants like Sir Archy Birkmýre and Sir Hugh Bray talking of Indian peasants being in the position of their wards, for such a relation can only exist much in the same manner as the tender kid was privileged to enjoy the caresses of the generous lion in the story. Do our Anglo-Indian friends really want us to believe that they care a furthing for those unfortunate people out of whom they wring their millions of pounds every year, and who are starved to death in order to enrich European trades and manufactures? The manner in which the Anglo-Indian merchants have driven the Jute cultivators practically to the starvation points, and the oppressions committed on Indians in the Tea Gardens of Assam are a sufficient refutation of these preposterous claims of the Anglo-Indian community. I do not however deny that Anglo-Indians as a community have got their special interests which cannot be ignored in any scheme of reforms for the future government of this country, and the matter becomes quite intelligible if our Anglo-Indian friends discussed the

question from this practical point of view. Considered in this light, I would assure the Anglo-Indian community that we are not unmindful of their special interests, nor are we disposed to forget their contributions to the advancement of our mother country. We would ask them however to come forward and join us in our efforts for constitutional reform, and co-operate with us in working out a scheme beneficial to all the parties concerned and worthy of the great British Government under which we all live. To them I will take the liberty to repeat the appeal which was once made to secure their help and co-operation, by our esteemed leader Mr. Surendra Nath Banerjea :—

“In our efforts for the improvement of our political status, we feel that we may appeal with confidence to the sympathies of the Anglo-Indian community. They are Englishmen. By instinct and by tradition they are the friends of freedom. In regard to many, their interests in the country are permanent. In regard to many more, in view of the falling exchange, they are looking forward to making India their permanent home. Burke's well-known aphorism of the Anglo Indians of his day being “birds of prey and passage” is well-nigh an extinct tradition. Our interests and their interests are identical. Their political status is not a whit removed from ours. If they have more influence in the Government, it is due to sufferance. They cannot claim it as a matter of right. Any extension of our political privileges would benefit them as well as ourselves. Difference there will always be between the different sections of the same community, as there is in this country between Zemindars and ryots; as there is in European countries between capitalists and labourers. But we are essentially members of the same community, in the sense that we have common rights and common grievances, and that it is our duty to stand shoulder to shoulder to remedy our grievances and to promote our rights. We are all interested in the development of our manufactures, and we all know what pressure is brought to bear upon the Government here—sometimes masked under the guise of philanthropy, sometimes less

thinly veiled to interfere with the growth of our manufacturing industries. Here, as in other matters, united we stand, divided we fail."

Gentlemen, I cannot leave this subject of the impediments in our way without making a reference to one of the most regrettable incidents which have disturbed the peace and harmony between the great communities of India. I refer to the Arrah riots and the unspeakable oppressions and outrages committed on Mussalmans in Arrah and various other parts of Behar by a band of ruffians calling themselves Indians and claiming to belong to a community which has hitherto done so much for the dissemination of nationalist ideas in India. No true son of Islam can refer to these outrages except in terms of the strongest condemnation, but in my opinion these Arrah incidents are far more deplorable from the nationalist point of view. These Arrah riots have done the greatest possible disservice to the nationalist cause, and has supplied a plausible argument to our enemies for opposing the cause of constitutional reform. Fortunately the Mussalmans as a community have kept their heads cool and met the situation with the utmost sanity, moderation and sobriety, but there are unfortunately men in the community who are not disposed to look very much beyond the present, not to speak of far into the future. It is no exaggeration to say that these Arrah riots have tended to scare away a Mussalman from sympathising with the agitation for constitutional reforms, and has had a marked effect in weaning away a large number of enthusiasts from active participation in the cause of reforms. The most regrettable part of the whole affair has been the attitude of the Hindu leaders in adopting a policy of *Laissez faire* in this matter, and practically refraining from denouncing the authors of these horrible crimes. In the name of humanity itself, if nothing else, every civilised Indian ought to denounce

such unprovoked oppressions on defenceless men, women and children, but a higher duty rested on our Hindu fellow countrymen to mark their disapproval of a course of conduct on the part of their co-religionists so utterly subversive of all the canons of peace and good will between the two communities. I cannot leave this painful reference to these Arrah riots without putting on record the strongest condemnation, of this assembly, of all the dastardly deeds of which the rioters have been guilty. I cannot conceive of anything more fatal to our aims and aspirations than these occasional outbursts of misguided religious frenzy and bigotry. In the name of an indignant Moslem League whose aims and aspirations they have compromised, in the name of an awakened Indian Nationalism whose dearest interests they have imperiled, in the name of the Hindu community whose fair fame they have sullied, I emphatically denounce the awful crimes of which Hindu rioters have been guilty at Arrah and other places.

Gentlemen, it is sad to think that while the task before us is so onerous and difficult, obstacles should be thrown in our way, knowingly or unknowingly, by our country men as the goal gradually comes into view. Difficulties and obstacles are bound to increase and it requires all the courage, all the forbearance and all the statesmanship of which our leaders are capable, to win their way to ultimate the success. The League has already introduced a new spirit into the community and infused a new enthusiasm into our people, but it has yet to bring together the scattered elements of a vast and diversified population, to weld them into a compact and homogeneous whole so that it may vibrate with the new born sentiments of an awakened nationality. Our leaders have to place before their country and their community lofty ideals of public duty and slowly to mould the national

character. They will have to content with oppositions from within. Above all, our leaders of the Moslem League have got to remember that they are the trusted custodians of the interests of seventy millions of their co-religionists in various stages of political development, and that every step they take must be guided by caution and deep political foresight. I have no doubt that the members of the Moslem League will, one and all, realise the full responsibilities of their position and learn to work in selfless devotion to the interests of their community and their country and in a spirit of healthy co-operation with the other great communities of India, so as to secure for their common mother country the speedy realisation of that responsible form of Government under the ægis of the British Crown which has now been authoritatively declared to be the final goal of British rule in India.

Brethren of the League, I have already referred to this year as an epoch making one in the history of British India—epoch making in the high hopes it had raised in the minds of the people; but I am afraid that it also seems destined to be somewhat epoch making in our disappointments. The announcement of Mr. Montagu's visit in connection with the question of constitutional reforms, following close upon the pronouncement of August 20th sent a thrill of exultant jubilation throughout the country. Mr. Montagu has come and is now very nearly at the end of his visit; and although the future of the question of constitutional reforms is yet open to speculation, the circumstances surrounding his official progress through the country have raised gloomy apprehensions in the public mind. The Indian Civil Service found an excuse to secure the presence of the Viceroy at the discussions that took place between Mr. Montagu and the various deputations on questions of constitutional

reforms, and it is no wonder that these discussions wore an almost official aspect. Free ventilation of real grievances was greatly hampered and I doubt if very many of those who were honoured with the so called private inter views really spoke out their mind. This is hardly a hopeful omen, but there are other reasons for real apprehension. It is now an open secret that Mr. Montagu was prevailed upon, if not actually compelled, to stay away nearly 1,000 miles from Calcutta during the National week, lest his liberal instincts might lead him to enter the portals of the Pandals of the Congress or of the League. Half our battle would have been won if Mr. Montagu could have had a personal contact with these national gatherings, and our enemies arranged matters to avert such a catastrophe. Let us hope that these effects of the reactionary atmosphere in India will pass away as soon as Mr. Montagu sets foot on English soil and once more breathes the free atmosphere of England.

Breathern of the League, Mr. Montagu may come and go but the tale of India's grievances goes on for ever. Our long list of disappointments in consequence of promises unfulfilled and pledges unredeemed seems destined never to come to an end. The repeal of the Arms Act; the repeal of the Press Act; the separation of Judicial and Execution functions; the question of Police Reform; the repeal of the enactments that enable the Executive to deprive law abiding subjects of His Majesty of their liberty, such as the Defence of India Act; these are amongst the most prominent of those matters of national concern about which the Congress and the League have been crying hoarse year after year. We raise our voice once more, in conjunction with that of the Indian National Congress, for the early redress of these grievances. At the present day the heart of Bengal is sore on account of the operations of the Defence of India Act in consequence of which more than

seventeen hundred Hindu youths are now interned in different parts of the country. It is true that the operations of this Act in Bengal have been confined mostly to the youths of the Hindu community, but Bengal Mussalmans can never be happy so long as their Hindu brethren are suffering from an afflicted heart. I hope Government will pronounce an early amnesty for all these youths and thereby allay the wounded feelings of millions of His Majesty loyal subjects in Bengal.

Brethren of the League, I cannot resume my seat without making a reference to two matters of a particularly painful character, both of which have cast a gloom over our hearts. I refer in the first place to the sudden demise of the late Mr. A. Rasul, whose untimely death under the most pathetic circumstances has been an irreparable loss to the Moslem cause in India. All the communities in this country, as well as the highest officials including His Excellency the Governor of the Presidency, have paid the highest tributes to his memory and I do not think I can usefully add to any thing that they have said. Mr. Rasul was one of those towering personalities who by sheer force of character seem born to command the respectful regard of every one they came in contact with. In the words of the poet :—

His memory long will live alone,
In all our hearts, like mournful light
That broods above the fallen sun,
And dwells in heaven half the night.

The next reference I make is regarding the safety of our Holy places. Only the other day, the fall of Jerusalem coming on the top of the happenings regarding Bagdad and other Holy places in Messopotemia, sent a chill through Moslem hearts, and spread a feeling of alarm throughout the Islamic World regarding the future of our Holy Places. We however hope that our benign Government will rigidly adhere to the promises held out to us regarding the safety and sanctity of our Holy Places, and that, whatever may be the result of military operations in Messopotemia, will allow all such places to remain in Moslem hands. We hope the Indian Mussalmans have fully justified their claims to a consideration of this character.

Gentlemen, I offer my heartiest welcome to that august lady, the mother of our President elect, Mr. Mohamed Ali, who

inspite of the infirmities of age and failing health, has undertaken a long and perilous journey in order to deliver her appeal to the community. Our heart breaks to think that our rulers could be so stonedead to the prayers of and entreaties of our community, and even to disregard the pitious appeals of an aged mother on behalf of her children. Only the other day telegraphic messages more than 30,000 in number had been despatched to Government for the release of our leaders, but all these appeals have hitherto been in vain. Even the prayer of Mr. Mohamed Ali for an interview with the Secretary of State has been refused. If our own hearts be full of overwhelming grief and sorrow, is it difficult to conceive the agonising feelings of a distracted mother for whom hitherto there has been no comfort or consolation of any kind? let us hope that the courage and fortitude, the intrepidity and energy she has shown will animate the hearts of the Mussalmans of India to make one more effort for the release of our interned leaders, so that the cause of justice and righteousness may be vindicated in the liberation of these victims of bureaucratic high-handedness and unjustifiable tyranny.

Gentlemen, I am afraid I have already detained you much longer than I had intended, or should have done; but I sincerely hope you will all pardon me. There are moments when one has to speak inspite of oneself, and when language, however imperfect and inadequate, affords the only means of relieving the fullness of an afflicted heart. In more respects than one, we meet today under exceptional circumstances. Apart from all our melancholy associations in connection with the fate of our President-elect and other leaders, we are being persistently reminded of the fact that we are now at the threshold of a great crisis in our fate. A prospect like this is enough to make the boldest heart quail, but we have the additional melancholy foredoing that our community as a whole do not realise the perilousness of the situation. In place of that Divinely inspired Unity, that singleness of purpose, courage, devotion, self-sacrifice and a hundred other qualities for which Islam alone has been a living-example for all the world, we have in our people today a perfect negation of all these qualities in the most superlative form. A house divided against itself; dissension and discord amongst our prominent men; moral

cowardice, mean and petty jealousies and a burning desire to put self before every other consideration seems to dominate the minds of many of us at the present day. It is a melancholy and sickening picture, but I am afraid it falls far short of the actual reality. Add to this, there are the innumerable difficulties and dangers in our way due to the peculiar political position of the Mussalmans of India. The participation, against England, of Turkey in the War put the final seal on our difficulties and created for us an embarrassing situation the seriousness of which is increasing day to day. The World has seen how the Indian Mussalmans answered the call to their loyalty and devotion, and the World will also Judge how their loyalty and devotion have been honoured and appreciated. We are about a fifth of the whole Indian population, but our contributions to the fighting forces of the Empire amount to very more than a third, only slightly less than an actual half. Of the nine Indian recipients of the Victoria Cross, so many as four were Mussalmans. And yet the stain of suspicion and distrust with which our enemies have been branding us continues to be a dark spot on the fair fame of our community, although we have not hesitated to wash it with our blood. If it is the Press Act which has to be put into operation, it is the Mussalman Journalists who are singled out as prominent victims ; if it is the Defence of India Act, it is our prominent leaders who fall an easy prey to its stringent and arbitrary provisions. We are indeed fallen on evil times, with dangers and difficulties compassed round. If ever there was the supreme necessity for unity, co-operation and self-sacrifice, there could not have been a greater opportunity than the present in the entire history of Moslem India. Let us hope that we will be wise in time ; and it is for the Moslem League to bring home to the entire community the necessity of sacrificing ourselves at the solemn altar of our duty to our community. Then and then only will the Moslem League have fulfilled its mission, accomplished its high destiny amongst the political organisations in India and covered itself with imperishable renown and everlasting glory. May the Almighty God bless our efforts and crown our activities on behalf of our community and our country with unqualified success.

Once more brethren of the League, I welcome you.