

# THE Servant of India

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## TOPICS OF THE WEEK.

IT is idle to hope that the present widespread unrest will be allayed by merely repressing agitation

which is an indication but not the cause of that unrest. The Government must devise healing measures, and the one which was pressed upon it with much insistence by the Liberal Federation is this—that at the end of the current term of the legislatures the next step in constitutional advance be taken, viz. that full provincial autonomy and control over the whole of internal civil administration in the Central Government be conferred upon the legislatures at the commencement of the next term. This demand was based upon the experience gained by the legislatures so far and on the rapid growth which has taken place in the national consciousness. That it was voiced by no less a person than Sir Sivaswamy Aiyer should itself be enough to show how eminently reasonable it must be. For the transfer of law and order he advanced arguments the force of which cannot be denied: that "if these departments are not administered with a due sense of responsibility the ill-success will recoil upon us far more than upon any other section of the community. We shall be quick to realise what we stand to suffer from a miscarriage of justice or failure of law. Nothing will better bring home to us a sense of responsibility with regard to those departments." If, again, as Pandit Kunzru said, an Indian member can be placed in charge of these departments in the United Provinces or in the Central Provinces without detriment to the public interest, surely an Indian Minister can be given charge of them anywhere. In the Central Government, too, the Government of India claims to administer all departments as if they were under

the control of the legislature; then if the legislature has shown, as is admitted on all hands, a due sense of responsibility, there cannot be any serious objection to converting what even now exists *de facto* into a formal enactment.

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IN opposing Mr. Hasrat Mohani's resolution for the declaration of independence, Mr. Gandhi said, "The

levity with which some of you have taken up this proposition has grieved me, because it shows a lack of responsibility. . . . Think fifty times before you take a step which will rebound not to your credit, nor to your advantage, but which may cause irreparable injury. Let us first of all gather up our strength, let us first of all sound our own depths, but let us not go into waters whose depths we do not know, and this proposition of Mr. Hasrat Mohani lands you into a depth unfathomable." If the delegates had exercised their minds on the resolution of mass civil disobedience with the care and circumspection which the Mahatma urged them to bring to the consideration of Mr. Hasrat Mohani's resolution, we are convinced that that resolution would also not have been passed. Mr. Gandhi asked the delegates with great effect: "Do you wish by voting for this resolution to rub off all that we did but an hour ago? Do our creeds sit so lightly on us that we may put them off and on at will like clothes?" These questions may also be addressed to the several prominent delegates, who just on the eve of the Congress declaimed against the dangers of mass civil disobedience, and who nevertheless voted for the one important resolution adopted by the Congress without as much as raising their dissentient voice. Surely, if the Congress had shown equal discrimination and firmness of principle in all its transactions, it would never have resolved on mass civil disobedience with the "levity," to use Mr. Gandhi's expression, which would have been unbecoming even if the resolution before it was one of formal thanks to the chair.

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It was believed by many persons that Mr. Gandhi's refusal to call off the *hartal* in order to make it possible to enter upon negotiations with the Government was owing to his strict adherence to principle which renders him ever unwilling to bargain for a settlement. Subsequent events have shown, however, that he was quite ready to bargain, only he asked for a higher price. He demands not only

that all the persons arrested in pursuance of the Government's new policy be released, but also that all those who have had to suffer imprisonment because of the Karachi resolutions be released with the others. If the Government agreed to this, he was willing to suspend the *hartal*. This shows that *hartal* is not a thing that cannot be suspended except at the sacrifice of principle, but the terms he put forward on that account were hardly reasonable. There is reason in saying that negotiations for peace cannot be undertaken with profit unless in a calm atmosphere, which can be induced only by both parties calling a truce to their activities while the negotiations go on; but it is obvious that in calling a truce neither party must seek to extract an advantage from the present *impasse*, which has made negotiations inevitable. If Mr. Gandhi can ask for the release of the Karachi prisoners on the ground that since then the atmosphere began to be disturbed, why cannot the Government in its turn ask for the cessation of the whole non-co-operation movement, since it can certainly argue that but for this movement there would not have been the Karachi trials? If one is to argue in this fashion one can never come to a settlement. It would have been quite intelligible if Mr. Gandhi had asked for the temporary release of the Ali brothers in order to enable them to take part in the negotiations, but there is no sense in demanding that the Karachi trials, which had nothing immediately to do with the present unrest, should be undone. We are afraid the attitude which Mr. Gandhi assumed on this occasion will not encourage Pandit Malaviya and others to have another try for a Round Table Conference.

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“Psychological Entanglements.” THAT the movement of civil disobedience which we now see in progress is not willingly undertaken by the non-co-operators as an essential part of their programme, but has been forced upon them by the egregiously stupid mistake of the Government will be plain from the following passage from Mr. Bepin Chandra Pal's article:—

The present movement of civil disobedience started simultaneously in the three provinces, U. P., the Punjab and Bengal, seems to have been forced upon the unfortunate leaders by the cruel entanglements of their position. One could not overlook these psychological entanglements in judging of the action of sober and experienced men of affairs like Pandit Motilal Nehru or Mr. C. R. Das or Lala Lajpat Rai. Mr. Gandhi, it is notorious, had almost positively declared himself against the adoption of civil disobedience just now. We read in a letter to the press sent by Lala Lajpat Rai on the eve of his arrest that the Mahatma had asked him to avoid arrest and imprisonment so far as he could, in the interest of the cause. But with the proclamation of Congress and Khilafat “volunteers” under the Crimes Act, Mr. Lajpat Rai as well as Pandit Motilal Nehru had either practically to close shop and commit political suicide or throw out a challenge to the Government by refusing to obey this order.”

It is small wonder that rather than commit political suicide they elected to give battle, although the ground of battle was not of their choosing.

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Responsiveness to Public Opinion. THE order of the District Magistrate of Poona prohibiting the picketing of liquor shops, issued as it was under section 144, Cr. P. Code, would have automatically ceased to be operative after the lapse of two months; but the Bombay Government evidently do not intend that picketing should revive so soon. They have therefore just issued a proclamation prolonging the life of the District Magistrate's order to six months! This has been done on the ground among, others, of danger to health. What on earth has picketing got to do with health? It certainly does not tend to bring about a deterioration in health; if anything it has quite the contrary effect. It will doubtless be interesting to know how in their superior wisdom the Government connect it with public health. But whether it is so or otherwise, we feel that the ban is quite uncalled for and unnecessarily provocative. Public opinion of all shades has condemned the District Magistrate's action as unwise and imprudent and demanded the repeal of his order. The Government's answer to it is not the withdrawal of the ill-advised step, but action quite the reverse of what was desired. Is that the way, we ask, to meet a genuine public demand?

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C. M. S. Decision as to Conscience Clause. A SPECIAL committee of the Church Mission Society, to whom has been referred the question as to what action should be taken by the Society if a conscience clause were imposed in India have submitted an interim report, which was tentatively adopted by the general committee on November 9. They recommend that no school or college can be continuously maintained after the introduction of a conscience clause except when “the number of abstentions during any two years shall not exceed twenty-five per cent. of the average attendance” without the express permission of the Parent Committee. They further recommend—

“That in the event of a conscience clause being introduced, the committee would feel themselves obliged to reconsider the question of continuing to maintain any educational institution if the conscience clause is in such a form as will throw upon the school or college the onus of obtaining the permission of the parents for the scholars to attend religious instruction.”

Now, of course it is for the mission bodies whose main object is proselytisation to determine what minimum degree of attendance will make it worth their while to continue to maintain their educational institutions. Non-Christians cannot have a say in this matter, but they may still plead for the whole question being decided on the basis of principle. If the need for preserving conscience inviolate is once recognised there must be no longer any objection to taking effective safeguards to that end and the most effective safeguard consists in granting exemption from attendance at religious instruction to all scholars whose parents do not signify their consent in writing to such instruction. The whole question is whether in the scheme of education in this country compulsion is

to be tolerated any longer in the instruction of any particular religion, and the answer to it must be a plain yes or no. It seems to be imagined by many that this question only affects Christian missions, and that what the people ask is that no non-Christian shall be made to receive instruction in Christianity against his wishes. Really the question is much wider, and the popular demand is that all religious instruction be given in schools maintained or aided from public funds under a conscience clause, even when the religion to be taught in such schools is one's own. We do not want for instance that in the Hindu (Benares) University Hindus or in the Mahomedan (Aligarh) University Mahomedans be forced to undergo instruction in Hinduism or Mahomedanism.

Heliotherapy  
again.

WE have already (in our issue of November 17, p. 501) drawn the attention of our readers to the Sun treatment of tuberculosis and its great success in the hands of Dr. Rollier at Leysin in the Swiss Alps. Unexpected corroboration comes to hand in an interview of Mr. Watts, the Quakers' Relief Works Officer in Moscow, as given in the *New Republic* of November 23rd. From this it appears that the Soviet Government, with its well-known meticulous care for the children of the nation, transfers any child of school age, if suffering from incipient tuberculosis, "to the Forest Schools of which there are thirty-two in Moscow alone, conducted by the City Health Department. There the children remain for six months while being instructed in those rules of living which arrest the preliminary stages of tuberculosis. The children at these institutions wear the barest minimum of clothing—loose fitting drawers—during the summer months to increase the area of the body which is exposed to the direct rays of the sun. They are kept constantly in the open air and the sunlight. The beneficial effect of such treatment is shown by the fact that despite the meagre rations, they improve rapidly in health and weight. In 1918, for instance, there was an average gain of 1.3 kilograms in six months; in the winter of 1919-20, 1.9 kilograms; and in the summer of 1920, 2.3 in the same period of time."

A Great Danish  
Discovery.

"LENS" in the *New Statesman* of December 3rd reviews a most important and recent book on this subject by Dr. Sonne of the Medical Light Institute, Copenhagen, from which it appears that the curative effect of a sun-bath is due to the heating of part of the blood of the patient, without raising the general body temperature. This explains the necessity of combined cold air with strong light in this treatment—a combination ready at hand of course in the Alps, Russia, &c. India in the cold season should offer ideal conditions; and so would of course the Himalayas. In fact, this latest scientific discovery seems to bear out the persistent belief in India from ancient times down to our day

of Rishis living amidst the everlasting snows, subsisting on sun and air! This story loses certainly a good deal of its fabulous character in the light of Dr. Sonne's researches; but be that as it may, the importance of these investigations for a country like ours, where the scourge of consumption is so dreadful, is self-evident. That tuberculosis is more rife among *purdah* women than amongst the rest of the population, has already been statistically established and the surmise has always been that the infection has something to do with the enforced non-exposure to light of these poor victims of a wicked custom. Now that the connection has been proved and explained, will steps be taken to make this sun-treatment available here and to educate generally our people to the paramount rôle played by the Sun in the hygiene, not only of the individual, but of society at large? And how long shall we have to wait for some capable Indian medical men to be sent for a post-graduate course to the famous (and still unique) Light Institute at Copenhagen? Until *Swaraj*??

Quinine.

THE Government has just issued a notification, raising the retail price of quinine at Post Offices, etc. from half an anna per ten grains to one anna. In this connection it may be remarked that all varieties of the cinchona tree (from the bark of which quinine is extracted) are represented in India. Plantations of cinchona were first started in 1862 at the initiative of the Government from seed introduced from South America, but since then private efforts on the part of tea and coffee planters have been responsible for some part of the increased production and consequent fall in price. The main areas in British India to which cultivation is now confined are the Nilgiri Hills, Coorg and the Malabar District in the Madras Presidency and the Darjeeling District of Bengal, the acreage in the two presidencies in 1913-14 being 2,452 and 2,200 respectively and for 1917-18, 1,189 and 2,514 acres. There are besides small areas devoted to the plant in Mysore and Travancore. *Cinchona ledgeriana* is the species mainly cultivated in Bengal, while *officinalis* is more frequently grown in Southern India. The whole of the cinchona plantations in Northern India belong to Government, while in Southern India all but 800 acres are in private ownership. The bark collected in whatever form is either exported or bought by Government. The chief products of the two Government factories at Neduvattam near Ootacamund in the Nilgiris (which supplies Government institutions only) and at Mungpoo in the Darjeeling District are sulphate of quinine, and cinchona febrifuge. It is obvious that these factories cannot meet the large internal demand for quinine from the malaria-stricken areas in India, although nearly 192,000 lbs. of quinine have been issued by the Bengal factory during the three years 1915-18. There is clearly a large opening for further extensions and the cheapening of so necessary a drug.

### THE LIBERAL VIEW.

IN the discussions now going on on the Government's present policy of repression one point often looms larger than others: it is whether the Government should have taken action in restraint of the activities of non-co-operators under the ordinary law or under special laws such as the Criminal Law Amendment Act and the Seditious Meetings Act. While we are not insensible to the objection naturally and legitimately felt to the use of Acts which the people have never ceased to condemn, we cannot help saying that in these legal disputations the really important question is apt to be obscured from the public view: viz. was there at all any necessity for restrictive action to be taken by Government? This broad question was thoroughly gone into by the Liberal Federation at Allahabad in the Christmas week, and, after a dispassionate examination of all the factors in the rather complicated situation, an opinion was recorded which will commend itself to all unbiassed persons. The question does not admit of an off-hand answer as many are but too ready to give. For it must be admitted that the position had really grown serious in certain places, *e. g.* in Calcutta. When Mr. Bepin Chandra Pal himself says that the volunteers there had made themselves utterly obnoxious to the general public and that if the Government had not adopted the measures they did, the people would have taken some occasion to show their deep resentment against them in some unpleasant manner, we may well believe that the situation had indeed become intolerable. Mr. Pal of course mentions these facts to show how extremely injudicious Government action was. But, injudicious as it might be, it could not be said to have been entirely uncalled for—in Calcutta. We are not considering here as to what shape the action should have taken; but solely whether no action of any kind was necessary, or rather whether it deserved the whole-hearted reprobation of the public if Government in these circumstances saw fit to take some action. But no manner of justification can be pleaded for what the Government did in the United Provinces and the Punjab, for example. Men like Lala Lajpat Rai and Pandit Motilal Nehru, Babú Bhagwandas and Mr. George Joseph were arrested there, and some of them sentenced to rigorous imprisonment. But one hears it said that these men, however worthy of respect in other ways, chose to break the law of the land in this instance and suffered punishment which must be inflicted on every one who takes that course. Surely, (we are told) in the presence of a movement of civil disobedience, the Government cannot sit with folded hands and let anarchy stalk the country. But what is ignored here is just this—that the Government, when it took measures under the two Acts, was not face to face with a campaign of civil resistance, as is implied in this reasoning. When such a movement is started, when a patriotic citizen is confronted with a choice between law and anarchy, there is no question as to the duty either of

the Government or of the citizens who wish to advance by an evolutionary process. But civil disobedience had not been decided upon by the non-co-operators when the Government resorted to repression; it was forced upon them by the very repression to which the Government had recourse. Therefore, instead of supplying justification for the measures adopted by the Government, it was, in point of fact, the direct result of those measures. Thus, it is not enough to argue that those who have suffered arrest or imprisonment have but met with their deserts inasmuch as they violated an order which the Government promulgated in the interests of peace and order, but we must go to the root question whether the order was in itself right or wrong, *i. e.* whether the conditions were such as to necessitate its promulgation. It is also possible to maintain that, whether the order was right or wrong, civil disobedience on the part of non-co-operators was not justifiable. But whatever view is taken of the action taken by the non-co-operators in answer to the Government's repression, the latter cannot be defended if it has no justification in the existing circumstances, merely because (which we assume for the moment) the subsequent action of the non-co-operators is a mistake. Therefore the circumstances of each province must be separately considered in order to find out what justification is afforded by them for the Government's new policy. This was done by the Liberal Federation, and they came to the conclusion that in many of the places to which the Samiti Act and the Seditious Meetings Act were applied there was no justification for the measures, and they had therefore no alternative but to condemn the repressive policy. Their condemnation was no doubt discriminate, but emphatic. The very terms of the resolution will show how carefully it was considered by the members of the Federation from all points of view.

Will the Government even yet revise their present policy? The policy was adopted because of the intimidation and violence that followed in the wake of *hartals* where the Prince of Wales went. The Prince's visit is now over in the United Provinces and Bengal, but repression is not yet at an end there. As many as a hundred arrests were taking place in Allahabad when the Federation was in session. Now, we ask in all seriousness, where is the justification for the continuance of measures which were adopted in view of certain circumstances, when those circumstances are now a matter of past history? There is no occasion there at the present time for *hartals* and consequently no danger of intimidation. The officials, we know, think they have got their answer pat: "Now civil disobedience is commenced, we must take all necessary action for the vindication of the law." This, however, is no answer. If the need for a certain repressive law has passed away, it must be withdrawn. Is it to be continued beyond its ascertained necessity and strictly enforced merely because some people have resolved to break it? The assertion of authority has a meaning only

when authority is exercised where there is need for it; it has no meaning when it is exercised for its own sake. Law, after all, is only a means to an end and not an end in itself, and certainly the end which it is meant to subserve cannot be the enmeshing in its toils of those who desire openly to break it. There is no need for the Government to anticipate the day when mass civil disobedience will be commenced, nor to feed it after it is commenced by providing fresh opportunities for its exercise. The Government should rather seek to make such opportunities as rare as possible, and therefore we think that it would be good statesmanship if it revoked the two laws whose application has raised a such storm and thus deprived the non-cooperators of a chance to carry on their movement. This year practically the only resolution passed by the Congress was regarding the non-compliance with these laws, for aggressive civil disobedience is not to be embarked upon immediately. It would thus not only be right in itself but highly expedient for Government to withdraw these laws and if it did so it would also be in a better position to deal with aggressive civil disobedience when it comes to be started.

#### WASHINGTON.—IV.

WE have tried to show last week that the present mentality of France is very much that of an elderly nobleman in much reduced circumstances who, like the Bourbons, has forgotten nothing and learnt nothing—forgotten none of his old pretensions and learnt but impotent rage against the *parvenus* of a changed age. The eighteenth century was that of Rousseau and Voltaire, of the "Rights of Man" and of the Great Revolution: all French from beginning to end. French thought at that time constituted indeed the high water mark of civilization and was truly leading humanity. To this supremacy in the world of ideas was added the supremacy of power: Louis XIV and Napoleon I. only express in the material world the already undisputed hegemony of France over the rest of a less cultured mankind.

We have already seen that the advent of the Machine Age in the 19th century completely shattered the position hitherto held by the French. "Science" is the new keynote of this age and the man who gave that impetus to the century was no longer French, but English: Darwin. Darwin (and John Stuart Mill) undoubtedly dominated the nineteenth century, as Rousseau and Voltaire did the century preceding. Leadership in human thought passed on to the British and it is not for nothing that the period is most aptly called after an Englishwoman: The Victorian Age. Transition from *le roi Soleil* to Albert's wifely Queen: there we have indeed an epitome of the history of the last two centuries. But it is not only in the realms of thought that France has been ousted from the first place. In material matters she was succeeded by the two Powers, to whose combined might that of Napo-

leon had to yield: England and Germany. England indisputably became the Mistress of all the Seas and General Provider of the whole world to boot; Germany became equally the undisputed "Supreme War Lord" on land and if only it had not been quite so successful in catching up England as General World's Provider, France would still be where she was in 1914.

However, there's been a war since then; and with the help of one of its bitterest enemies, France has now knocked the other one right down into the dust. We say "enemies", using the word from the French point of view. For before the War neither Germany nor England of course felt hatred for France. There was no need too; they had both been too successful for that in beating her. These things were not reasoned out, perhaps; they certainly were not expressed quite so clearly and unambiguously. But the fact remains that the whole world acted as if the glory had indeed departed from France; France was never looked upon as quite the equal of the three really big powers which dominated the world in the opening decades of the twentieth century—England, Germany, Russia.

Since then the crushing victory of the French Generalissimo, Foch, has indeed eliminated Germany—and Russia. The French then most naturally now expect to step into the place from where these horrible *boches* had temporarily ousted them. Meanwhile, the great and friendly trans-Atlantic Republic had leapt rather to the front; so, obviously, in French mentality the big powers of the world to-day are France (France always comes first, of course!), England, United States. One must understand the hyper-sensitiveness of this France, with its extraordinary national conceit and narrow self-sufficiency, to gauge her psychology to-day when, after all her sacrifices, all her victories, all her *finesse* she is brought up sharp at every turn against the stubbornness of the fact that if there are 40 million Frenchmen in the world to-day, there are also 80 million Germans.

Imagine, then, that a France such as this is invited to Washington. Mind you, not as *Prima Ballerina*, but as in the chorus: the stage being fully occupied by the three "stars"—America, England, Japan. Japan! *Mon, dieu*, had it really come to that that these *singes Japonais* should be treated as of greater importance than France, *la belle France*? Yet so it was: these three powers came together to discuss disarmament and once they had settled matters amongst themselves (as really big and businesslike people might), they turned to the "also rans" and said: "Now children, we have shown you how jumping is done—now you just go and show us what nicely behaved little people you are and how nicely you can imitate our style!"

This is not a fairy tale, but what really happened. Anybody who has not yet forgotten it will recollect how the Washington Conference was staged and opened with the lime-light on three nations and three nations alone: America, England and Japan. The Conference was to deal with

two sets of questions—Disarmament and the Pacific. Disarmament meant the reduction of Naval Armament on the part of America, England and Japan: for who else counted? The Pacific question meant a *modus vivendi* between America, England, Japan; for again, who else came into consideration? Of course you cannot have a play with only star actors. You must have all sorts of other people on and off the stage as well, to enable the three "stars" to set off their particular starrishness and so Italy had been asked to come too; and Portugal and Holland and China and Belgium; yes, quite so: and France.

The universal palan which a careful propaganda had succeeded in raising in the world's press about the heavenly wisdom of calling the Conference together, swelled louder and louder as Mr. Hughes planked down his trumps on the table and said: "Let's scrap the lot!" with refreshing and unexpected frankness. Enthusiasm, however, really knew no bounds, when England's spokesman—he of the philosophic doubt—immediately got up and, instead of any evasion, simply and engagingly smiled: "Ditto for me." Japan completed the world's happiness by adding: "Well, if you both think so—" Nothing remained now but for the rest to come on picturesquely and to sing that chorus which is always the prelude to the curtain. And so home, as Pepys would say.

Just then, however, something quite unrehearsed happened. For Monsieur Briand, who was to have been the leader of the chorus, came in instead in an awful temper and with a grimace said: "Don't you three silly big louts try to "little-man" me! I am not little, but big!! BIG!!! I have got the biggest army in the world to-day. And I'll keep it! Do you hear that? I'll keep it and add some more Senegalese to it as well. As for the Navy, you can scrap all the big ships in the world, for all I care. You don't want them, I don't want them, nobody wants them either, beastly obsolete expensive rubbish that they are. But I'll tell you one thing: in addition to the biggest army in the world I am going to have the biggest submarine and torpedo navy in the world too—so there! Put that in your pipe and smoke it, yah! "Little man, indeed!" And with that out he went, unmannerly little brat, slamming the door behind him, as loud as he could.

But, of course, the festive party was ruined, simply ruined.

### THE SUKKUR BARRAGE PROJECT.

THIS colossal irrigation scheme of harnessing the river Indus, near Sukkur in the province of Sind, has not attracted as much attention in this country as it deserves. It is the biggest irrigation scheme yet designed in India and calculated to irrigate twice as much area as by the Chenab Weir, in the Punjab, the greatest work of the kind hitherto constructed in India. The Assuan Dam across the Nile is mentioned by people in Europe and America as a great engineering feat, but it cannot

bear comparison with the proposed works which are estimated to cost about Rs. 19 crores. The scheme has been approved administratively and technically by the Secretary of State for India and is now awaiting the provision of funds. The details for financing it are also to be settled. The proposal to take the scheme in hand was discussed in the Legislative Assembly in September last and only two weeks after, in the Bombay Council. Mr. Shahani moved in the Assembly that the capital needed for the construction of the barrage and canals be raised without any delay, without mentioning whether it was the Central or the Provincial Government that was to raise it. On the Finance Member, Mr. Hailey, pointing this out, Mr. Shahani was content with the former's unmeaning assurance that the Government of India would do its best to assist the early completion of the work, but would not itself raise the capital required, leaving the question of finance solely to the Bombay Government whose province it was under the new constitution. Mr. Pahalajani moved the Bombay Council requesting the Central Government to assist with a payment of the interest, during construction, on the capital required for the scheme for the first nine years—amounting at compound interest to about Rs. 7½ crores—and a part of the total capital required, making in all Rs. 10 crores, as an investment in return for the indirect financial gains that are expected to accrue to the Central Government on completion of the scheme. The resolution was thrust upon the Bombay Council without due notice, and it was but natural that some members from Gujerat hesitated to give their approval without mature consideration. The proposition was, however, carried unanimously, as the Government gave its wholehearted support to it.

In order to understand the scheme and its importance to the province of Sind, it is necessary to know the physical aspects of the land and the manner in which the soil is made to yield the annual harvest. The soil of the province is alluvial and rich, in parts, one of the richest in the world, fit to grow long-staple cotton; but a very large area of it is lying waste, not because it is barren or rocky soil, but for want of water. The average rainfall there is only 6½ inches, and this too falls often at the wrong time and in the form of a cyclone. Sometimes for two or three years in succession no rain whatever falls in the province. The cultivation depends almost entirely upon irrigation from high canals, which receive water from the river Indus when it is inundated during the period from June to September. The river is worshipped as a deity, supplying the sole means of fertilizing the soil and supplying food to the entire population. With the water from the inundation canals, fed from the river when it rises, only 36 lakhs of acres are irrigated and cropped, out of 92 lakhs, the total cultivated area of the province. It is only due to lack of water—rain water or canal water—that the remaining 56 lakhs of acres remain uncropped,

though the productivity of this area is not at all inferior to the cropped area, acre for acre. In Sind, cropped area is almost synonymous with the phrase "irrigated area". The prosperity of the province depends not upon its annual rainfall, as in the rest of the country—for it is ordained here by nature to be insufficient for the crop—but upon the quantity of the water from the mighty Indus that man's ingenuity can divert and utilize. Inundation canals existed long before the British occupation in 1843, and were much improved since then; some perennial canals too have been dug and brought into use, but their number is small and the irrigational scope very limited.

The scheme provides for throwing a barrage across the river, about three miles south of Sukkur and cutting canals on both banks above it. The river, in its course through Sind, offers only three points—Sukkur, Kotri and Jurruck—sufficiently stable for locating permanent head works necessary for perennial canals, Sukkur being the northernmost of the three. The barrage will be built below the Sukkur Gorge, which is about 200 feet deep, and there is no possibility of the river above it changing its course and deserting the barrage. "The barrage is a vast bridge built across the river permitting the flood to pass through unchecked; but when the river inundation falls, then from the arches of this bridge there will be dropped immense gates which will then hold up water to a certain height (12 feet) and divert it down the great canals that will take off from above this barrage." The canals will be about 180 to 200 miles long, and five in number, three from the right bank and two from the left, and will flow full of water throughout the whole year. It is estimated that an area of 53 lakhs of acres will be perennially irrigated therefrom, 20 lakhs (out of 36) being those already under partial irrigation and the other 33 lakhs being new ground to be brought under crop and irrigation for the first time. All these will receive an unfailling supply of water for a double harvest—*Kharif* and *Rabi* or monsoon and winter—in place of the present precarious supply for a single harvest. The additional quantity of food-grains that are expected to be raised is estimated at no less than the colossal figure of about  $5\frac{1}{2}$  crores of maund (Bengal). The total value of the product of a single crop from the 36 lakhs of acres under the precarious water supply, at Rs. 30 per acre, is at present Rs. 10.8 crores. After the scheme is in full working order, the estimated yield of the two crops will be Rs. 31.3 crores, i. e. nearly three times the present yield, 53 lakhs of acres yielding Rs. 50 per acre, and 16 lakhs (which will not be affected by the new works) Rs. 30 per acre. Every year, then, will be created an additional wealth in the province to the extent of Rs. 20.5 crores, or more than the capital value of the works. The net additional land revenue to the State is estimated to be about 2 crores, thus bringing in a return of 10% on the capital of 19 crores, or even 20 crores. With the three-fold increase of wealth in the province, trade

is bound to increase and the State will get additional revenue (1) from income-tax (2) from customs duty in Karachi due to increase of population and of consequent increased consumption of articles and (3) from net railway profits. These three are estimated to be Rs. 40, 60 and 13 lakhs respectively per annum, but a very cautious estimate may not put it down at more than 50 lakhs, all told. According to the present method of apportionment of revenue between the Central and Provincial Governments, this latter revenue of 50 lakhs will go to the Central and not to the Bombay Government, which is expected to pay the whole cost of the scheme. It is in order to rectify this anomaly that the former was by the resolution of Mr. Pahalajani asked to make a contribution towards the capital cost.

The works will take 11 years to construct. During the first six years there will be no revenue. From the seventh to the end of the ninth year there will be some increasing revenue, and it will only be at the end of the twenty-first year from commencement (i. e. say in 1943) that the full revenue will be derived. It is intended to raise the whole capital required by instalments of 2 crores annually for nine years and there will be a very heavy loss of interest during the period of construction and up to the time the net return of increased cultivation overtakes the increasing interest. It is calculated that in the six years the interest alone will exceed a crore a year and that a total of six crores will be the interest charges spread over the period of nine years; or if we take it at compound interest it will be  $7\frac{1}{2}$  crores in all. It is in return for the minimum gain of 50 lakhs a year which the Central Government is expected to get from increased income-tax and customs etc., when the scheme comes into full operation, that it is asked to contribute this  $7\frac{1}{2}$  crores as its contribution to the scheme. The 50 lakhs will perhaps be doubled in amount eventually. The resolution asks for this  $7\frac{1}{2}$  crores and an appreciable part of the cost i. e. a further sum of  $2\frac{1}{2}$ , or 10 crores in all, from Delhi.

What is the attitude of the Central Government to this large demand of the Bombay Government, asking it not as a free gift but as a business proposition? Mr. Hailey was very clear in his reply to Mr. Shahani's resolution on the 23rd of September last. He said: "We have large commitments in regard to raising money. . . . We have in the first place outstanding a very large amount of Treasury Bills—over 40 crores at present. . . . Then again we have a large number of unbacked paper currency notes. . . . We have maturing loans which upto and including the year 1931-32 total altogether 116 crores in India and further liabilities during the same period to the extent of 15 crores in sterling obligations. . . . There is new Delhi which we are told will cost something like eight crores of rupees. Then there are the requirements of railways" which are now almost settled at Rs. 30 crores a year for the next five years, only a small

part of this being met from railway profit. He further said: "It is a Bombay project, and it must be financed by Bombay. . . . If the demand is that we should provide the money from central finance, then, I oppose it." Besides it is, no doubt, true that if such assistance, be offered once to Bombay for any one project, it cannot be reasonably refused to the Punjab and the U. P. which have such schemes in contemplation or in hand. During the current year the revenue is not expected to come upto the budgetted figure and the actual expenditure is expected to exceed the estimates, chiefly on account of the low exchange. Taking all the circumstances into account it does not seem possible that the Central Government, full of anxieties as it is for its own finance, will come forward to the assistance of Bombay in respect of this scheme.

Bombay has already launched upon the Development Scheme, which is estimated to cost 36 to 37 crores; of this 9½ crores have already been raised in the open market and 5½ advanced by the Central Government. Why cannot then Bombay raise an annual sum of 2 crores only for nine years for such a very attractive and profitable scheme, and which is calculated to add greatly to the prosperity of the province of Sind which has a serious and reasonable complaint against the presidency proper? If we can raise crores and crores for railway, development, hydro-electric and insurance schemes, surely it should not be difficult for us to raise 19 or 20 crores distributed over a period of nine or ten years. Immediately on the morrow of the apportionment of finances, it does not look decent or business-like for a province of the dignity of Bombay to go with hat in hand to Delhi for assistance for a scheme which holds forth such bright prospects both for the State and the 35 lakhs of souls in Sind. The project was with the engineers for the last 10 or 12 years and should no longer be delayed, now that it is approved by the best of them. The zamindars and cultivators are both crying for water and they should no longer be ill-treated as they have been in the past. They live at present on the borderland of poverty due to unsatisfactory water supply, while plenty of water is running to waste to the sea past their door. It is but right that the presidency of Bombay should rise equal to the occasion and launch upon a scheme that will be a source of future happiness and prosperity to millions of people.

A. V. THAKKAR.

## COMPULSORY EDUCATION.

### ITS EARLY HISTORY IN PRUSSIA.

OF all the countries in Europe which propounded the idea of Compulsory Education and legislated for the same, Germany (rather Prussia) stands first. Even so far back as 1518, over four centuries back, Luther, the great religious reformer, cried out that the condition of the Church was deplorable, that the peasants knew nothing and learned nothing, and that the foreigners regarded the German people as

barbarians and bestial. He declared that education ought to be based on the following principles:—

1. He regarded education by parents as the basis of all social improvement, as the very foundation of the political order.

2. He proclaimed that inasmuch as a large number of families could not or would not provide themselves for the education of their children, it was the duty and the interest of the State to supplement this deficiency. In his discourse addressed to the Magistrates of all the towns in Germany, he says it is absolutely necessary that there should be public teachers.

3. He lays down the principle that instruction should be made obligatory. "I affirm," he says, "that the authorities are bound to force those who are under their control to send their children to school."

In the sixteenth century, the intellectual life of Germany obtained a firmer basis than even before. But in the next century that nation received a great setback in its prosperity—moral and material—on account of the thirty years' war (1618 to 1648). It is said that during the first half of the seventeenth century Germany lost two-thirds of its population by war, famine and pestilence. The great Reformation remained as a landmark and in nine parts out of ten the life of the German people had to be begun anew. The Prussian Monarchy was established in the beginning of the eighteenth century, and it was during this century that a general system of public education was founded. The name of King Frederick the Great (1740-1786) will in this connection ever remain conspicuous in the history of the world. In 1763 he promulgated a code of general school regulations which are remarkable, considering the date of their composition. The following are some of the chief provisions:—

1. In the first place, it is our pleasure that all our subjects . . . whose duty it is to educate the young, shall send their children to school, boys and girls, when they reach the age of five years, and shall keep them there regularly till they are 13 or 14, and know not only what is necessary of Christianity, fluent reading and writing, but can answer the questions that may be addressed to them from the school books prescribed and approved by our consistory.

2. Masters who are compelled by the exigencies of labour to employ young children, are seriously advised not to withdraw such children from school until they can read well and have laid a good foundation in Christian knowledge, and have made a beginning in writing. A certificate to this effect must be produced from the pastor and school-master.

3. If children by their own aptitude or by the attention of the teachers are sufficiently advanced in the various studies before they attain their 13 or 14 year, even then their parents or guardians shall not be at liberty to withdraw them from school at their own pleasure, but only when the superintendent or the inspector on a testimonial from the pastor, and a certificate from the master that the scholar has acquired a sufficient knowledge, shall have issued an extraordinary permission based on the above testimonial. Such children must attend the repetition lesson on Sundays given by the pastor in



the church, and also that given by the master in the school on week days.

4. As in many places parents do not send their children to school in summer on the plea that they want them to mind cattle, magistrates shall see that a special herdman is engaged for this purpose, rather than allow the children to be kept from school for this purpose. But where, as in our provinces of Westphalia, and other places, the houses are too far apart for the cattle to be minded together, one child after another, if there are several in a family or neighbourhood, shall attend to the herds so that each child shall attend school three times a week, that they may not lose in the summer what they have learnt in the winter.

5. In order to establish a definite rule with regard to summer and winter schools, it is our pleasure that winter schools be held every week day from eight to eleven o'clock in the morning and from one to four in the afternoon, except on Wednesday and Saturday afternoons. The winter schools must be kept open from Michaelmas to Easter; but the summer schools shall be open only in the afternoon, or if more convenient to the locality, in the evening for three hours every week day. No holiday shall be given, not even during harvest time.

6. On Sundays, besides instruction in the catechism and the repetition lesson of the pastor in the church, another repetition lesson shall be given by the master in the school to unmarried persons. Instruction shall be given partly in reading and partly writing. Reading should be from the New Testament or some other edifying book. In places where the schoolmaster is not at the same time sacristan, he must sing with the children in church either in the morning or the afternoon, hear them recite the catechism, and ask them easy questions from this book. If he is not experienced in catechizing, the pastor should write down for him the questions he is to ask in order that the parents who attend the service may, in this manner, be edified as well as their children.

7. Prescribes the fees to be paid.

8. Parents too poor to pay for the schooling of their children, and orphan children, must petition the magistrate, patron, minister, or church council for an allowance from any fund that may be at their disposal that the schoolmaster may get his income, and teach the children of the poor and of the rich with equal fidelity.

9. Every year, on the Sunday after the feast of St. Michael in every parish in town or country, a school sermon shall be preached on the subject of Christian education. After this discourse, and an earnest exhortation from the minister, a collection shall be made in behalf of village schools, especially for the purchase of school books for poor children.

10. All parents, guardians and others responsible for the education of young children who neglect to send them to school shall still be obliged to pay to the teacher the regular fee and if, after an earnest exhortation of the minister, they do not send their children regularly to school, then the magistrate of the town shall direct legal proceedings to be taken against them, and they shall be fined.

11. Schoolmasters shall receive from the register of the church or the town in which they are engaged a list of all children of school age that they may know who ought to be at school. They shall also keep a register in which are inscribed (1) the name and surname of the scholars; (2) their age; (3) the names of their parents; (4) their residence; (5) the date when they enter school; (6) the lessons they study and so on.

12. As good masters make good schools, it is our earnest wish that one and all who have the right of appointment should take heed to bring only well qualified persons into office as teachers and sacristans. A schoolmaster should not only possess the necessary attainments and skill for the office of a teacher, but he should be also an example to his scholars, and not destroy by his conduct what he

builds up by his teaching. He should guard against every thing which might give offence or temptation to parents or children. Above all things he should endeavour to obtain a true knowledge of God and of Christ, feeling that they are entrusted with their office by God, and in it have an opportunity by diligence and good example not only to render the children happy in this present life, but to prepare them also for eternal happiness.

13. Though we do not intend to interfere with the privileges of the nobility and other patrons to select and appoint their sacristans and teachers, yet at the same time our consistories by means of the superintendents and inspectors must see that no incompetent or immoral teachers be continued in office. All teachers are forbidden to keep taverns, to sell beer or wine, or to engage in any other occupation by which the children may be led into habits of idleness or dissipation, such as hanging round taverns, or playing music at dinners and balls.

14. Provides for the examination of teachers.

And 13 other regulations.

AN EDUCATIONALIST.

## SELECTIONS

### MR. KUNZRU'S ADDRESS.

#### STRONG CONDEMNATION OF REPRESSIVE POLICY.

##### CRIMINAL LAW AMENDMENT ACT.

I WILL not dwell on the causes of the present discontent as they are familiar to you all. But it has assumed a new phase of late. The tension has become much acuter owing to the disbandment of the Congress and Khilafat volunteers, under the Criminal Law Amendment Act, Part II, in a majority of the provinces. The task of the Government in maintaining law and order in these days is undoubtedly difficult. The avowed object of the non-co-operator is to bring all authority into contempt and collision with Government is his favourite method of action. And some persons, influenced by the subversive doctrines which he preaches, have been guilty of acts which, in the interests of society, it is impossible to tolerate. Government are, therefore, entitled in a measure to the sympathy and co-operation of all peaceful and law-abiding citizens in discharging their primary duty of enforcing respect for authority. But did the necessities of the case require that the entire volunteer movement should be declared illegal and enrolment as a volunteer of the Congress or Khilafat Committee visited with penalties? The volunteers have at times been instruments of political or social tyranny. Picketing as admitted by Mr. Gandhi himself has not always been limited to moral persuasion and *hartals* have not always been wholly voluntary. But howsoever unpleasant the volunteers may have made themselves and however unlawful their doings at times, I am unable, in the light of such facts as have come to our knowledge, to admit the justification for the action taken against them as a body almost throughout India. The authorities have every right to proceed against individual volunteers guilty of violating the law. Their punishment may be necessary in the public interest, but this is no reason for proscribing the entire body pretty nearly everywhere. Besides, it has to be remembered that neither picketing nor the bringing about of *hartals* is *per se* unlawful. To declare them as such in an indirect manner can scarcely be regarded as a fair use of power. A stronger objection, however, arises when we consider the purpose for which the Criminal Law Amendment Act was originally intended. It was designed to put down revolutionary societies which carried on their activities in the dark and used the bomb and the assassin's dagger to achieve their object. A special law had to be passed to suppress them as the societies being secret Government found it impossible to obtain sufficient evidence to proceed against them. The volunteers obviously stand on a different footing: and public opinion which has throughout opposed the

retention of the Criminal Law Amendment Act on the statute book cannot approve of its application to them.

#### IMMEDIATE CAUSE OF THE STEP.

The circumstances in which Government adopted the new policy seem to prove the general soundness of this view. An attempt has been made, especially by Sir Harcourt Butler, to make out that the past record of the volunteers and the general trend of their activities left a patient Government no alternative but to make up its mind to deal drastically with them. It appears, however, to an outside observer that Government were thrown off their balance by the deplorable events which occurred recently in Bombay. The immediate cause of the step taken by them and I believe the real reason for it was their exasperation at the unfortunate boycott of the Prince's visit and their determination to secure a warm welcome for him, for if they had desired to suppress the volunteer movement on the general ground that it was dangerous to the peace and safety of the State, the Government of Bombay, which was the scene of the serious disorder and lawlessness the day the Prince of Wales landed, would no doubt have been the first to set the law in motion against the volunteers, instead of having remained inactive till now. They have, however, signally failed to achieve the desired result. To take a few instances only, Lucknow and Allahabad observed complete *hartals* on the day of the Prince's visit which could not have been brought about by intimidation or undue pressure. In fact, it is believed by people who were in touch with facts that the *hartals* were complete only because of the general resentment against the arrests, particularly the arrest of Pandit Motilal Nehru, who could not be accused even by his worst enemies of inciting to or conniving at violence. His prosecution and imprisonment sent a thrill of indignation through the province and have done more to exacerbate feeling and alienate public sympathy than anything else. Had Government deliberately set about devising means to defeat the object they had in view, they could scarcely have improved upon the method which they have pursued.

#### GOVERNMENT AND THE DIFFICULT SITUATION.

Government should lose no time in extricating themselves from the difficult situation in which their action has landed them. Although meant to deal a blow at non-co-operation, it has given a powerful impetus to the movement. The refusal of Government till lately to repress it and the patience which they showed may not have been rewarded with the success which they deserved, but the results obtained were not discouraging. Generally speaking, the conduct of Government did not provide non-co-operation with the atmosphere in which it could thrive and indications were not wanting that if the old policy were continued for some time the forces of constitutionalism might be materially strengthened. The non-co-operator was beginning to feel jaded for want of the stimulation that comes from opposition, and the abandonment of civil disobedience for the time being by Mr. Gandhi, and differences of view in the Congress camp in regard to abstention from legislatures may be mentioned prominently among the hopeful signs which I have just alluded to. The danger that civil disobedience, with its attendant risks might be advocated again, had not disappeared, but if I am right in holding that the Criminal Law Amendment Act was enforced really to prevent *hartals* in connection with the Prince's visit, I am justified in drawing from it the inference that even in the view of Government this gloomy contingency did not require immediate action. The forestalling of the evil day and the adoption of what Government may regard as preventive measures have not improved the situation. On the contrary, they have hastened the advent of civil disobedience, which, according to Mr. Gandhi, is to be resorted to purely as a protest against the disbandment of the volunteers. The provinces where the authority of Government is most respected are not those which are taking vigorous action, but those which have followed a policy of inactivity such as Bombay and the Central Provinces.

#### CHANGE OF POLICY WANTED.

The blame for the promulgation of the Criminal Law Amendment Act must be borne in no small measure by the Gov-

ernment of India. The fact that it has been enforced in more than one province shows that the new policy, though not dictated by them, received their previous sanction. They should, therefore, advise the Local Governments to reconsider their position and to adopt a conciliatory attitude. Nothing but a change of policy will ease the tension. A policy of wholesale arrests and prosecutions which his Excellency the Viceroy said the other day he detested, will not receive the support of any section of Indian opinion. The Criminal Law Amendment Act should be withdrawn and all persons, convicted or arrested under it, should be released. It may not be easy for Government to retrace their steps, but the statesmanship and high-mindedness which his Excellency the Viceroy displayed the other day in his reply to the deputation which asked for the convening of a round table conference can overcome difficulties which may seem insuperable to smaller minds. The consequences of persisting in the present course cannot be contemplated with equanimity. A false sense of prestige or delay may make the situation well nigh irremediable.

#### CRITICISM OF SIR H. BUTLER'S GOVERNMENT.

The local Governments need not wait till they receive instructions from the Government of India. They may revise their policy of their own accord. In any case let us sincerely hope that they will not be as uncompromising as the Government of the United Provinces. Sir Harcourt Butler who thought it contrary to the public interest to allow a discussion of his policy in the U. P. Legislative Council has thought it desirable in that very interest to explain and justify it on two occasions when he could make *ex parte* statements. His last utterance is in marked and painful contrast to the conciliatory sentiments expressed the other day by the Viceroy and the Governor of Bengal. They regard the policy of repression as a disagreeable necessity and would fain abandon it if they thought they could, perhaps because they are 'frightened by action'. Sir Harcourt Butler, on the other hand, almost seems to revel in it. They have lived in the free atmosphere of English public life while he received his training in the bureaucratic school (Hear, hear) where the most valuable lesson that he learnt in political philosophy was that 'law and order are mainly kept by force and that with difficulty'.

#### FURTHER CONSTITUTIONAL ADVANCE.

The Government of India Act was passed only two years ago and has been in force for not more than a year. Yet there is already a vigorous and widespread demand, in which all political parties have joined for further constitutional advance. The Act contemplated that a commission should be appointed ten years after the reforms had been in operation to enquire into and report on their working, and the Joint Select Committee recommended that no substantial constitutional change should be made in the interval. But so rapidly have things moved since then that Mr. Sastri is reported to have predicted in his address at the City Club, Washington, that "within ten years India would speak as a co-partner with the other Dominions and that "recent Irish events would probably quicken even that estimate." A resolution was moved during the last session of the Legislative Assembly asking for an acceleration of the pace of progress towards complete Self-Government. The Secretary of State is reported to have declined to entertain any such suggestion, but the courageous willingness of His Excellency the Viceroy to convene a Round Table Conference, if it could meet in an atmosphere of good will, shows that the Government of India was prepared to reopen the question and to assist us in the realization of our aspirations.

#### FUNCTIONING OF COUNCILS.

The experience gained of the working of the Reform Act itself, has quickened the desire for another step forward. Let us take Provincial Legislatures first. In the first place, although non-co-operation has unfortunately kept many men out of the Councils, they have been able to achieve solid results and have shown that they are endowed with a sense of responsibility. I have no doubt that, but for their short-sighted boycott, the representatives of the people would have

been in a much stronger position *vis a vis* the Government. In any case although the Councils have not been functioning for long I hold that they have proved their fitness to be entrusted with larger powers. I have no fear that our interests will suffer by an enhancement of their status. The departments relating to law and order have been placed under the control of the official half of the executive Government on the ground that they are concerned with matters in which even a slight mistake may have a far-reaching effect, and with which Ministers would find it peculiarly difficult to deal. But can any one contemplate with satisfaction the manner in which the bureaucracy has exercised its powers with regard to the maintenance of law and order? The Ministers could not have blundered more. Experience proves, to my mind, the necessity above all things of entrusting the maintenance of law and order to persons who derive their authority from the people.

#### FAILURE OF DYARCHY.

In the second place I gather from newspaper reports and private conversations that dyarchy has failed to give satisfaction. I can say from personal knowledge that this is true of the United Provinces. Dyarchy has been found to be prejudicial to the growth of Responsible Government. It is difficult for members to maintain two different attitudes, one towards the removable and the other towards the irremovable executive, and the Ministers suffer for no fault of their own because a portion of the Government of which they constitute a part continues to be bureaucratic. Besides, the Ministers cannot count on the support of any party so long as it is believed that they are not free to mould their policies as they like. Again, the fear is entertained that if they have a solid following, Government may put pressure on them to make their followers support official policies or measures relating to reserved subjects. This attitude of mind can disappear only with the grant of provincial autonomy, which will do away with duality of authority.

#### PROVINCIAL AUTONOMY.

The Montagu-Chelmsford report proposed that a provincial legislature should be allowed to apply to the Government of India for the modification of the list of reserved and transferred subjects five years after its meeting. It would thus have been possible for it to acquire provincial autonomy after the expiry of two terms. This provision was, however, not embodied in the Government of India Act, but Mr. Montagu assured the House of Commons that there was nothing to prevent the grant of additional powers to councils before the enquiry by the statutory commission, and laid stress on it in his cross-examination of Mr. Chintamani. It should, therefore, occasion no surprise to the British Government if instead of waiting for six years we ask that provincial autonomy should be conceded by or before the expiry of the first term of the Councils.

#### RESPONSIBILITY IN THE CENTRAL GOVERNMENT.

As for the Central Government both the Congress and Liberal deputations urged the introduction of an element of responsibility into it on the Joint Select Committee. Mr. Samarth pressed for it in emphatic terms on behalf of the Liberal deputation. Competent observers, among whom is the President of the Legislative Assembly, have pointed out that it is necessary in the interests of harmony and progress that it should be recognized that an irresponsible executive is incompatible with an elected legislature. Apart from this, it will be an anomaly if autonomous provincial Governments are controlled and supervised by a bureaucratic authority. The central legislature has not been allowed till now to exercise any control over the Government of India as the latter is still accountable to Parliament for the maintenance of law and order. But when the responsibility for preserving peace and order has been made over to the provincial councils, it is obvious that the dependence of the Government of India on Parliament in regard to civil administration should cease and that the control of Parliament should be replaced by that of the elected representatives of the people.

#### THE KANSAS LABOUR COURT.

A HIGHLY important development in the labour field is the establishment in the State of Kansas of a Labour Court, pursuant to the enactment of a law creating such a tribunal and giving it jurisdiction over labour disputes. This law originated, says the *Times*, with the Governor of Kansas, Henry J. Allen. Governor Allen laid down and successfully defended the proposition that to every industrial controversy there was "a third party"—the public—who was practically never represented in the proceedings, and whose interests were rarely considered. The law creates a "Court of Industrial Relations" and gives it jurisdiction over all controversies arising "between employers and workers, or between groups or crafts of workers" engaged in the manufacture of "clothing and all manner of wearing apparel in common use by the people," the mining or production of fuel, "the transportation of all food products and articles or substances entering into wearing apparel or fuel," and all public utilities and common carriers as defined by law. These are all declared to be affected with a public interest and, therefore, subject to supervision by the State "for the purpose of preserving the public peace, protecting the public health, preventing industrial strife, disorder and waste, and securing regular and orderly conduct of business directly affecting the living conditions of the people." Every person, firm, or corporation engaged in these industries is made subject to the law.

The court is charged to take cognizance of any labour dispute which involves the public interests, to investigate and render a decision, or to initiate an investigation upon the petition of any ten citizens of the State to determine if there is occasion for judicial action. The law provides that the court "shall order such changes, if any, as are necessary to be made in and about the conduct of such industry . . . in the matter of working and living conditions, hours of labour rules and practices, and a reasonable minimum standard of wages . . . provided all such terms conditions, and wages shall be just and reasonable and such as to enable such industries . . . to produce or transport their products or continue their operations and thus to promote the general welfare." The Court is empowered to summon papers and compel the attendance of witnesses, but it is not clothed with power to conduct criminal prosecutions other than as hereafter indicated. In the event of disobedience to its mandates the Court must bring proceedings in the Supreme Court of the State to compel such compliance; while any party to proceedings in the Industrial Court who may feel aggrieved by the findings of the Industrial Court may institute like proceedings.

Under the law both strikes and lockouts are prohibited. The right of an individual to quit work at any time is affirmed, but any action taken with intent "to delay, limit, or suspend" any of the industries named is made punishable by a fine not to exceed \$1,000, or imprisonment not to exceed one year or both. Nor shall any employer lockout his employees by suspending operations unless and until the permission of the Court is obtained, and any officer of a corporation violating this provision shall be punishable by a fine not to exceed \$5,000, or two years' imprisonment or both. Any controversy in an industry not specifically named in the law may be adjudicated by the Court if the both parties thereto consent; and the Court is empowered to investigate any labour or industrial dispute with a view to informing itself regarding the merits thereof.

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