

# Servant of India

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## TOPICS OF THE WEEK.

THE Simon Commission arrived on the the 3rd—last Friday—and a more chilly reception than they received India certainly could not have given. Even the elements were against the "unwelcome—unwanted" visitors: a, for Bombay, Arctic blast was blowing, rain was pelting and the sun observed a complete *hartal*. Processions with black flags and mottoes like the one quoted: megaphone messages "Simon, go back"; monster meetings in the evening throughout India; a *hartal*, complete in many places and at least partial in the rest—such were the manifestations of the temper in which the people of India have greeted the coming of the Commission. The *hartal* in Bombay itself was perfectly peaceful—not least because of the restraining influence exerted by such leaders as Sir Chimanlal Setalvad and Sir P. C. Sethna—and the only *fracas* of importance took place in Madras. Calcutta too had a minor disturbance, but in the rest of India, we are happy to say, the day passed off without a single untoward accident. The record is an impressive one, as any unbiassed observer must admit, and whether one likes the method of *hartals* or not, this good at least this *hartal* has done, that it has unmistakably made clear that an India, whose consent is not made an essential part of the proceedings, refuses that consent.

That is the real principle at stake and we for one regret that more has not been made of this point and that in many speeches it has become overlaid by arguments which in themselves are neither cogent nor to the point. What is at issue is the fundamental principle, that the consent of the people is needed to give moral sanction to the Government.

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IF there was a spectacle more nauseating than that of certain deputationists in Bombay, The Commission meeting "The Seven," falling at and the Minorities their feet and protesting that they and they alone were the saviours in whom they could place their faith,

we should like to know what it is. The Depressed Classes apparently are the regular feature of any British utterance on India just now and one begins to wonder whether British people believe that their 60 millions represent the total population of India. After all, there are 260 millions of other Indians. But if it is merely the sad fate of this minority which keeps—most reluctantly perhaps—England from relinquishing her Indian "trusteeship," which makes Lord Birkenhead's heart bleed and keeps him awake so nights: why not suggest that the minority rights of India's "Untouchables" be placed under the authority of the League of Nations? Here is an easy test for England to demonstrate her high and disinterested motives for withholding the right of self-determination from 320 millions, in order to avoid the risk that otherwise 260 millions of these might withhold it from the remaining 60 millions. Would England pass that test, we wonder, and if not is it not time, this oleaginous stuff was "cut right out."

As for the advantages an Indian minority may fancy to get from besieging the Simon Commission, our Calcutta contemporary, *the Guardian* (of the 2nd), has summed up the matter splendidly in the advice it gives to the Christian community—an advice which we cannot but gladly and wholeheartedly endorse :—

"Our attitude to this Commission has been quite clear and definite. We do not believe that it is either right or expedient for the Christian community to separate itself from the people generally or to endeavour at this time to utilise the present situation for its own apparent advantage. Such a course will be neither wise nor brotherly. If members of the Christian Church do not approve of the boycott the least that they can do is to refuse to exploit it to the

supposed benefit of their community. Nothing whatever is to be gained in that way. It is self-evident that a minority community cannot be benefited at the expense of the people as a whole and we earnestly advise our leaders to have nothing to do with any attempt to make capital out of the boycott movement."

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TWO out of the numberless public meetings held throughout the country on Friday last to give expression to the national resentment at the exclusion of Indians from the personnel of the Simon Commission must be singled out for special mention: viz. those at Bombay and Allahabad. The former was presided over by Sir Chimanlal Setalvad who "in the whole of his public life had never witnessed a gathering of such magnitude, consisting of all castes and creeds and of all shades of public opinion". The speeches made at this meeting faithfully voiced the universal feeling about the status of the committees to be appointed by the legislatures for association with the Commission. This, as has so often been pointed out before, is that so long as the Commission had the power to accept or reject their recommendations and so long as they were precluded from submitting their views direct to Parliament, as the Commission would, it was using meaningless phrases to say that they had equal status with the Commission. In the words of Mr. Bhulabhai Desai, let British statesmanship realise that true wisdom lies not in flouting unanimous public opinion but in securing the good will of India. But until this is done, the course to be followed by self-respecting Indians is obvious; it is to leave the Commission severely alone. That hardly means that the Commission will get help from nobody. As pointed out by Sir P. C. Sethna at this meeting, "it will assuredly get the help of official witnesses and also of a class of non-officials with whom their own self-respect and the honour of their country evidently does not count for much." The world will then know what value to attach to the Commission's labours and such evidence as may be laid before it.

The Allahabad meeting had as its president Sir Tej Bahadur Sapru who being unable owing to illness to stand and address it had, contrary to his usual custom, written out his speech. It is sometimes said by way of defence of the action of the British Government in keeping out Indians from the Commission that under the Government of India Act of 1919 none but members of Parliament could be included in it. Sir Tej Bahadur does not think so but gave it as his opinion that "Parliament had the perfect right to appoint wholly members of Parliament, or partly members of Parliament and partly outsiders, or wholly outsiders or partly Indians and partly Englishmen." Then Indians are patronisingly told that if what they wanted was merely the presence of a few Indians on the Commission, their wishes could have been easily met, or rather frustrated, by the inclusion of some people who did not command public confidence. Sir Tej Bahadur Sapru made it clear that those who say so are apparently under the delusion that the inclusion of Indians in the Commission's personnel presupposes an abandonment by the nation of its right to protest against the presence of undesirable ones on it. With regard to the status of the legislatures' committees, he asked:—"What is there which particularly can come out of these committees which could not be achieved without their appoint-

ment? Even independently of these committees every individual and every class has the right to make representations to this Commission." These words deserve to be taken to heart particularly by those who think that by arranging for the association of these Committees with the Commission the Government had gone considerably out of their way to placate Indian opinion. We do not know if in making his speech to the Central Legislature Lord Irwin was anxious to conciliate or alienate Indian opinion. But whatever his intention, his utterance had the effect of making a number of converts to the idea of boycotting the Commission and confirming even very reasonable people in their attitude of aloofness from it. We thus find Mr. Chintamani stating deliberately and with a full sense of responsibility at the meeting in Allahabad that "even though I might have had any doubt before of the wisdom and the necessity of our attitude of non-cooperation with the Statutory Commission, all my doubts have been effectively cleared by the angry speech which Lord Irwin delivered yesterday in Delhi."

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IT is unfortunate that Sir Basil Blackett by asking leave to introduce a new Bill without first asking permission of the Assembly to withdraw the old one on the subject of the Reserve Bank has invited an adverse ruling from the Chair. Reading the President's ruling with care, one is constrained to admit that he has acted strictly in accordance with precedents in the House of Commons than which no greater authority can be cited within the four walls of the British Empire. In the particular case before us the Bill has advanced too far, to allow the mover to retract on the ground that he desires to make material alterations in it. Not only has the Bill been reported upon by a Joint Committee of the two Houses of the Legislature but the report has already been acted upon by the expressed consent of the Assembly and decision on some of the vital clauses of the Bill has been already reached. It is extremely unwise during the infancy of a new Legislature to prevent the growth of healthy conventions and try autocratic methods in a professedly democratic polity. For this reason we congratulate the Hon. Mr. Patel for vindicating the honour and dignity of the Assembly against surreptitious attempts to compromise them. Mr. Graham's remark that the House had seen the last of the old Bill was unfortunate since it is likely to create the impression that the old Bill was a pet of the Assembly and the new Bill was the Government's favourite, as if the two had divergent interests and were fighting respectively for their own god-children. What we require is a sound Central Bank, whether we get it by the old Bill or the new Bill. It will be unfortunate if in the wrangling over this question of constitutional procedure the Reserve Bank Bill were to be shelved indefinitely. Those who regard the termination of the agreement with the Imperial Bank of India as the proper point of time for discussing the question will perhaps welcome this quandary which has led to the postponement of the inauguration of a Central Bank. We on our part deprecate it.

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THE judgment of the Chief Justice of Bengal and of Mr. Justice Ghosh in the appeal The "Statesman" against the judgment of Mr. Justice Libel Case. Buckland has reminded the journalist that he cannot enjoy the luxury of defaming a person relying on the rights of making fair comment. The Chief Justice in his judgment is

emphatically of opinion that it is of no service to a defendant to say that he pointed the way but did not carry the reader to draw the explicit inference from an innuendo. As a matter of fact the leading article in the *Statesman*, according to the Chief Justice, did suggest that Mr. S. C. Bose was a member of a terrorist organization, and that no words were used to imply that this was the opinion of somebody else. It is clear from the judgment that a journalist is not entitled to republish a defamatory statement even if it occurs in a privileged document, without making it plain that it is an extract from the document and is not a statement of his own. In the absence of a plain notice to the reader that the guilt of the defamed person is not affirmed, the responsibility for defamation rests with the writer even if he is only giving utterance to a defamation made long ago by someone else. The judgment will, we are sure, chasten the impetuous journalist who is waiting for an opportunity to have a fling at those who belong to a different school of thought or those who are not *personae gratæ* with the powers that be. Fair comment is a privilege of journalism but the boundary line between it and libel seems to be so easy to cross for the unwary that great care should be taken to see that the privilege is not abused.

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MR. LOKANATHAN'S first lecture in the series on the subject of taxable capacity of India to be delivered before the Madras University is a commendable attempt at tackling one of the most baffling

problems in Indian Economics. The lecturer, discussing the genesis of the problem, said that the question of taxable capacity came to the forefront only as a result of the war and the need of extracting the maximum amount from the people made the limit of taxation a live issue. In all discussions on taxable capacity he said that we must distinguish between relative and absolute capacities. The Dawes Committee applied the principle of relative capacity by asking Germany to bear a burden at least as heavy as that of the allied countries. The definition of taxable capacity as the difference between total production and total minimum consumption bristled with difficulties because the constituent notions were very elastic. For example, does minimum consumption mean bare subsistence or a minimum necessary for a high level of efficiency? Again, he asks, should allowance be made for a rising scale of production and comfort? The answer, the lecturer thinks, depends on the nature of circumstances. In the case of a big war the State would be justified in taking everything above a bare minimum subsistence and savings. But normally proper allowance should be made for a steadily rising standard of life and for increased savings. In addition, the lecturer pointed out that there was the limit of the capacity of the fiscal machine to bear the strain and also the limit fixed by the psychological attitude of the taxpayer. He then mentioned the various factors that affected the taxable capacity. The income of the people was not the sole determinant test but the distribution of the income. The taxable capacity varied according to the use made of previous taxes. In India, for instance, if taxes are employed for the improvement of productive industry, the future burden would be felt less than when they were spent on unproductive consumption. The steadiness or unsteadiness of the income was another factor. A country like India liable to vicissitudes of seasons cannot bear much taxation. The lecturer deprecated any attempt to give quantitative expression to the concept of taxable capacity.

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## THE POINT AT ISSUE.

THE Viceroy in a speech made the day before the Commission's arrival to the joint session of the two Chambers of the Central Legislature, maintained that "His Majesty's Government had sought full and unprecedented means of placing Indians in a position to take an ample share in the evolution of their country's future" and that both the Royal Commission and later on the Joint Parliamentary Committee "would desire to go to the furthest possible point to carry along with them the convinced assent of the representatives of India." But he destroyed the effect of these phrases by shortly afterwards declaring bluntly that "he could not reconcile with the actual situation the plea of those who denied the moral right of Parliament to be the tribunal in this cause." The moral right, if you please; not merely a legal right, a prescriptive right, a right of conquest, but a moral right! This is indeed an astonishing assertion. Any established government of course yields an authority which must be obeyed, *qua* established authority; all such authority is in the last instance divinely ordained and to that limited extent perhaps may be said to have a moral claim to our obedience. But if the bulk of the people withhold their consent to that government, the moral sanction is withdrawn, since it is the consent of the people (which of course need not be explicit, but may be and in the past usually has been silent) and that consent alone which can designate who the bearer of that authority is to be. A government which carries on without such consent therefore is still a *de facto* Government, but not in the strict sense a *de jure*, and certainly not a *de jure divino*, government. This is the crux of the whole matter and Indian opinion has again and again pointed out that no solution of the Indian "problem" is possible, until the British admit as the major premiss that their Government of India depends on the Indian people's assent thereto. Once that point is granted, it is possible to ascertain whether that consent (which in the past no doubt has silently been given) is still given or to what extent it is given: when the *onus* will no longer be merely on India for "persuading the British Parliament," as Lord Irwin in his speech said, but on the British who will equally be bound to persuade India to agree to continued British preponderance in India. That is the *functum saliens*—that persuasion must not be a unilateral, but a bilateral, affair; that India is not pleading for British magnanimity, but exercising a God-given and indefeasible right. That is the point which must be understood, if there is ever to be friendship again between Britain and India, a friendship the existence of which to-day is no longer, to say the least of it, obvious. We regret that on the Indian side that Right has been mixed up with a lot of talk about "Insult"—which is neither here nor there; and it is deplorable that even a man like Mr. Ramsay MacDonald has been misled by such rhetoric about Indian prestige to believe that if India's soul can be stirred, as no doubt it has been to-day, it

could be by a manifestation of mere "inferiority complex." No, the matter goes far deeper. Just as there can be no true marriage without full and free consent on the part of both contracting parties, so also can there be no true authority without a similar consent on the part of rulers and ruled. India must be wooed, not forced; let her consent be won, and not her duty of obedience to a stern parent be vainly reiterated. For after all—India has come of age.

### THE WORK OF THE INDIAN TARIFF BOARD.

IN a paper read before the Royal Society of Arts, Sir David Chadwick gives his appreciation of the Tariff Board which we think is well-deserved. February 16th, 1923 was a notable day, he said, in the life of the Assembly because for the first time, India adopted protection as an integral part of its fiscal system. Sir David Chadwick however pointed out that the policy avoided the preparation of a comprehensive table of protective duties, covering all kinds of industries but contemplated only the adjustment of Indian duties to assist certain selected industries without ignoring the interests of the consumer and the financial needs of the State. Any industry was free to apply for protection provided that it proved that it possesses natural advantages, that it would not develop rapidly without protection and that ultimately it would be able to face world competition without the adventitious aid of protection. Sir David Chadwick is of opinion that a single Board is better than a number of Boards dealing with different industries and he is gratified at the adoption of this method in the case of India. He emphasized the importance of publicity and said that the Tariff Board has throughout avoided as far as possible receiving confidential evidence not intended for publication. This, he pointed out, had a healthy reaction inasmuch as every industry considered carefully the completeness of the case it could make out for protection.

Sir David pointed out that the Tariff Board was not a Court to whom any one can apply of his own motion; the application is first made to the Government and is referred to the Board if the Government consider that there is a *prima facie* case. But the Board is purely advisory and any proposals placed before the Legislature are those emanating from Government. Referring to the steel industry he pointed out that the conditions in that industry were chaotic in 1923 and 1924 owing to the excess of supply over demand and the catastrophic changes of the foreign exchanges. The industry in India had proved its value during the war and large extensions were commenced by the Tata Iron and Steel Company.

These extensions had not been completed by the time the Board commenced its inquiry, and so the Company could not derive commercial profits from them. The industry applied for a general protective duty of 33½ p. c. ad valorem on all its products. The Board after a laborious investigation of all the factors including the provision for a return of 8 p. c. on the ordinary capital when all economies had been effect-

ed, arrived at a coherent proposal of varying rates of duties and bounties, each duty being adjusted to the costs of a particular article or a group of articles. They also estimated the additional burden on the country as a whole as a result of the proposals, and how it would be distributed. The first Report of the Board, in his opinion, went far to establish the reputation of the Tariff Board and the confidence reposed in it by the Indian public.

The Tariff Board Report by creating lively interest had, according to Sir David Chadwick, the notable political result of compelling even the Swarajist members of the Assembly to renounce obstruction tactics and pass the measure and embody it in legislation. The Board had advised that while the continuance of protection might be promised the whole scale of duties should be subject to revision at the end of three years. With regard to steel prices the Board knowing full well that they were very unstable at the moment, provided that if these changed during three years to such a degree that the protection was rendered ineffective, the duties should again be revised. Within three months of the issue of the Report the prices of Continental steel had fallen at cataclysmic pace and the Board recommended the doubling of the rates of duty. The Government however preferred to give the extra assistance by way of bounties and the Assembly assented to the proposal. At the end of three years the Tariff Board once more made a full enquiry and presented a full Report. They found that production of finished steel in 1926-27 had increased to more than three times the production of 1921-22 and that work costs had been reduced by 30 p. c. They therefore recommended the cessation of bounties and the substantial reduction of many of the rates of duties.

A most important industry has been maintained during a most difficult period by the protection that has been granted so far; at the same time an undue burden has not been laid upon the Railways and upon the general consumer. Thus, according to Sir David, the recommendation of the Fiscal Commission that the policy of protection be applied with discrimination in the degree of protection afforded has been loyally carried out. He is also careful to emphasize that the account of the steel industry shows that the Board can advise that protection should not be given, that Government can modify the proposals of the Board and that a proposal for protection recommended by the Board and put forward by Government may be acquiesced in or rejected by the Assembly. The Report of the Board is valuable as giving the results of an impartial enquiry based on all the facts connected with each industry. The Tariff Board is under no obligation to advise assistance to industry merely by increased duties and it may suggest bounties whenever they think them to be appropriate. They may even recommend a reduction or cancellation of existing duties and may suggest different treatment for different branches of an industry. As examples Sir David Chadwick cites the cases of magnesium chloride, galvanized hardware and coal where it was found that no case for protection had been made out.

The Reports of the Board serve another purpose quite distinct from the primary one and Sir David would like us to note that in several cases the investigations of the Board have attracted the attention of the managers in the industry to important aspects of it which they had overlooked. Sometimes these Reports reveal that difficulties of the industry are due to overproduction, to wrong location, or to changing circumstances, and may not be removed by any form of protection. In fact, he says, these Reports as being surveys of industries based on recent actual facts are very valuable. Sir David admits that the procedure may be slow and laborious but none can, he says, contest the correctness of the general proposition that the Legislature should not be asked to assist an industry without being fully informed of its conditions. The advantages of this procedure are shown in the standard of the debates in the Assembly on the various proposals for protection. When state-aid has to be given to encourage industries it is right in his opinion that such aid should be strictly adapted to the need and should be given by the Legislature with a full understanding of the facts. The task of providing impartially the material on which the decisions of such a nature can be based is entrusted to the Tariff Board. Although we agree with Sir David Chadwick that Government is not bound to adopt any Report of the Board, they should not set aside the deliberate findings of the Board without substantial reasons to the contrary; the Report of the Textile Tariff Board is a case in point.

#### "DIRECT RELATIONS"

IN his recent pronouncement the Maharaja of Patiala stated that between the British Crown and the states there existed sacred ties of obligations mutually pledged. This is very ambiguous. An eminent authority, Dr. Keith, has in his book written in the series "The British Empire—a Survey" remarked: "It is important to note that the relations of the Native States, however conducted, are essentially relations with the British Crown and not with the Indian Government and that this fact presents an essential complication as regards the establishment of responsible government in India. It is clear that it is not possible for the Crown to transfer its rights under a treaty without the assent of the Native states to the Government of India under responsible government." We are aware that this statement forms the main prop for the theory of direct relations of which we have been hearing so much recently. With due reference to Dr. Keith, however, we maintain that the position as defined by him does not seem to be borne out by Indian history. So far as this subject is concerned the history of the Indian States can be split up into three periods:—(1) from the granting of the Charter to the East India Company to the passing of the Regulating Act (1773), (2) from 1773 to 1858 when the government of India was transferred to the Crown and (3) the period since 1858 upto the present time. We propose in this article to examine who conducted and controlled the relations of the Indian states during these periods.

Let us for the moment confine our attention to the first of these three periods. It was on 31st December 1600 that Queen Elizabeth granted the Charter to the United Company of Merchants trading with the East Indies and styled as the East India Company.

This charter was renewed by James I, by Charles II by James II and the last one issued by the Stuarts was in 1687. It was after the Revolution of 1688 that the prerogative of the Crown to grant such monopolies of trade was seriously questioned and in 1693 Parliament formally passed a resolution that the exercise of this unquestionable prerogative was illegal and transcended the powers of the Crown. The first Act of Parliament regulating the trade of the East India Company was passed in 1698. Up to this time the affairs of the East India Company were controlled by its Directors. The negotiations conducted by the Company during this period with Indian states, if any, were not in any way influenced, controlled, supervised or sanctioned by the Crown.

After this period the charters were renewed upto 1767 when for the first time the position of the Company as an influential territorial power was recognised by an Act of Parliament. This was after the Company had secured the grant of the Diwani or the fiscal administration of Bengal, Bihar and Orissa in 1765 from the Mogul Emperor. The Act of 1767 distinctly mentions that the monies which will still be received by the East India Company in pursuance of this Act shall be reserved to be disposed of and appropriated by Parliament. Every advantage, therefore, which was secured for the assistance which Parliament rendered to the East India Company was reserved for the benefit not of the Crown but of the whole nation as represented by Parliament. The territorial acquisitions which were made by the Company during this first period were entirely at the initiative of the Court of Directors who were all in all and subject to no superintendence, direction or control from any body. The negotiations which they carried on with the Indian states in this period, and the treaties and engagements they concluded with them depended solely on the authority of the Court of Directors. Beyond issuing a charter from time to time to the Company the Crown did not exercise any authority, much less any initiative; still less it did not superintend, direct or control the relations with the Indian states. Their relations were not with the Crown but with the East India Company through its Directors. Edmund Burke has graphically described this position in the following words. "The East India Company had its origin about the latter half of the reign of Queen Elizabeth, a period when all sorts of companies, inventions and monopolies were in fashion. At that time the Company was sent out with large extensive powers for increasing the honour and commerce of this country. For to increase its commerce without increasing its honour and reputation would have been thought at that time and will be thought now a bad bargain for the country. But their powers under the Charter were confined merely to commercial affairs. By degrees as the theatre of the operation was at a distance, as its intercourse was with many great, some barbarous and all of them armed nations, where not only the Sovereign but the subjects were armed in all its places, it was found necessary to enlarge their powers. The first power they obtained was a power of naval defence in their ships—power which has been since dropped. The next was a power of Law Martial. The next was a power of civil and to a degree of criminal jurisdiction within their own Factory, within their own settlements, over their own people and their own servants. The next was—and there was a stretch indeed—the power of peace and war—those great high prerogatives of sovereignty which were never known before to be parted with to any subjects. But those high powers were given to the East India Company so that when it had acquired them all which it did about the end of the reign of Charles the Second, the East India Company did not seem to be merely a company formed for the exten-

sion of British commerce but in reality a delegation of the whole power and sovereignty of this kingdom sent to the East. In that light the Company began undoubtedly and ought to be considered as a subordinate sovereign power—that is sovereign with regard to the objects which it touched and subordinate with regard to the power whence this trust was derived. The constitution of the Company began in commerce and ended in Empire." This genesis of the Company and its territorial acquisitions so happily described clearly brings home the sovereign powers which the Directors of the Company enjoyed. Under the authority of the Charter they touched the Indian States and dealt with them as a sovereign power would do. In their dealings with the States the Crown of England either in its individual capacity or as the head of Parliamentary Government did not in the least interfere; and it was for this reason that the Company virtually made and unmade Nabobs and Princes, humbled great Rulers of Indian States, braved even the Emperor of Hindustan. In fact, as remarked by Lord Macaulay, "It was considered both by Lord Clive and by Warren Hastings to leave the Charter of the Company thus undefined in order that the English might treat the Princes in whose names they governed as entities or non-entities, just as might be most convenient. A Parliamentary Committee was appointed before 1784 and Edmund Burke who presided over this Committee moved a resolution in the House to the effect that "the Company had abused the power of war and peace given by the Charter by kindling hostilities in every quarter for the purposes of rapine; that almost all the treaties they have made have only given cause to so many breaches of public faith; that countries once most flourishing have been reduced by it to a state of indigence, decay and depopulation to the infinite dishonour of our national character." This indictment on the administration of the East India Company shows how irresponsible its authority was and how it carried on the work of aggrandisement and territorial acquisitions without any let or hindrance. The pertinent point is, that during this first period the Indian states had absolutely no direct relations with the Crown, that treaties with them were not concluded after any consultation, sanction or ratification of the Crown; in fact in the internal affairs of the Company the Crown did not at all interfere.

During the second period Parliament undoubtedly controlled the affairs of the East India Company by passing several acts. The Regulating Act of 1773, Pitt's Act creating the Board of Control in 1784, the Charter Act of 1793, 1813, 1833 and 1858 unmistakably point out that Parliament exercised its fullest control, and held periodical inquiries about the affairs of the East India Company before renewing the charters. By the very first Act the Governor General in Council was created for the Presidency of Bengal in whom the superintendence, direction and control of all the civil and military government of that Presidency vested. The power of superintending and controlling the government and of management of the Presidencies of Madras and Bombay was also entrusted to this Governor General in Council. These Governors General in Council were directed and required to pay due obedience to all such orders as they should receive from the Court of Directors. Although this appointment of the Governor-General was made by the Executive Government in England, the Governor-General was removable upon the representation made by the Court of Directors. The British Government asserted in the clearest manner their right to control Indian policy by subjecting the Directors of the East India Company to the supervision of a new Department called the Board of Control. In 1793 this Department hitherto under a Secretary of State,

and Chancellor of the Exchequer, was recognised by the appointment of a President who became a Minister responsible to Parliament for the conduct of British relations with India. From this time onward the Government in India was under the control and supervision of two authorities, viz. the Board of Control and the Court of Directors, and all the evils of a double Government were experienced during this period. In 1784 Parliament passed an Act and—this was substantially re-enacted in 1793—to the effect that schemes of conquest and extension of dominion in India are measures repugnant to the wish, the honour and the policy of this nation. In spite of this Parliamentary mandate schemes of conquest and territorial acquisition went on. The manner in which the East India Company managed its affairs during this second period has been graphically described by Sir George Lewis, the then Chancellor of the Exchequer in the House of Commons in the debate on the Government of India Act:—"In spite of the distinct, repeated and peremptory instructions of the trading Directors in England not to acquire territory successive acquisitions were made by Lord Olive, Warren Hastings and other men acting according to their own policy and in spite of uniform direction from Home. That Empire resulted in fact from the irregular and insubordinate energy of some of their servants using indeed the instruments which the constitution of the Company placed in their hands. Even after the Board of Control was created, successive Governors General were appointed under the influence of the Executive Government at Home. The Governor-General who may be said to be the second founder of our Indian Empire was Lord Wellesley. He went out to India not by the nomination of the Court of Directors but by that of the Executive Government. At that time he was under the restraint of the clause in the Act of Parliament passed expressly in 1784 to prevent territorial acquisitions in India. He evaded that Act by the system he introduced of the Subsidiary Treaties. By that system the acquisition of the territories was avoided but the Army and consequently the real sovereignty of the country passed under the power of the English Government." John Bright speaking on the second reading of the Government of India Act described the irresponsible position of the Governor-General in the following words:—"The immense Empire that has been conquered is too vast for management and its base is in decay and during these last twelve months it has appeared to be tottering to its fall. Who is or what is the instrument, the Cabinet, the Government or the person by whom this evil policy is carried on? The greatest officer in India is the Governor-General. Now over this officer almost no real control is exercised. Take the case of the Marquis of Dalhousie. The annexation of Satara, of Punjab, of Nagpore and of Oudh occurred during his rule. I will not go into the case of Satara but one of its Princes and one of the most magnanimous Princes that India ever produced suffered and died most unjustly in exile either through the mistakes or the crimes of the Government of India. As to the annexation of Nagpore the House has never heard anything upto this hour. There has been no message from the Crown or statement of the Government relating to that annexation. Honourable members indeed have heard from India that the dresses and wardrobes of the ladies of its courts have been exposed to sale like a bankrupt's stocks in the Haberdasher's shop of Calcutta—a thing likely to incense and horrify the people of India who witnessed it. The place of the Governor-General is too high. His power is too great. Only think of a Governor-General of India writing to an Indian Prince, the ruler over many millions of men in the heart of India 'remember you are but as the dust

under my feet.' Passages like these are left out of the despatch when laid on the table of the House of Commons. It would not do for Parliament or the Crown or the people of England to know that their officers addressed language like this to a Native Prince. The fact is that a Governor-General of India, unless he be such a man as is not found more than once in a century, is very liable to have his head turned and to form ambitious views which are mainly to be gratified by *successful* wars and the annexation of Province after Province during the period of his rule." These two important speeches delivered by some of the most distinguished statesmen of the time clearly show who wielded the real power in regard to the states in India in the second period. We have not heard anybody holding the Crown responsible for the policy of annexation, lapse and absorption of the Indian states into British Dominions, and for the insult, humiliation and injury inflicted on Indian Princes during Lord Dalhousie's time. We therefore fail to see how the credit of the treaties and engagements concluded during this period can go to the Crown. The Crown as such even during the second period did not exercise any influence in the affairs of the Indian states. Although the Governor-General was a nominee of the Executive Government of England he acted on his own responsibility oftentimes disregarding the controlling powers of the double Government. But the Executive Government in England did not take any interest in the happenings in the Indian States. The Crown did not during this second period conclude any treaties or engagements directly with the Indian states nor were any treaties and engagements sanctioned, confirmed or ratified by the Crown. We would therefore request the Maharaja of Bikaner or any of the shining lights of the Chamber of Princes to enlighten us on this point by pointing out any treaties or engagements during these two periods which were directly concluded by the Crown or any policy which was initiated *suo motu* by the Crown or any decisions taken independently by the Executive Government in England relating to the affairs of any Indian State.

G. R. ABHYANKAR.

## OUR PARLIAMENTARY LETTER.

(FROM OUR OWN CORRESPONDENT.)

Delhi, February 13.

### THE RESERVE BANK BILL.

THE winter session of the Assembly promises to be interesting, in view of the diversity of opinion prevailing about the Reserve Bank Bill and the Statutory Commission. The attitude of the Swarajist members has created a rather intriguing situation as nobody knows how they will act. Attempts are being made to rope in all the sections, and it is possible to present a united front inasmuch as even Messrs. Jayakar and Kelkar have now reconciled themselves to a resolution declaring the present constitution of the Statutory Commission to be wholly unacceptable and registering a resolve to have nothing to do with it *at any stage or in any form*. People were taken by surprise when it was published in the press that Sir Basil Blackett would move for consideration of the new Reserve Bank Bill on the very first day, when there is usually thin attendance. Government, however, received a rude shock when the President withheld his sanction to it. Mr. Aney rose to a point of order

as to whether Government were right in introducing another bill on the same subject, when one was already on the pending list and challenged the legal validity of such a procedure. He was supported by Sir Purshottamdas who characterised the procedure as a flagrant breach of trust. Mr. Jamnadas Mehta stamped it as cowardice on the part of the Finance Member to fight shy of the regular procedure and asked him to proceed with the old Bill, to take it to the Council of State and bring it back to the Assembly to fight it over again. Mr. Iswar Saran brought out clearly the absurdity involved in Sir Basil Blackett's proposal if such a precedent was allowed to establish itself. Mr. Graham tried to draw a long bow but in vain. The President had all along kept quiet and at last sprang a surprise upon the House when he delivered his ruling. He quoted instances from the history of the House of Commons and declined to give permission to move for the consideration of the Bill. Mr. Patel had the decision typed and seemed to have taken considerable pains over its preparation. The decision was received with satisfaction by the House.

### MR. KUNZRU'S ADJOURNMENT MOTION.

Mr. Kunzru did well in trying to focus public attention on the situation created by the discussion of the Liquor Bill in the South African Parliament, clause 104 of which seriously jeopardised the rights of Indians settled there. The Assembly alone could bring pressure to bear upon Government for fighting for the rights of Indians overseas. The Capetown Agreement tried to allay their fears about future racial legislation, but this Bill was directly aimed against Asiatics. Mr. Bajpai's reply to the debate showed his rare abilities and fully justified the Assembly's confidence. He certainly far surpassed his predecessor in office in sympathy for his countrymen in the Union and on a sympathetic assurance from him that Government would spare no pains in backing Mr. Sastri at every stage Mr. Kunzru withdrew his vote of censure.

### THE VICEROY'S SPEECH.

The speech of the Viceroy was the last important event of the week. His Excellency simply re-emphasised all that he had said in his statement issued on the 8th November last. He pointed out that Committees of the Councils would be consulted "at every stage, in shaping the destinies" of India's future. He made it clear that the Commission would not be deterred by the boycott movement and 'whether such assistance is given or not, the enquiry would proceed and Parliament will take whatever action it thinks fit.' His Excellency was much agitated to find hindrance from those who should have in his opinion gladly helped. He apparently held out a veiled threat when he said that Indian leaders themselves would be responsible for any recurrence of disturbance of the public peace that might result. In view of the needless warmth introduced by Lord Irwin in his utterance, it will perhaps not be unfair to assume that the proposal for the exclusion of Indians from the Commission emanated from the Viceroy himself.

#### OMINOUS RUMOURS ABOUT SKEEN REPORT.

Rumour has it that the Viceroy's speech was to have contained an announcement of the decision of His Majesty's Government on the report of the Skeen Committee. It is said it has been decided that no King's Commissions should be given to Indians in future, they being held to be eligible only for Dominion Commissions. Recruitment would be only 25 per year, of whom two would be for the Air Force, two for the Artillery and two for the Engineers. The status of the holders of such commissions, however, is not definitely known, but it is believed that the seniormost officer with a Dominion Commission would be inferior to one holding a King's Commission. It is also reported that the establishment of the Military College is voted down. Thus practically all the important recommendations of the Skeen Committee seem to have been turned down! The announcement of these decisions was, it seems, deleted from the Viceroy's speech as it was thought it might throw cold water on his exhortation for co-operation with the Commission.

#### OUR SOUTH AFRICAN LETTER.

(FROM OUR OWN CORRESPONDENT.)

Pietermaritzburg, JANUARY 14.

#### THE SOUTH AFRICAN INDIAN CONGRESS.

THE South African Indian Congress met in conference at Kimberley on the 2nd, 3rd, 4th and 5th January, and was a great success from every point of view. There was record attendance, with thirty delegates from each of the three Provinces of Natal, Cape and Transvaal. There were besides a large number of visitors including prominent Europeans. The Mayor opened the proceedings in a felicitous speech full of goodwill towards the Indians and their aspirations. Unlike the Indian National Congress and similar bodies in India, the South African Indian Congress follows the practice of having the presidential address of the session delivered by the out-going President and not the incoming one. Mr. Advocate J. W. Godfrey's presidential address has rightly been characterised by the *Star* of Johannesburg as "moderate but forceful". He accepted the Cape Town Agreement with the reservations made during the last session, thought that Clause 104 of the Liquor Bill would create "the impression that the Union Government has already broken faith with the Indian Government": welcomed Mr. Sastri and his education programme; desired the immediate setting up of the Health Commission mentioned in the Agreement, demanded the revision of the licensing laws, welcomed Fort Hare College as an ideal place for the higher education of Indians and hoped that when the number of scholars and other circumstances justified it, Indians might have a college of their own much nearer than Fort Hare as a matter of convenience. He made reference to the franchise also. Though it had no place in the Agreement and in Mr. Sastri's programme, yet "we for our part wish to make it clear that we have not, nor do we now give up, our ambition to be granted the franchise so soon as European public opinion feel it proper to do." Mr. Godfrey's speech made a great impression on the audience and Sir David Harris, M. L. A., was noticed to punctuate it with approving nods and enthusiastic cheers.

The most important piece of work done by the Congress was the giving of the assurance to the

Minister of the Interior that the Indian community will stand by the Cape Town Agreement and will not tolerate illegal entry of Indians into the Union. This was rendered possible by the presence in the Conference of the delegates from the Transvaal representing the new organisation, the Transvaal Indian Congress. The next important question was the return assurance from the Minister that he will not round up the illegal entrants of the past. It was evident that the amnesty would not be unconditional and absolute and general, though what the conditions and limitations were likely to be was not definitely known. It was hinted that the amnesty would be individual and not general; each illegal entrant would declare himself to the Government Officers and obtain a Protection Certificate, which will put him in exactly the same position as one who came in legally. I understand from the Transvaal delegates that they much prefer the individual protection certificates to a general amnesty. In the first case, every person will have a document in his hands which will save him from further molestation. In the latter event it is possible that a question may subsequently arise if a particular individual was here when the amnesty was granted and if he was covered by it or if he subsequently came in and claims to have been here before. It is significant that registration certificates, which were strongly objected to in the early years and led to the memorable passive resistance struggle, are now the *magna charta* of the Indians! It was also hinted that the pardoned illegal entrants will be protected only so long as they are not subsequently convicted of serious crime. It was also suggested as a possibility that they may not be allowed to introduce their wives and minor children. It was argued for the Union Government that even if there were only 500 such entrants and each of them introduced a family of four on an average, there would be added some 2000 persons to the Indian population in the Union. This addition would stultify the Union Government's policy of reducing the Indian population. For the Indian side it was argued that the principle of happy family life would be stultified if people who were allowed to stay here were however prohibited from introducing their wives and children. The merits of the two sides seem to balance themselves rather evenly.

Among other things, the Congress very strongly protested against clause 104 of the obnoxious Liquor Bill, against the most flagrant injustice in the administration of the Licensing laws, against the unsympathetic administration of the Health Boards in Natal, against racial discriminations in the railways, against the displacement of Indians from the railway services and demanded suitable remedial action. It welcomed the appointment of the Indian Education Commission and desired that Indian Education in the Transvaal and the Cape should also be investigated. It asked for facilities for technical, agricultural and industrial education for Indians.

The most controversial subject was the place of vernaculars in the official educational scheme. The draft resolution asked the Natal Indian Education Commission to give consideration to the subject. But Mr. A. I. Kajeer, General Secretary of the Congress, moved an amendment to delete it; and in a cogent, though excited, speech, advised against asking the Government to find a place for the Indian languages in the official curricula and suggested that if Indians were keen on them, they should make their own private arrangements for their teaching. Mr. Sastri was called upon to join the debate and in effect supported Mr. Kajeer, though he was not opposed to the original motion which asked the Commission to consider the matter. In my last letter I have discussed the merits of the question and will not therefore repeat them here. The question was put immediately after Mr.



Sastri finished his speech with the result that Mr. Kaje's amendment was carried. This upset some of the delegates who, after the tea interval, insisted on reopening the subject and made strong but purely emotional speeches, sadly lacking in arguments, in support of the vernaculars. Ultimately an amendment was carried which requested the Commission to consider the feasibility of introducing the Indian languages in the Government curricula; failing which, of giving grant-in-aid to private schools.

The Congress directed its Executive to organise an Indian Agricultural and Industrial Exhibition in Natal and to take a hand in organising Labour Unions. Another resolution approved of the deputation, as occasion demanded, of a representative of the Congress to proceed to London and Geneva to advise the representatives from India to the Imperial Conference and League of Nations on the position of Indians in South Africa.

The Congress enthusiastically passed votes of confidence in Mr. C. F. Andrews and Mr. Sastri and requested the latter to extend his stay in South Africa beyond the one year that he proposed to stay.

#### ANTI-CONGRESS MOVEMENTS.

The opposition to the Congress and its policies took an organised form in the inauguration of the South African Indian Federation at Johannesburg in Christmas week. The Federation passed resolutions asking for the amendment of Section 5 making it non-retrospective; for admission into the Union of children who arrived in the Union unaccompanied by their mothers; for freedom of inter-provincial movement; for a relaxation of the provision that insists on minor children being accompanied by their mothers on the ground of the poverty of the parents, restrictions as to ownership of land, etc. imposed on them, and on the ground that it discriminates only against the Indian and not other races; for the provision of work for those Indians who have been thrown out of work due to the operations of the industrial laws, and disapproving of repatriation on the ground that it is not voluntary but compulsory because of the operation of industrial laws and demanding the repeal of all legislation that adversely affects Indians. The Federationists, however, descend to wickedness when they pass, as they did, a vote of no confidence in Mr. C. F. Andrews. That single act of theirs is enough to show what kind of people they are. There is hardly any doubt that they have no following in the country. Even in the Transvaal the South African Indian Congress received amazing support and the Federationists are nowhere.

Meanwhile the Transvaal British Indian Association watched an opportunity to hold a general body meeting when they could safely do so. That was when the thirty leading members of the Transvaal Indian Congress were away at Kimberley for the Congress. At their meeting the Association repudiated the Cape Town Agreement. And yet this very Association in September last offered the Minister of the Interior the assurance that he wanted and it included the promise to support the Agreement!

#### THE LIQUOR BILL.

In commenting on Mr. Godfrey's Presidential address, the *Star* of Johannesburg strongly protested against Clause 104 of the Liquor Bill. "To forbid them (Indians) that employment now would be a piece of utterly unjustifiable race discrimination and a gross injustice to thousands of competent and respectable people who will be deprived of their livelihood in the only work for which they have been trained, and which they have carried out with every satisfaction. This growing tendency in the Union to bar by legislative means whole sections of the population from particular kinds of employment not

on grounds of unfitness but on grounds of race and colour is thoroughly retrogressive and if persisted in will eventually have most serious consequences for South Africa." The *Natal Mercury* has again come out with a forceful leader against the Clause, which it says is "almost as unjust to the employer as it is to the employee." "Apart from the expediency of the restriction contained in this section of the Bill, it is altogether out of keeping with the sentiment and policy expressed in the Agreement. Certain Indians who have constituted themselves critics of the Agreement have opposed the system of assisted emigration on the ground that such emigration would not be voluntary, as it was professed to be, but that such pressure would be brought to bear on certain classes of Indians that they virtually would be compelled to emigrate. That criticism was not justified at the time it was made, but if this section is approved by Parliament there will be substantial ground for it. Thus the proposed prohibition will prove the first step towards the virtual abrogation of the compact. The Union Government rightly attaches very great importance to the Agreement. It would be not merely a lack of statesmanship upon its part but an exhibition of criminal folly if it were to continue its endeavours to force legislation through the House the enactment of which would have the effect of wrecking the one diplomatic success it has achieved during its term of office."

#### EDUCATION COMMISSION.

It is now settled that the Indian Education Commission will commence its work only after the new Administrator takes charge in February. Meanwhile the Indian experts are carefully studying the problem and propose to discuss fully their proposals with the Indian community. They are receiving not only cordial but enthusiastic co-operation from the Department of Education. The Departmental Reports show that year after year the Department pressed for progress in Indian education and it was the Government that stood in the way. In the latest Report, the Superintendent of Education says, "A Commission has been proposed to examine the question, which cannot be burked much longer. The Government subsidy will ensure the finance of the work when started, but it will necessarily be of slow growth, we have no teachers to deal with the pupils, even if the buildings existed, and they will take years to train. The position is that we have no buildings, no teachers, and as far as I know, no funds for building. But that this Province, or any other territory, can afford to sustain deliberately large sections of its population in enforced ignorance is a statement so patently prejudiced and prejudicial as hardly to require refutation."

#### OUR U. P. LETTER.

(FROM OUR OWN CORRESPONDENT.)

ALLAHABAD, FEB. 2.

#### PROGRESS OF THE BOYCOTT.

WITH every passing day the movement for the boycott of the Statutory Commission is gathering strength. Public meetings continue to be held throughout the province to express dissatisfaction with the Commission and decide on its complete boycott. The intense enthusiasm shown by the people at the various meetings and the observance of the *hartal* on February 3, shows the futility of the policy by which anti-boycott demonstrations are attempted to be got up under official inspiration and encouragement. The latest development in this direction is the formation of a committee of twenty-one Muslim members of the local Legislative Council under the leadership of the Hon. Nawab Muhumad Yusuf,

Minister of Local Self-Government. These worthies have issued a manifesto to the Muslim citizens of Allahabad asking them not to join the boycott and the *hartal* as such a course would be prejudicial to their interests. They have shown great ingenuity in finding 'constitutional' justification for the all-British Commission and they say it is not 'political wisdom' to withhold cooperation from that body. "Among the few persons", the manifesto urges, "who are shouting against the Commission most are men who are always in accordance with their principles bent upon opposing every proposal and every act of Government, irrespective of the consideration whether it is for the benefit of the country or against its interests. Nobody ever expected anything better from this Harris-made Minister and his henchmen in the Council. And there is none so poor as to do reverence to them, either among knowing Muslims or Hindus. Their efforts will only serve to heap shame and dishonour on themselves. Thanks to the early publication in the press of the two notorious letters addressed by the Nawab to his friends canvassing for support, his position has been made clear to all long ago. The better minds among the Muslims have definitely turned themselves away from him, and now they will not hesitate to dissociate themselves from the activities of the newly formed Committee. Their leader is the Maharaja of Mahmudabad. He is one of the leading lights of the boycott movement and a member of the boycott committee. Much has already been done under his leadership towards organising Muslim opinion in the province on the Simon Commission and more is promising. Thus, taken as a whole, the United Provinces have been acquitting themselves creditably in asserting national self-respect and there is every hope that the movement will continue to grow in strength.

#### THE 'Walk-OUT' POLICY.

The decision of the Congress that its members should absent themselves from the legislative bodies has caused fresh differences. The Swaraj Party itself is not of one opinion on the question. Many of its members have publicly expressed disapproval of the policy and they have made it clear that an organised walk-out at a time when the legislatures are on their trial will mean positive disservice to the country. Besides them, several other nationalists have strongly animadverted upon the resolution of the Congress and urged for its early revision—at any rate so far as the United Provinces are concerned. If the Congress persists in its policy and if the twenty-two Swarajist members of the local Council are to remain absent during the Budget session, the consequences will indeed be disastrous, for then there will be no opposition worth the name and all will be plain sailing for the Government. Nationalists and Swarajists combined have hitherto taught Government in the Council what organised opposition could do. But now, in consequence of the adoption by the Congress of this short-sighted policy, the Government would be free from trouble and embarrassment when the ranks of the opposition are thinned by the wholesale absence of the Swarajists. This is greatly deplored by Swarajists as well as the Nationalists and a modification of the policy by the Congress is eagerly looked forward to.

#### GOVERNOR'S VISIT.

This city was *en fete* on the occasion of the first official visit of His Excellency the Governor to the supposed capital of the province and a great reception was accorded to him. His Excellency was not able to assume office here but has done the next best thing in coming here so soon after the event. His visit was of brief duration but it was crowded with important events, such as visits to the University,

High Court, Maghamela and the water works. He was the recipient of three addresses of welcome, from the Municipal Board, the District Board and the Improvement Trust. His Excellency granted interviews to a large number of public men and thus acquainted himself with the local needs and requirements. The most important subject in the mind of every one who went to listen to the speech of the Governor in reply to the addresses of welcome presented by the local boards was the position of Allahabad as the capital of the United Provinces, to which appropriate prominence was given in the addresses. But the Governor clearly disposed of the portion of the address relating to this grievance of Allahabad by omitting all reference to it and by pleading in general terms that he was yet a stranger and unacquainted with local problems. The visit has not resulted in anything outstanding, but it has served to create better understanding between our public men and the Governor.

### REVIEWS.

#### HOW TO END WAR?

THE OUTLAWRY OF WAR; A CONSTRUCTIVE POLICY FOR WORLD PEACE. By C. C. MORRISON. (Willetts, Clark & Colby, Chicago). 1927. 8¼ x 5½. pp. 300 + xxv. \$ 3.

THERE are signs that America is becoming tired of her political cloister. She has lived too long, like Aristotle's God, "throned in magnificent isolation in a remote corner of the universe," content to interfere only occasionally, as when President Harding convened the Washington Conference on Naval Armaments, in the affairs of her universe as need arose. Her refusal to join the League of Nations was a great set-back to the vigorous peace propaganda that had sprung into being after the close of the Great War, and certain politicians—notably Mr. Elihu Root—refused tamely to acquiesce in her decision; while Senator Borah has had a resolution to abandon the war system in favour of a system of world law, before the Senate since the beginning of 1928. Quite recently M. Briand's efforts to broaden and strengthen the foundations, on which the international policy of peace is to be erected, have borne fruit: President Coolidge, in his last memorandum on the Franco-American Arbitration Treaty, has introduced recommendations for a world court, and favours the declaration of an anti-war policy and the submission of all disputes to the Hague. Washington opinion is apparently against all forms of war, and does not wish, with M. Briand, to exclude "defensive" wars from its condemnation.

The author of the book before us, Mr. C. C. Morrison, is an American journalist who has had ample opportunities of studying the subject with which he deals. His paper, *The Christian Century*, is a weekly journal, which discusses contemporary moral and social issues in the light of an informed and socialised religion. During the war, he was a guest of the British Government in France. He has given special study to conditions in Russia and Ireland, and has travelled in South America, Italy, France and Central Europe. He writes with knowledge and enthusiasm. He has an utter belief in his cause that gives his book some element of prophetic fire.

Mr. Morrison's thesis is that the peace propaganda has failed hitherto because it has been concerned with political and sentimental rather than with juridical issues. War must be recognised as an institution, legal, established, sanctified, and supreme. That is the diagnosis. And the cure can be effected

only by disestablishing it, by casting it out of the legal system of the nations in which it is entrenched. The tonic is to establish in its place an institution of peace conceived not under political but under juridical categories. "War cannot effectually be displaced by anything but law—not by arbitration, not by cutting down armaments, nor by military alliances with nicely balanced power nor by a political league of national units deciding disputes through diplomats, nor by regional pacts, nor by overwhelming force concentrated at a single world centre—but by law, universally recognised and embodied in a court vested with authority to apply it to international disputes."

Such a proposal would have had little success three hundred years ago when it was still possible for Francis Bacon—himself a humanist and jurist—to argue that "wars are no massacres or confusions but they are the highest trials of Right, in which princes and states, that acknowledge no superior upon earth, put themselves upon the justice of God for the deciding of their controversies by such success as it shall please him to give on either side." When Grotius, not long after, wrote his "Laws of Peace and War", he was chiefly concerned to legislate for war. War was an institution and a glorious one. But now the whole world has changed its mind. A world made one, interdependent in industry and commerce, in science and in the fruits of art, regards war as imprisoning the moral factors of mankind. War stifles the modern international spirit. "War is natural only as barbarism is natural, glorious only as the standards of a nation's true grandeur have been obscured by ignoble ideals of patriotism, and nourished by false education, and supported by the misguided sanctions of religion and inevitable only so long as society remains unenlightened concerning the artificial causes and traditions that produce it."

This spirit of internationalism first expressed itself in the policy of arbitration which, during the nineteenth century, obtained considerable vogue, when 471 cases were so settled while only six cases had been settled by arbitration during the whole eighteenth century. Both the Court of International Justice and the Court of Arbitration at the Hague are established on this principle, which has considerable merits as a second best policy. But the method introduced ten years ago by Mr. Levinson, supported by Prof. Dewey and Senator Borah, and now advocated by Mr. Morrison, goes far beyond this. They desire a real court of law, not a tribunal of conciliation, of diplomacy, or of arbitration, but a juridical court, around which the world shall be organised juridically. Such a system allows us "sanctions". There must be no international police. We must not use war to keep the peace. Mr. Morrison rests his policy on the honour of the nations. He is not pacifist in the sense that he thinks war wicked: he thinks it stupid. His scheme is not pacifist: it is pragmatic; it is not idealistic: it is realistic. He believes that optimism is its own reward. Of the last 13 major wars, not one has been caused by the breaking of a treaty. The violation of Belgium's neutrality was an effect, not a cause, of the late war. The nations have hitherto kept their pledges to go to war: why should they not keep a great international pledge to keep the peace?

The best analogy is found in the domestic institution of the duel. War is simply duelling on an international scale. The duel had its own special code, the *code duello*, just as war has its special code: it was thoroughly legal: a man was compelled to uphold his "honour" by resorting to it. It was surrounded by a haze of mock-heroics. The entire system was banished by being outlawed: throughout

the Anglo-Saxon world, it has been made a crime and one who slays another in a duel is treated as a plain criminal. The same might well happen in the case of war. When war is outlawed, the problem of disarmament will solve itself. The duel was not stopped through a restriction of the manufacture and sale of pistols and swords: it was outlawed. So "must it be with war."

The real difficulty in this proposal lies in the codification of international law. Lord Cecil thinks that the time is not yet ripe for this. Certainly the Geneva Committee which attended to it was unable to produce anything of value. But until an adequate system of international law is proposed and accepted there can be no real future for a world-wide treaty, and no basis for an international court.

But "The Outlawry of War" is a fine book. It is not the work of a mere dreamer. It is a sane and vigorous investigation into facts which it marshals with a practised hand. It is full of original and wise suggestions. It is addressed mainly to the American people, but it is not without a real interest to Indian politicians. May it be widely read, and forward the cause to which it is dedicated.

H. V. ELWIN.

#### PREPARATION FOR 'ECONOMIC DEMOCRACY.'

THREE ESSAYS ON TAXATION OF UNEARNED INCOME. By H. G. BROWN. (Lucas Brothers, Columbia.) 1926. 7¼ × 5½. pp. 173.

THIS book is divided into three parts: (1) Earned and Unearned incomes. (2) Rent of Land and its Taxation. and (3) Comments on some current criticisms.

The one outstanding feature of all these essays is the desire of the writer to prepare the world for an 'economic democracy.' Curiously enough in page 49, the author remarks:—"We need not—if we are scientists we cannot—have the faith in democracy sometimes professed by the practical politician." But we have a limited faith in democracy as the only possible pathway—if any such pathway there be—to an economic system fundamentally expedient and just." It would be clear from the above that Prof. Brown is not quite clear in his mind what sort of democracy he wants or how he would have it function, but what he wants to make clear are the inconsistencies and weaknesses of our taxation system.

The author's very first sentence on p. 3 'The task confronting us is to discover whether taxation can advantageously be used as a *chief tool* in the attainment and perpetuation of economic democracy' is open to question. At best taxation is a weapon of very doubtful virtue for the purpose the author seems to have in mind.

Naturally enough the author is very strong on the question of land rent and land values. He recommends very high taxation of land values. His criticism that the rent of land is a thing in itself and that the land rent is a surplus above cost is one which is not likely to carry absolute conviction, for, as Professor Marshall has shown, 'the rent of land is only the leading species of the same genus'! "The private receipt of land," says the author, "violates the principle that each should receive only in proportion to the service rendered to those by whom the income is paid." But this criticism is not to be confined to the rent of land alone. Secondly, what is the agency which the professor has in view in the matter of working out the proportion of income to be given to different income receivers? Thirdly, is not the professor naively attacking the very fundamentals of the right of private property in land?

In the second essay on p. 94, Mr. Brown says: "Taxation ought to be arranged with a view to societal welfare, and this may or may not mean that it be in proportion to ability. The ability theory rests upon no better ground than charitable relief" But one may be inclined to ask: Is not the ability theory the nearest principle to bring about the welfare of society? Any other principle is likely to put us on to sea without rudder or compass.

In his third essay, Mr. Brown criticises a number of writers who do not agree with his views. For example, Professor Seligman is criticised for his view that 'it is quite impossible to distinguish the improvements on the land from improvements in the land.' But Prof. Brown himself admits that 'there might be considerable variations from the ideal of accuracy.' If this be so, it is clear that taxation of land rents may give rise to more abuses than anything else.

In his criticism of the point raised by some economists that the rules of the game in the economic world ought not to be changed abruptly, Prof. Brown exhibits more spirit than reason. He says: "If investors must be allowed to get on the average a reasonable return on what they have paid, then little or nothing can be done to terminate any exploitation of the general public." This is not argument which is likely to appeal strongly.

Professor Brown must however be congratulated on the lucidity of the presentation of his views and his collection of essays though written in a combative spirit is full of interesting ideas which arrest our attention and give us food for thought.

S. V. AYYAR

### THE REVERSE OF "MOTHER INDIA".

**AN INDIAN DAY.** By EDWARD THOMPSON.  
(Alfred A. Knoff, London.)

OF the numerous common events whose significance is passed unnoticed may be reckoned the fact of the year 1927 being the year of publication, both of Katherine Mayo's notorious book and of Mr. Edward Thompson's *An Indian Day*. It is a coincidence with an import. Between Katherine Mayo and Edward Thompson there is many a difference. One is man, the other woman. One is instructed, the other only informed. It would be uncharitable to generalise and say one is American and the other European. What is clear is that one is a crude product of the same cultural factory, of which the other is a finished specimen. For the one the congenital mental outfit has sufficed. Mr. Thompson on the other hand possesses a philosophic soul and has cultivated sympathy and understanding through the initiative of reflection. Yet let there be no mistake about it—Mr. Thompson is a 'good European', and an Englishman besides, quite intact. He has not "gone native." In this respect the book reminds me of *Appearances*, a sketch of the impressions of a deserving holder of the travelling scholarship of M. Kahn of Paris, brought out long ago. There is in it Hilda Mannering, a delightful English girl, angelic yet determined, curious but purposeful, serviceable without being sentimental, a type of youthful femininity in which England specialises; Hamar, a well-intentioned, just-minded English official with his instinctive tribal loyalties constantly at war against his own initiative, and consequently solitary, a type with which Anglo-India is sprinkled; Neogyi, an Indian Collector, religious and public-spirited, combining the traditions of

British and Indian cultures but not very happy for that; Findlay who after a life of one-pointed service and much personal sacrifice is tossed between the secret yearning for a young and attractive girl and a sweeping passion for religious attainment; Deoghaira, an easily recognisable Government-pampered, Government-flattering high Indian official; and a Sanyasi—a Vairagi as he is often called—who has been once high in public life, understands British ideals, speaks excellent English, and amazes perpetually his English friends by his peculiar fascination, his loyalty for them, and his inhuman detachment and isolation when everybody around him is fussing about famine relief. Shake these stones in a psychological kaleidoscope and some other lesser ones besides. Remember the strange and gripping beauty of Bengali landscape, the insatiable humours of Anglo-India, just a little Revolution, and look at the result. That is *An Indian Day*, in which a scholar and a poet with a journalist's gift for vivacious writing has achieved conspicuous success in employing fiction to convey his ideas, though not without some traces of the form coming new to him. These ideas are many and interesting. The poisonous effect of the Englishwomen in India leading empty lives and consequently looking for intrigues, both on their husbands and on the country, is well brought out, and an earnest attempt is made to expound the Indian point of view in many matters to the Britisher. But the character of Findlay to me is most interesting of all. It is the psychology of a Christian missionary discovering Christ in India and as clear a sketch as can be produced of the effect of Indian culture and its traditions on a type of Britisher who is likely to endure in India and attach himself to the country, let it be said, for the good of India as well. That is a point of view which should interest Indian readers. It is a book which should be considered side by side with Foster's *Passage to India* and Talbot Mundy's *Om* so as to comprehend a new and interesting attitude of Anglo-India towards India.

RAGHUNATH ROW.

### BOOKS RECEIVED.

- ERRORS IN SCHOOL, THEIR CAUSES AND TREATMENT.**  
By SIR JOHN ADAMS. (London University Press, London. 1927. 7½ x 5. pp. 325. 6s.)
- REBUILDING THE CHILD, A STUDY IN MALNUTRITION.** By FRANK HOWARD RICHARDSON. (C. P. Putnam's Sons, Ltd., New York.) 1927. 7½ x 5. pp. 319. \$2.00.
- A POSTSCRIPT TO THE RECORDS OF THE INDIAN MUTINY.** By G. H. D. GIMLETTE (H. F. and G. Witherby, London.) 1927. 9½ x 5½. pp. 222. 10s. 6d.
- VISCOUNT LEVERHULME.** By HIS SON. (George Allen and Unwin, Ltd., London.) 1927. 9 x 5½. pp. 325. 15s.
- MEMORANDUM ON THE TEACHING OF ENGLISH.** By THE INCORPORATED ASSOCIATION OF ASSISTANT MASTERS IN SECONDARY SCHOOLS, CAMBRIDGE. (Cambridge University Press.) 1927. 7½ x 5. pp. 90. 3s. 6d.
- THE MEXICAN REFORMATION.** By GEORGE BARNARD. (Sheed and Ward, London.) 7½ x 5. pp. 73. 2s. 6d.

2/6 to £3 Daily. Any person with good business capabilities could add considerably to his income. Address Hollandsche Verkoop Centrale Buitenveldert, Amsterdam, Holland.