

Servant of India

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CONTENTS.

	Page
TOPICS OF THE WEEK ...	645
ARTICLES :—	
Sir Malcolm Hailey's Advice ...	648
The Commission in U. P. ...	649
Lord Curzon. By Prof. V. N. Godbole, M.A. ...	649
OUR EUROPEAN LETTER ...	652
OUR SOUTH AFRICAN LETTER ...	653
OUR U. P. LETTER ...	654
REVIEW :—	
Administrative Law in England. By Sir P. S. Sivaswamy Aiyer, K.C.S.I., C.I.E. ...	655
SHORT NOTICE ...	656
BOOKS RECEIVED ...	656

TOPICS OF THE WEEK.

THE tributes which Sir Leslie Wilson received from several bodies and associations representing practically every interest in the Presidency, to his solid achievements, kindly disposition and a rare sympathy with the people entrusted to his charge leave no doubt that his departure will be sincerely regretted by everybody, to whatever section, creed or party he may belong. His unbounded popularity has been won by the exercise of sterling qualities; among which we must assign the principal place to charity in the highest sense of the world. It was this which enabled him to behave as a constitutional Governor in the midst of the several temptations and pitfalls of that Janus-like and elusive system known as Diarchy. Even if he did not agree with his Council—whether Executive or Legislative—he could enter into the feelings of the Councillors and put a charitable interpretation on the action even of those who opposed him. Throughout his tenure of office the finances of the Province were stringent owing to causes over which he had no control and some of which like the Bombay Development scheme, he could not control to the end; and yet by his personal influence in the proper distribution of the resources, he saw to it that the progress of many a needed reform was not retarded unduly. During the early days of the Bardoli Satyagraha it looked as if the bureaucracy would entangle him in the meshes of its own statecraft; but he soon asserted himself

and realizing the supreme virtue of compromise assisted, at great cost to his physical comfort and mental *amour propre*, at the happy settlement of a dispute which without his statesmanship might have ended disastrously. It is in such situations that the *metier* of a liberal administrator is exercised at its best and it is here that charity and sympathy are seen to be the saving graces. It is impossible to dissociate Sir Leslie Wilson from the Governor's Hospital Fund which by his unceasing labours has been made into an institution and the City of Bombay will always give him that meed of praise which is his due for having laid the foundations of a scheme of hospital expansion on modern lines. Medical opinion has expressed itself in unmistakable terms in appreciation of his invaluable services in the cause of medical relief. We have already adverted in another connection to the part he played in securing by personal mediation the abolition of the Cotton Excise Duty which greatly handicapped the textile industry in India. Although biassed in favour of capital, he always exercised his influence with the capitalists to make them realize that the just demands of labour will have to be conceded in the interest of good will and many were the occasions on which he poured oil on troubled waters to avoid industrial deadlocks. That he did not always succeed is no reflection on him because the causes of industrial dispute are beyond the control of one man, whatever his station and personal ascendancy may be; the post-War developments are too international in their origin to be guided even by the united efforts of a single nation, much less by a single province. He battled successfully with what is called the obscurantism of the I. C. S. and as a result the public had been inspired with a confidence that even in the worst crisis the popular point of view would not be ignored and that the head of the administration would hold the scales even. We feel certain that Sir Leslie Wilson, when he re-enters politics in England as he is sure to do, will do everything in his power to further Indian aspirations and utilize his Indian experience to combat the lies that are broadcasted with sinister objects in view.

We heartily welcome his successor, Sir Frederick Sykes, who is conscious of the difficult problems that confront him. To mention only a few, there is the financial adjustment including the modification of the Meston Award, and there await also the revival of the textile industry, and the legislative enactment of the principles of land revenue. Besides there will be the important constitutional development which will assume a definite shape very shortly. We sincerely hope that he will follow in the footsteps of his distinguished predecessor in pursuing steadfastly a liberal and progressive policy in arriving at a solution of the numerous intricate questions that arise in one of the few industrial provinces in India, which it will be his privilege to govern. Indeed his

first utterance on Indian soil gives ground for the belief that his regime will be informed by a deep sympathy for the aspirations of the people committed to his charge. We are glad to have an assurance that Lady Sykes will be ever anxious to assist all measures for the welfare of women and children in this Presidency. In this she will only be continuing the good work of beneficence begun by Lady Wilson whose name has become a household word in the whole Presidency, in connection with the Baby Week and the Village Maternity Association, with the last of which her name will be perpetually associated.

THE last session of the Aundh State Representative Assembly witnessed the introduction of some reforms for which no small credit is due to the Chief, who, from all one hears, seems to be living up

to his reputation as an enlightened ruler. The Assembly had so far the State Karbhari for its President; but was empowered during its last session to elect anybody it liked for that position. Its choice has fortunately fallen upon a non-official of the standing and experience in public life of Rao Bahadur R. R. Kale, whose parliamentary experience as a member of the Bombay Legislative Council ought to stand him in good stead as the Assembly's first elected President in laying down sound traditions. Another reform which must be mentioned here is the establishment of a Standing Finance Committee to deal with the State budget. This should go far in the detection of financial irregularities and in seeing that the public expenditure in the State is properly incurred. In this connection we cannot attach too great an importance to the audit of the accounts of the State and the State bank by independent chartered accountants. It is observed that the need for this is emphasised by the Finance Committee; but such independent audit seems for some reason or the other to have been shelved last year. We hope this will not happen again. But the point upon which, in our view, the ruler deserves praise from all advocates of constitutional government in Indian States relates to the submission of the State budget not excluding the ruler's personal expenditure to the vote of the Assembly. This is a reform in regard to which Aundh has given a very admirable lead; and it is now for the other States to follow its example. It is true that the cut in the ruler's expenditure passed by the Assembly in its last session is not going to be accepted by him in entirety. We wish he had found it possible to bow to the Assembly's decision and cut down his expenses to the extent desired by it, but this need not blind us to the constitutional importance of his practice of submitting even his own personal budget to the approval of the Representative Assembly. What has become possible in Aundh ought also to be so in other states, if only the will to confer real power of the purse on the people's representatives is not lacking. If the rulers of the other Indian states were to follow Aundh in this matter, the problem of the relationship between the States rulers and their subjects, which has assumed such proportions in recent years, would be rapidly on the road to its solution.

DURING the week the Bombay Mill Strike Enquiry Committee examined the scheme of rationalisation explained by Mr. Stones, the spokesman of the owners. The great contention of Mr. Stones appears to be the need for reduction of charges in view of the unfair competition by Japan. The object of the scheme is to reduce costs by reducing the operatives per hundred looms

and the figures given by Mr. Stones show a reduction of nearly Rs. 21 per hundred looms if a worker attended four rooms instead of three as heretofore. From the short experience of the system Mr. Stones concludes that the operatives were not prepared to cooperate in reducing the costs although the scheme did not entail overwork. The issue therefore clearly is that the labour leaders want the increased efficiency to redound wholly to their benefit whereas the owners want to obtain the larger part of the gain from it themselves, with a view to reduce costs. Sir Victor Sassoon, while admitting that the scheme would result in the dismissal of a certain number of operatives, promised to absorb them by working double shifts. Granting however that the condition of the Bombay mills is parlous it is difficult to make the workers accept wages according to the standard set in Japan. So far therefore as the grievance of the owners based on the low cost in Japan is concerned the remedy will have to be sought elsewhere. In any case Indian labour cannot be made to suffer for the Japanese sins of omission and commission. What is required is a demonstration that the rationalisation scheme is just, apart from any reference to foreign competition. When the question of the standing orders was raised, Mr. Bakhale rightly criticised them as being one-sided, containing no penalties for lapses on the part of owners and managers. He also pressed for a reduction of working hours from 10 to 9½ and also insisted on the right of the worker to strike which the standing orders had denied. On the important question of wage reduction, Mr. Sasakura said that when the industry could not afford a certain wage, it was quite necessary that it should be cut and yet he could not help admitting later that Rs. 30 should be the minimum wage for insuring a proper standard of living. As against the standing orders, he recommended three recesses a day instead of two, as the latter involved five hours' work at a stretch.

WITH regard to Sir Basil Blackett's recent attempt "Manufactured" to cast aspersions on the genuineness of the Simon boycott, the *Pioneer* writes:—

"During his career in India Sir Basil Blackett was frequently foolish and childish in his dealings with politicians and political matters, but he was never quite so absurd as he was in the interview which he gave to the *London Daily News*. It will be news even to the most ardent cooperators that the opposition to the Simon Commission has been "manufactured." The genuineness of the feelings of those who are opposed to the Commission is generally admitted by those who believe it is impolitic and inadvisable to give vigorous expression to it. The fatuousness of Sir Basil's remark is so obvious as hardly to need comment in this country, but there is the danger that it may do harm in England where Sir Basil will be regarded as one of the greatest authorities on Indian subjects. The suggestion that opposition to the Commission was "manufactured" would of course come naturally to Sir Basil who proved himself so expert a "manufacturer", of a case in India's currency controversies ..."

THE Controller of Labour in Malaya who is on a visit to this country had recently been up at Delhi. We are not officially told as to what were the points that formed the subject of discussion between himself and the Government of India. But it does not need much perspicacity to hazard the guess that his visit was inspired by a desire to secure a further postponement in the operation of the emigration rule which enjoins a definite sex ratio to be maintained among Indians emigrating to Malaya.

We say "further" because when he visited India last year he was able to induce the Indian Government to delay the operation of the rule in question till the month of April this year; not only that but he also carried with him the Indian Government's assurance of sympathetic consideration in case the Malayan authorities should need a further postponement "if labour conditions in Malaya warrant it." One wonders whether he has succeeded in convincing the Government at Delhi as to the necessity of the further postponement. It need hardly be added that the curiosity of the Indian public as to the purpose of his visit is not merely an idle one, as Malaya attracts over a lakh of Indian labourers every year. In these circumstances its anxiety to know what takes place at these informal consultations is quite intelligible and the Government of India would do well to publish an authoritative statement on the point. Meanwhile we observe from the proceedings of a meeting of the Indian Immigration Committee recently held at Penang that the sex ratio has improved. It may be this was due to the comparatively small number of Indians that emigrated to Malaya during the first ten months of the current year, the number of assisted emigrants being only one-fifth of that for the corresponding period last year. It is a matter for satisfaction that the Committee has also fixed the minimum rates of wages payable to Indian labourers in the Colony.

IN the Administration Report on the working of Village Panchayats in the Madras Presidency for the year ending 31st March 1928, the Registrar-General of Panchayats says that

the district organisation is almost entirely non-official and honorary but in certain districts it was not possible to secure workers of the right type with local influence and hence the unequal development of the movement from district to district. At the end of the year 2,698 Panchayats were in existence but 516 of these did not function and of those that did function, only 616 sent up reports of their work. It is highly interesting to read that "panchayats have naturally taken root most easily in districts where there was already in existence an informal system of administering a village common fund for festivals, temple expenditure, etc." Running schools was the commonest work done but in some cases prickly pear was cleared, lighting was attended to and libraries were maintained. 771 panchayats ran 800 schools, some of them making additions to the salaries of the teachers over and above what the Government gave by way of grant. The half-grant system that obtained has this attraction that it stimulates a good deal of private charity. But there was also the disadvantage connected with it that it favoured those villages which were in a position to help themselves to some extent and left the really helpless in the lurch. Quite rightly the Registrar has asked the Government to give him the discretion to increase the grant to three-fourths in some cases. The remark in the Report that villagers took more interest in panchayat schools than in those maintained by Boards is not surprising. But it is regrettable that not all these panchayat schools gave admission to the boys and girls of the out-castes. This needs to be remedied early.

THE solution of the drink problem in this country is beset with difficulties, the principal one of which relates to finance. The drink revenue fills such an important place in the financial system of the provinces that it is hardly of practical politics to expect provincial Governments to forego

the same by the immediate introduction of prohibition. But temperance reformers are not so unreasonable as to ask that the country should go dry from to-morrow. As Rev. J. F. Edwards says in his appeal "to the British Parliament and people through the Indian Statutory Commission," and as the proceedings of more than one local council have made clear, they are prepared to wait for, say, twenty years for the advent of prohibition so as to enable arrangements for filling the gap created by the extinction of the excise revenue to be made. But when once the time-limit is laid down, Government must unflinchingly stick to it so that at the end of the stated period prohibition should be automatically attained. According to Rev. Edwards, the method by which to reach the goal should be local option, which has worked well in Scotland. While in no way opposed to local option, we think his object, which is also that of the Indian people, would be achieved even by an uninterrupted prosecution of the rationing policy. What is really necessary is a firm determination on the part of provincial Governments to reach prohibition by successive stages. This was lacking in the case of the Bombay Government which continued the policy for a few years and have dropped it this year. If they had gone on with it sufficiently long, prohibition, so far as country liquor is concerned, would have been an accomplished fact, at the end of twenty years in Bombay City and of ten in the rest of the presidency. A possible result would have been the consumption of foreign liquors on an increased scale and Rev. Edwards is right in holding that complete prohibition of drink of any kind would be an impossibility without the co-operation of the Central Government which also must be induced to forego the revenue derived from the consumption of foreign liquors. How long we may have to wait for this, time alone can show. Though Rev. Edwards has taken the trouble to address this appeal to the Simon Commission in the first instance we cannot think that he is such a hopeless optimist as to expect the Commission to find a solution for the problem to which he has drawn its attention. Nor are we sure that it falls within its terms of reference; for the Commission is expected mainly to deal with the political problem of this country. Perhaps he has utilised the opportunity afforded by the Commission's inquiry for doing some public education. We are sure that the two memoranda that accompany the appeal will go far in that direction.

IN the railway capital account there is an item of Rs. 32,86,316 comprising the expenditure on a number of projects which were abandoned at various periods, dating in some cases prior to 1898. The expenditure has remained at the debit of capital ever since, for the reason that under the rules, in force at the time the projects were abandoned, regulating the incidence of expenditure such unproductive outlay was to be a charge to capital. The reason appears to us to be eternally operative and we would urge on the Government the desirability of preserving intact this standing monument to the sacred memory of pioneers in railway accounting. A grateful posterity will not grudge having to pay interest on the amount from year to year. We make this urgent suggestion because it appears to us that while Government have courageously resisted the temptation to write off the amount in response to what look like hints dropped by non-officials through interpellations in the Legislative Assembly—vide starred question No 98 of September last—there is danger of that courage failing them should an officious official make an "immediate proposal" to relieve the capital account of the expenditure.

SIR MALCOLM HAILEY'S ADVICE.

IN reply to a recent address by the Talukdars of Oudh Sir Malcolm Hailey has unburdened himself of his mature views on the present political situation as he envisages it. To start with he admits that self-government can only be realized by the representative institutions based on a wide popular franchise; this was the only way to implementing the Declaration of August 1917 to which the British are committed. In spite of this he has a lurking suspicion that representative institutions are not suited to India; the declaration was the result of the political obsessions of the British people who could not imagine any other form of government than the one to which they have been long accustomed. It is clear that what he means is that (he does not say it in so many words) the Reforms of 1919 which inaugurated democratic institutions were a wrong step. The obvious thing to do therefore is to test the foundations, to pull down what has been built if we find it to be faulty and to re-erect it if necessary. This, so far we can see, is only a paraphrase of the claim made occasionally by men of his ilk to wriggle out of the present constitution as early as they can. We wonder whether the Statutory Commission is a preparation for this process of wriggling out. Sir Malcolm Hailey proceeds to tell the Talukdars quite definitely that an invasion of their rights by the new Legislature is a certainty and while the Commission's inquiry is still in progress he takes upon himself to assure them that Government are in favour of strengthening the special representation of landed interests. Now the supposition that the Indian Legislature would commit a breach of the pledges given to the Talukdars is perfectly gratuitous and has no basis in fact. We must take it therefore that he has in mind the future Legislature as he pictures it in the light of the suggestions for a new constitution made by Indians who do not believe in the perpetuation of privileged classes and special representation. Even then there is no justification for the supposition considering that the declaration of rights and the veto of the Governor-General in the Dominion Status scheme would be complete deterrents against such unwise legislation. Sir Malcolm makes the claim of the Talukdars that no change in the constitution should be permitted to invade their title to property, a text for a harangue on communism drawing an imaginary weird picture of the confiscation of their properties at the hands of the new repositories of power. Now we think this trick of appeal against communism has been overdone. If the reference of Sir Malcolm Hailey is at all taken seriously it would mean that according to him the Legislatures under the new constitution will consist in a major portion of red-hot Communists ready to make short work of the land-owning gentry including the Talukdars. Surely, grotesque imagery of a diseased imagination can go no further.

Sir Malcolm Hailey is convinced however that whatever guarantees the Government may give for strengthening the landed interest some sort of

democracy is sure in any case to be established and he gives another piece of practical advice to the Talukdars. Everywhere the landed aristocracy has to meet the impact of popular institutions; it has to rely on its own actions in order to make its influence felt and safeguard its own interests. This it has done by adjusting itself to the changed conditions and making an effective entry into politics and he advises the Talukdars of Oudh to follow in its foot-steps. He would have them train their sons in public life, make common cause and offer a united front to their opponents. They should, he thinks, secure the political support of the tenants and the rural population by a successful management of their estates and secure their interests by having an influence in the Press of the country. Now nothing will be more pleasing and acceptable to the leaders of public opinion in India than to see the landed proprietors taking their place in the Legislatures under the new dispensation, and to represent and even to fight out their case. In fact when commenting upon the demands of the Bombay Inamdars' Association we had actually pleaded for their entry into public life in order to safeguard their interests instead of relying on special representation and reserved seats. Of course with adult suffrage the position of landed interests in India will not be so powerful as that of the landed aristocracy in England after the Reform Bill of 1832. But surely they can secure the 6 per cent. seats in the Provincial Legislature, which the Agra Zamindars' Association asked for by way of reservation only the other day from the Statutory Commission. For this advice therefore we may even thank Sir Malcolm Hailey; if his advice will rouse the Talukdars from their 'traditional' lethargy and insouciance well and good. It will do a world of good to them as well as to ourselves.

Finally he admonishes the Talukdars to choose the right allies; if they want to invoke the assistance of the British Government they must reject the alliance with those who declare for complete independence. This is a fallacious dilemma; it proceeds as if the two alternatives were logical contradictories and there is no third term between them. As a matter of fact there is a whole gradation of advisers, from those who would only ask for Provincial Autonomy without touching the Central Government, to those who would recommend Diarchy in both the spheres, to others who demand Dominion Status without the control of Defence and Foreign relations, and from these last to those who demand complete Dominion Status. Besides we doubt if anything can be more grotesque than this piece of advice to reject the alliance of those who stand for independence, because no one has ever thought it possible that the landed aristocracy would seek this sort of alliance. On the contrary they have proverbially shown themselves to be the most powerful opponents of representative institutions and great upholders of tradition, mediaeval privileges and social inequalities. It is clear that Sir Malcolm Hailey wanted, under the pretext of a Communist scare, to

dragoon the Talukdars into being good and loyal citizens. After reading the speech we feel no surprise that the *Pioneer* thinks that Sir Malcolm intends creating a political party in his province which will oppose any extension of the Reforms. We hope that Sir Malcolm Hailey's perverse logic will not find much support from responsible statesmen in England who know better than to violate promises and perform somersaults. If they are found to sympathize with his sentiments, it will only mean that Indians cannot count upon outside help in their attempt to achieve their goal.

THE COMMISSION IN U. P.

AT Lucknow the Simon Commission examined Mr. Sloan, Reforms Officer to the U. P. Government whose evidence has an importance of its own. We do not think Mr. Sloan's contention that no more Labour representation was necessary on the ground that Labour legislation is specifically central is correct since only a few days ago it came out that occasionally power was deputed to provincial legislatures in the matter. In the light of the experience in Bombay it appears to us that some more members to represent Labour are clearly indicated. The fact that it is only on rare occasions that Ministers refrained from voting with the officials shows to what extent they have been incorporated into the steel frame. We are glad to learn from the Inspector-General of Police that corruption was decreasing from day to day. He trotted out the hackneyed objection to the transfer of the Department that the Ministers were liable to be influenced by the opinion of the legislature; on this it is pertinent to ask in what country under the sun Ministers are not politically influenced. It is a great relief to have the testimony of the head of the police that he was perfectly satisfied with the work of Indian Inspectors who have taken the place of Europeans as well as that of the other Indians in the superior service. He also admitted that the efficiency of the force did not suffer by reason of control by an Indian. Coming to the claims made by the women's deputation, the suggestion made by it that if a father or husband possessed qualifications which were twice in excess of the minimum qualifications, the daughter or wife should *ipso facto* acquire the vote is ingenious and might be adopted. But there will be serious objection to the suggestion about the creation of separate polling booths for purdah women voters since this practice will retard instead of helping the movement against women's seclusion. It is rather disconcerting to be told, as we were by Mr. Munro, that Chairmen of District Boards did very little touring and that there was very little inspection by the Minister or his deputies over spheres of work for which grants were made by Government. On other grounds also Mr. Munro thought that there had been deterioration in the efficiency of the District and Tehsil Boards administration. Coming next to the deputation of Muslims we come across the demand for separate electorates not only for election for the Councils but for local bodies as well; there is a demand for the fixing of a certain percentage for Muslims in the services also not by executive orders but in the constitution itself. The deputation laid great emphasis on their experience that in local bodies the Muslim interests had not been protected. Mr. Masadul Hassan's statement that the Hindus had done nothing to gain the confidence of the Muslims was refuted by Raja Nawab Ali, the questioner him-

self, by pointing out to the Lucknow Pact; after this much needed snub Mr. Hassan could only say that they referred to the conduct of the Hindus after the Pact. The most humorous part of the Muslim memorandum is that in which they frankly tell the British Government that if joint electorates are substituted for separate ones their *bona fides* would be doubted by the Muslims. The Agra Zamindars' claim for eight seats in the provincial Council is fairly modest but their claim for 16 seats out of 64 in the Second Chamber which they recommend is hardly one that would be conceded in these days when wealth alone is hardly regarded as the sole passport to political privileges. The demand by the Muzaffarnagar Zamindars' Association for a lowering of the qualification for public-services in the case of the Zamindars because they were educationally backward is to say the least of it a bid for monopoly at the cost of efficiency; if they choose to remain uneducated in spite of the advantages of wealth and influence they have only themselves to blame. Their demand for a permanent settlement is also out of joint with the times since such an exemption would add to the burden of taxes paid by other classes and would consequently violate the canon of the equity of taxation. But the Association must be complimented on their demanding immediate Dominion Status and genuine provincial autonomy. The Oudh Talukdars' Association has made very modest demands; out of a membership of 250 in the enlarged U.P. Council they claim only 6 per cent. of reserved seats for themselves. Their representatives affirmed that there was no communal feeling in the Association and in spite of clever attempts to deflect him from this position he adhered to it. He also made it clear that as long as their position was secure they did not mind the tenants getting special representation. The Upper India Chamber of Commerce have recommended indirect election by electoral colleges representing various interests in the place of the present system except for the Council of State and the provincial Second Chambers. For Muslims they suggest a sliding scale in which their weightage increases as their numbers decrease and where they are in a majority they should get representation proportional to population. Barring reserve power to Governors in grave emergencies they recommend full provincial autonomy with Law and Order retained as a reserved subject. With regard to the evidence on provincial services it appears from the hesitation of the Chief Secretary to answer the questions about the detailed working of the preliminary selection that the Public Services Commission has not got power to override the suggestions of Government and is probably a docile body. The witness admitted that the rules governing communal proportion were observed in making appointments of the officers in various departments although not in all, the proportion of Muslims having been fixed at one-third. And yet the witness said that it was doubtful whether there was any warrant in the powers delegated to Local Governments by the Secretary of State to make provision for communal representation in the services. If so, the question should have been decided long ago.

LORD CURZON.*

THE last volume of Lord Ronaldshay's biography covers the period from the close of Lord Curzon's Viceroyalty to the end of his life. As soon as he re-

* THE LIFE OF LORD CURZON, VOL. III. By the Rt. Hon. the Earl of Ronaldshay. (Ernest Benn, London). 1928. 9½ x 6. pp. 457.

ached England he found parties and policies strangely different and he realized that Mr. Chamberlain's Tariff Reform which he believed to be crude and ill-thought out had done his party great harm. His conviction that the Unionist party was heading for disaster and could not be re-united on a protectionist basis accounts for his determination to be out of the next election. His biographer tells us that his comments on affairs were those of a mildly interested and somewhat cynical spectator. He felt keenly that he alone of a long line of Viceroy's remained without official recognition of his services. His return to public life was made possible by being elected as an Irish representative peer to fill a vacancy created by the death of Lord Kilmaine; the pathos of the situation however was that he was debarred from entering the House of Lords in the more natural way by the refusal of the Prime Minister to confer a peerage on him. On February 6, he made a speech on the Anglo-Russian Agreement criticizing the Government for "throwing away to a large extent the efforts of our diplomacy and our trade for more than a century" and for disposing of Persia's property without the consent of Persia. With the Conservatives in Opposition, Lord Curzon found ample leisure to pursue intellectual and aesthetic interests which were more attractive to him than the victories and defeats of political life. He had already been elected in 1907 as Chancellor of the Oxford University and it was not his way to treat any office which he held as a sinecure.

CHANCELLORSHIP OF OXFORD UNIVERSITY.

The story of his Chancellorship is told in a separate chapter by Sir Herbert Warren. A movement had been set up for the appointment of a commission to deal with the Universities of Oxford and Cambridge. Lord Curzon pointed out that already he had begun to consider the reform of Oxford from within and Lord Crewe announced that the question of appointing a commission would be deferred for the present. Lord Curzon then set about the task of reform with all his promptitude, method and thoroughness. He decided to reside for a fortnight and make the acquaintance of the Oxford world for himself, and he proved "a most genial and even gay host." In April 1909 his memorandum was published and we are told that it received very good press and excellent reception in Oxford itself. After the Council had adopted the several items, the Report of the Council appeared in August 1910. Actual legislation went on very slowly till it ceased on the declaration of the War. In the end the much apprehended Commission did come, but they simply carried to conclusion the reform which Lord Curzon had inaugurated and largely shaped. Dr. Hogarth wrote: "None now will grudge a tribute to the comprehensive grasp and prescience which make one man's findings so largely anticipate those of a dozen commissioners." In his will he bequeathed to the University his collection of Napoleonic books, prints and relics. In his selection for the award of honorary degrees, although he acknowledged literature, notable discovery, and art as merits to be honoured, the most indubitable, in his opinion, was that of public service. Sir Herbert Warren feels that there can be no doubt that he loved Oxford; whether loved or not in return he thinks that Lord Curzon should certainly be highly esteemed by her.

On the question of Mr. Asquith's Parliament Bill, Lord Curzon went through several changes of opinion and pose. Prior to the election of 1910, the idea that the House of Lords could be intimidated or cajoled by the threat of a creation of five hundred peers appeared to him a fantastic dream. But as

soon as he realized that Mr. Asquith was determined to carry out his threat and when the King declared that he would consider it his duty to act upon the advice tendered to him by his responsible Ministers, he reconsidered his position and came to the conclusion that it would be against the best interests of the country to stand out longer against the Bill. And although he denounced the advice tendered by the Prime Minister to the Sovereign as a gross violation of constitutional liberty he abstained from voting in accordance with the advice given by Lord Lansdowne. From worries of party politics he turned his attention to more congenial pursuits. As President of the Royal Geographical Society he prosecuted the self-imposed and laborious task of collecting money for giving a habitation to the Society worthy of its pre-eminent position and in less than two years after his assumption of the Presidency the Society was installed in its new home. A little after he succeeded by personal pleading in securing the admission of women to the Fellowship of the Society. Lord Curzon's versatility is well-known but many would be surprised to learn in the present volume that he was an honorary fellow of the Royal Institute of British Architects; and his artistic perception has been analysed and described by Lord Ronaldshay with rare eloquence. He had actually planned a series of volumes with the title "The British Mansions Series" and executed part of the work. In the light of this his zeal for the great programme of preservation and restoration of ancient buildings in India can be easily understood.

ENTRY INTO CABINET.

During the early days of the War Lord Curzon fretted miserably under the sentence of inaction which seemed to have been passed upon him. Lord Curzon was not a believer in peace and he supported in 1909 the National Service Bill introduced by Lord Roberts; and on the outbreak of the war he had recommended compulsory service. He agreed with M. Clemenceau that the creation of an English army was a matter of European interest. He had always viewed the plan of a Coalition Government with dislike and thought it might lead to a fatal and irretrievable collapse. With all this the plan was seen to provide the only means of escape from an untenable position and he joined the Government in May 1915 as Lord Privy Seal. The first taste of a Cabinet office was not pleasant; the haphazard method of transacting business greatly shocked his precise and methodical mind and the whole thing struck him as providing an outstanding example of the traditional amateurishness of the British people. In an elaborate presentation of the case, he took strong exception to the evacuation of Gallipoli, but Lord Kitchener backed by military opinion decided on the step; in Lord Curzon's opinion "persistence if scientifically conducted might still have led to victory." On the question of compulsory service he found in 1916 that there was a majority in the Cabinet, whereas he was the only avowed compulsionist in the Cabinet when he joined the Government. Just at this time he was appointed Chairman of the Shipping Control Committee which was entrusted with the task of providing adequately for all the demands not only from military and commercial interests in the country itself but from the Allies. In this capacity and later on as Chairman of the Air Board his talents and driving force were conspicuously evident. The creation of a separate Air Ministry was a vindication of his judgment that the Air Board must not be under the control of the Admiralty and the War Office and must have the powers of a plenipotentiary in dealing with the War Committee. His passage-at-arms with Mr. Balfour on this question however reveals the

love of controversy carried to excess—a defect from which he never succeeded in making himself free.

At the end of 1916 Lord Curzon became a member of the small War Cabinet and from this time onwards he had little reason to complain of lack of work. Henceforward he was "at the heart of things, had his finger on the pulse of great events, played a dominant part in guiding the destinies of nations and moulded the material of which history is made."

On the the question of a National Home for the Jews in Palestine he declared his opinion after analysing the situation in his inimitable fashion that the scheme was impracticable and almost utopian considering that too many peoples and too many religions had a permanent interest to render a Jewish State even dimly possible. As a result of his warnings the Government's declaration on the subject was accompanied by the necessary provisos. With regard to the future of Mesopotamia he stated that to restore Baghdad to Turkey would be to revive the shattered German ambition of a great Teutonized dominion stretching through Europe and Asia Minor as far as the Persian Gulf and he believed it was the duty of Great Britain to foster the Arab State that was built up and entrust to it the future destiny of the country. It is only to be wished that this would be done within a reasonable period.

MONTFORD REFORMS.

The Chapter on the Montagu-Chelmsford reforms is important from the Indian point of view. Unfortunately it reveals Lord Curzon as a reactionary with the poorest vision of future possibilities. He did not think that any constitutional reform was overdue for only eight years had run their course since the Reform scheme of 1909. And he thought that apart from the services rendered by her soldiers it could scarcely be said that India's war effort had been such as to call for any exceptional reward. While therefore he agreed that some statement by the Government that self-government within the Empire was the goal at which they aimed was desirable, his mind seemed to be tossing about on a sea of indecision with regard to the precise formula. In a speech made in 1909 he had already declared that Lord Morley without meaning it was sowing the seeds of Parliamentary Government. Mr. Montagu's formula left open the question of the type of free institutions to be set up; but in the formula as redrafted by Lord Curzon the words "responsible government" were there in black and white. The obvious inference, his biographer says, is that either Lord Curzon had come to agree with Lord Morley or that Parliamentary Government was now inevitable and had better be frankly accepted by the Cabinet. In spite of this he expressed astonishment at the Report on seeing that the scheme adumbrated therein amounted to the introduction of Parliamentary Government. To us this wobbling is easily explicable by the inveterate dislike of Lord Curzon to any departure from the irresponsible and autocratic form of government which he thought to be the alpha and omega of Indian political development. Perhaps Lord Curzon consented to the Declaration of 1917 only on pressure from his colleagues. After the publication of the Montford Report he complained to Mr. Montagu that pressure had been applied to the members of the Cabinet to agree first to one thing and then to another till they have forfeited their liberty of action. Further, he characterized the Reforms as a revolution which will lead by stages of increasing speed to the ultimate disruption of the Empire. Even after he had supported the motion to refer the Report to a Joint Committee of the two Houses, he refused to serve on a Cabinet Committee to prepare the Bill; the reason he gave was that he was unwilling to be invested with responsibility

for the final form taken by Mr. Montagu's proposals. It is not surprising therefore that Mr. Montagu became seriously alarmed and even apprehensive of ever getting an agreed Bill, with an important member of the Cabinet in opposition. Even on the second reading of the Bill in the House of Lords he described the Reforms as a rash experiment and in the subsequent stages of the Bill he took no part. Such are the vagaries of Tory Imperialism and the illogicalities of a mind wedded to old ante-diluvian conceptions. There was no room in Lord Curzon's philosophy for the cultural development of a nation in accordance with its own ideas which can best be secured by being governed by themselves and not by prancing pro-consuls of another race and culture. This chapter gives us some idea as to the difficulties Mr. Montagu had to contend against in getting his reforms, unsatisfactory, dis-appointing and inadequate though they are, not only through Parliament but even through the Cabinet itself.

IRISH PROBLEM.

An insurrection in Dublin in April 1916 forced the Irish question again on the attention of the Cabinet and Lord Curzon was obliged to take part in a distasteful controversy. The prospect of a Home Rule Bill had led to strong protests from Ulster and it was clear that Ulster would resist by force an attempt to subject it to an Irish Parliament. His opinion was that the Unionists would be entitled and bound to resist a Home Rule Bill by all means in their power if it was going to be made a gigantic party job. He justified the resistance of Ulster on the ground that a minority had a right to secede if it feared oppression. He objected to the move of the Liberals to pass the Bill, but to refrain from bringing it into operation until a general election—this, he said, would entail a heavy responsibility on the King for having assented to a measure before an appeal to the people. At the same time he was aware of the disinclination of the King to reject the advice given to him by a Prime Minister with a large majority behind him. He was in favour of a statement of the King's position urging a reference to the people and at the same time disclaiming any share of responsibility for the action of the Ministers, to be sent to the Prime Minister as a State paper of the first importance. After the passing of the Home Rule Bill in September 1914, matters became complicated by Mr. Lloyd George negotiating with Irish leaders on the understanding that Home Rule might be brought into immediate operation. Ultimately a committee was appointed for exploring all possible roads towards a settlement, with Lord Curzon as Chairman; and in May 1917 an invitation was issued to the groups in Ireland most closely interested to send delegates to a Convention which would attempt to arrive at a solution. With the example of South Africa before him Lord Curzon pleaded for the good will of all parties towards the plan. About his speech in the Lords making this appeal, the *Irish Times* said: "As an oratorical effort Lord Curzon's speech was a masterpiece and it was a delight to listen to it." Although the Convention issued a Report no agreement had been reached. After another abortive effort Lord Curzon had to explain in the House of Lords that in face of the revelations of a sinister conspiracy of leaders of the Sinn Fein movement with the enemy of the country, it was impossible for Cabinet to proceed with a consideration of their proposals. As President of the Anti-Suffrage League, he experienced the same dilemma as he was confronted with in the case of India. The League expected him to speak against the clause conferring franchise upon women when the Representation of the People Bill came before the Lords; while as a

member of Government he could not vote against the clause although he declared that it was not a Government Bill in the ordinary sense of the word. His speech was a powerful condemnation of the measure and he exclaimed: "If your Lordships pass this part of the Bill, you are opening the floodgates to a stream which for good or evil will submerge many landmarks we have known." And yet when it came to vote against the clause or rather in favour of an amendment to reject the clause he refused to do so on the ground that Woman Suffrage had been introduced in the Bill by an overwhelming majority of the Commons and that it was not wise to embark on a course that might well precipitate a conflict. The announcement that he would abstain from the division sent a chill of disappointment into the hearts of the anti-suffragists. Thus he had completely stultified his own attitude up to that point by his subsequent procedure. The reason, Lord Ronaldshay tells us, was that Lord Curzon's imagination was not precisely of the type which enabled him to put himself in other people's skins

V. N. GODBOLE.

(To be continued.)

OUR EUROPEAN LETTER.

(From Our Own Correspondent.)

GENEVA, November 22.

THE GERMAN FOREIGN POLICY.

THE topic of the day in Europe is the speech of Herr Stresemann in the Reichstag which marked his return to political life after a long illness. It was devoted principally to two problems affecting Germany's relations with the Allies—the military occupation of the Rhineland and the settlement of reparation. It is inevitable that the continued occupation of the Rhineland should be, in Germany, a question which goes beyond the limits of party. The whole nation, beyond any doubt, desires total evacuation. Herr Stresemann reiterated the claim that Germany had a right to it under the provisions of the Versailles Treaty, and that evacuation should be independent of every other question. The French thesis, as is well-known, is opposed to this position. France would make evacuation dependent on Germany's debts being guaranteed by German railways and certain industries. The German Foreign Minister would have none of this. He was insistent on the distinction between the two issues, and added provocatively that he "noted with satisfaction that Britain recognised the fact some days ago". Herr Stresemann is probably correct for there are unmistakable signs that British opinion is veering more and more towards the German point of view.

But the problem of debts settlement is full of complexities, and Monsieur Poincaré described the situation exactly when in a recent address he informed the farmers of Normandy that the time had come to resolve some of the most important of post-War problems. To those unversed in the mysteries of international diplomacy it would probably appear that negotiations towards the final settlement of the German reparation debts to the Allies were proceeding in a satisfactory manner. The Allies are about to send their replies to the German Note asking for the appointment of a commission of experts, and an impression is being created that the underlying principles of each of these replies are the same though they proceed separately. The British Chancellor of the Exchequer has also created the impression that everything is running smoothly, at any rate from the British point of view, by his declaration in the House of Commons that of the total annually due in payment of the British debt to the United States,—at

present about £33,000,000—Britain will receive £32,000,000 in reparation and debt payments from Germany, France, and Italy. The increase in the annual dues to America, he also declared, would be proportionate to the receipts from the Continent.

Actually nothing can be further from the truth. In the first place, the British claim to receive as much as is paid is retrospective. Until now Great Britain has paid to the United States about £198,000,000, while she has received from Germany and other creditors £23,000,000. Foreseeing the payment of a large capital sum in the coming reparation settlements, Britain will no doubt lay claim to a considerable portion of that sum in making up the deficit of £115,000,000. France will certainly challenge that claim. She will probably argue that Britain received in war seizures sums which would more than balance this. Britain could retort with equal force that she was not alone in this, to be, however, followed by Germany who could turn on the Allies and employ against them the very arguments France might use against Britain. For the moment, the French are looking forward to increased revenue with which to pay the United States the commercial debt of \$400,000,000 next summer. In seeking a counter-argument to that of Britain, France will maintain, in all probability, that the claim of the devastated country which has had to rebuild war-stricken areas should come prior to that of Britain. Belgium may cite the immense losses incurred when the German currency, paid or owed during war-time occupation, became valueless. In any case, the Belgian point of view is adamant. "Let the Allies make all the presents they like to Germany. Any solution will suit us—except one which reduces by the smallest fraction the percentage attributed to us by the Dawes plan". From this conglomeration of rival claims a solution has to be reached, and it is one of the ironies of the last War that the nation which is in the best position in this situation is Germany. No one can deny the position which the German Foreign Minister took up fundamentally. He said,

"We cannot speak of a real solution to the problem if it surpasses the economic capacity of Germany to pay, that is to say, unless it makes it possible for us to carry out our obligations permanently by our own economic force and without threatening the standard of life of our people.... So long as a solution on the basis of economic possibilities does not exist, a dangerous insecurity will reign in economy and finance. Such insecurity could not fail to be a grave threat to the return to normal relations in international commerce and in the matter of credits."

So that the political consequences of Germany's economic situation as a result of the War would now seem to react much more on the Allies than on Germany, and there can be no more convincing vindication of the argument of Pacifists about the futility of modern wars.

THE OLD WORLD AND THE NEW.

At first sight it may seem that in all this mess America's position is as fortunate as Germany's. Recent events point to a different conclusion. President Coolidge's Armistice Day speech rebuking Europe with all the directness that one associates with Mr. Coolidge's manner and with more deliberation than he has shown hitherto on such a matter, has had the repercussions one might have anticipated, and more. Undoubtedly one chief purpose of his in making such a speech was to assure passage in the Senate of the Cruiser Bill, which provides for the construction of fifteen 10,000-ton cruisers. However sincerely Mr. Coolidge wants to see the United States ratify the Peace Pact, there can be no question that he wants the country to be in possession of fifteen

new cruisers before the Peace Pact is considered. Possibly the Franco-British Naval Accord gave him the idea that it would be better to have the cruisers and then declare for peace. But his speech has had its influence in encouraging the "Big Navy" group, and now it is going on to cause a reaction in feeling regarding the Paris Pact. There are outspoken fears in America that the resentments aroused abroad by the President's Armistice Day speech will be a source of inspiration to elements in the American Congress which are going to work against the Pact.

"Much depends," says a New York message, "upon the course Europe takes in the next few months. If she appears from here to be definitely antagonistic, firmly convinced that the United States is trying to build up her own armaments and to disarm the rest of the world, the Kellogg Peace Pact will stand a very good chance of being rejected by the Congress."

And Senator Borah, always an important figure where American foreign relations are in question, is reported to have said, "It looks as if Europe were going to force America into armaments."

Mr. Hoover's initiative of a personal visit to Latin American countries immediately after his election to the White House shows what direction the new President of the United States wishes to give to American diplomacy. He indicated clearly in his speeches during the campaign that economic issues would occupy him most, and they are the principal cause of his decision to take this unusual initiative. European industry is showing by its higher tariffs and cartels that the valuable outlet which American merchandise has found in the Old World since the War will not be retained easily. Not even the immense home-market, with all its devices of "super-salesmanship" can now absorb the mounting power of American industry. The buying power of China is not yet so great as to encourage American producers and China and all other Eastern countries are turning from agriculture to industry so as to depend less and less on foreigners. Africa is either undeveloped in the matter of purchasing power or else already divided effectively into zones of commercial influence. Next perhaps to Canada, at present the best customer of the United States, Latin America, offers the greatest potential field—how great is not always appreciated—for American products in the near future, as it manifestly is the next most convenient. The corollary to such a policy is the increasing concentration of the various economic continental systems of the future of which one hears so much these days. It means the increasing isolation of Europe and its being thrown entirely on its own resources in the matter of solving its political problems.

OUR SOUTH AFRICAN LETTER.

(From Our Own Correspondent.)

Durban, November 18.

MR. SASTRI'S LECTURES IN CAPE TOWN.

PERHAPS the most significant event during the last fortnight is the impression, profound and exalting, which Mr. Sastri has produced throughout South Africa by his addresses in Cape Town. His University lectures were to many South Africans a magnificent revelation of Indian thought and culture. No less significant is the cordial and kindly reception he received at the hands of the students of the Dutch University of Stellenbosch. In spite of the examination season being on, the students turned up at his meeting in large numbers and listened to him with rapt and respectful attention as he enlarged on the characters of Rama and Sita, the Indian ideal of

duty. It is perhaps the first time that an Indian addressed the students of Stellenbosch.

Mr. Sastri delivered several other addresses some of which were broadcasted. He spoke to the South African Women's Efficiency Club on "Women in India," and to the English Association on "Bhishma, the Indian ideal of chivalry." The Wesleyan Church in Simons Town invited Mr. Sastri to occupy the pulpit on Sunday, November 4 and to tell a crowded audience about the influence of Christianity on India.

The Dutch Reform Church is the most influential and powerful church in South Africa. It has the reputation of being very conservative and fundamentalist. Colour prejudice is strong amongst them and they quote Biblical authority in justification thereof. The Synod of the Church was in session at the time of Mr. Sastri's visit to Cape Town, and was engaged, among other things, in trying Prof. du Plessis on a charge of heresy for preaching the view that every word in the Bible is not an inspired word. At the Mayoral Reception to the Synod Mr. Sastri was invited to speak, the other speakers being the Mayor and the Administrator. Mr. Sastri spoke on the Cape Town Agreement and appealed to the Dutch Reform Church to create public opinion in its favour. In his reply, the Moderator, who is the head of the Church, made a sympathetic reply and assured Mr. Sastri of a cordial response to his appeal. Rev. A. J. Leibenberg, a minister of this Church, organised a public meeting on Sunday, November 13 in the City Hall of Cape Town to hear Mr. Sastri's impressions of Christianity. The members of the Synod were there in great numbers and the meeting was one of the largest and most enthusiastic held in that Hall. After paying homage to the personality of Jesus, and acknowledging in unreserved terms the good work of his ministers, Mr. Sastri proceeded to criticise the association and participation of the Christian Church in war, which is a denial of the message of the Prince of Peace; and the denial of the individuality and personality of the non-European peoples as evidenced by the Church's attitude on the racial question. It was a magnificent performance, and stirred to its depth the conscience of the Christian people, who almost held their breath and drank in every word that he said. It is only those who know and realise the conservatism and colour prejudice of the Dutch Reform Church priests that can realise the full significance of their willingness and eagerness to hear an Indian and a non-Christian on Christianity. It is a remarkable tribute to Mr. Sastri's personality and work.

And this reminds us once again that some at least of the prejudice against and antagonism to Indians in South Africa is due to the ignorance that prevails here regarding India's place in the world of civilisation and culture. South Africa has not met and known the cultured type of Indian. The few that they know, namely, Mr. Gokhale, Mr. Gandhi, Mrs. Naidu and Mr. Sastri are just the exceptions that prove the rule—the barbarism and low civilization of India. It is essential for the better understanding of the two peoples that South Africa should realise that Indians are worthy of respect and consideration, and are not inferior to European nations. This can be brought about by a stream of Indians of culture and ability visiting South Africa. It is eminently desirable that Indian *savants* should visit South African Universities and cities and deliver both specialised and popular lectures, and thereby enable South Africa to do justice to India. The British Association for the Advancement of Science is to meet early next year

in South Africa, and it is hoped that India will send some of her most eminent scientists to that meeting. They must be followed in subsequent years by exponents of Indian philosophy, literature, history and art. It is unnecessary to emphasise the fact that the Agent of the Government of India should be chosen with the main eye to his ability to interpret India to South Africa, without however attempting propaganda. Mr. Sastri has made the task of his successor both easy and difficult. He has made friends for India; he has taught many to regard India with respect and consideration. In that respect his successor will find a more friendly atmosphere than Mr. Sastri found sixteen months ago. He has made his successor's position difficult inasmuch as his successor will be judged by Mr. Sastri's standard. If his successor should fall far short of it, it may lead to disappointment and apathy, if not to something worse.

DR. MALAN ON THE AGREEMENT.

In a speech at Breyten Dr. Malan made a reference to General Smuts's attack on the Indian Agreement. He contrasted the General's present attack with his acquiescence when the Agreement was discussed in Parliament, with the approval of it by his lieutenants like Mr. Patrick Duncan and others, and said: "But we are not bound by the Agreement for one day. If we choose to end it today, we can do so." He denied the General's accusation that the Agreement has given citizenship rights to the Indian and assured his audience that the anti-Indian laws in the Transvaal and Free State remained exactly as they were before the Agreement. He denied that the assisted emigration scheme provided joy rides for Indians to India and back and mentioned that out of 1000 Indians entitled to return not a single one has actually returned. His statement was received with cheers! He persuaded his audience that "International law prohibited the Union from deporting people born in the country and dumping them overseas. There were 102,000 Indians in the Union who were born in the Union, and could not be forcibly ejected." He however looked forward to the day when under the assisted emigration scheme 10,000 Indians would leave the country voluntarily. It was however an electioneering speech addressed to the backvelders,

OUR U. P. LETTER.

(From Our Own Correspondent.)

ALLAHABAD, December 8.

ANOTHER WAVE OF REPRESSION ?

THE whole of the last fortnight has been crowded with big events, many of which are due to the visitation of the All-White Commission to our province. What Lahore experienced for a single day when the Simon Seven reached there, Lucknow has been experiencing for ten days now. The death of Lala Lajpat Rai after the Lahore assaults, and the indignation that it aroused throughout the country, has had no sobering effect on the enthusiasm of the authorities for *lathi* play. Indeed, the performances of Sir Malcolm Hailey's administration have thrown the act of Sir Geoffrey de Montmorency's Government into shade. After these repeated demonstrations of official high-handedness when respected leaders of people like Lala Lajpat Rai, Pandit Jawaharlal Nehru, Pandit Govind Ballabh Pant (the leader of the Swarj Party in the U.P. Council), Babu Mohan Lal Saxena, Pandit Rahas Bihari Tiwari, M. L. C., Pandit Krishna Prasad Kaul (one of the older members of the Servants of India Society) and Mr. S. P. Andrews-Dube (another member of the Servants of India Society whose name has been in-

advertently omitted by press correspondents) not to speak of the rank and file, were mercilessly and with impunity subjected to *lathi* blows by the police; when a number of demonstrators assembled on the roof of a private house were assaulted and arrested; when a public meeting which was being held on a private plot of ground was forcibly dispersed, to mention only a few of the incidents that have occurred, after all these numerous exhibitions of the might of the Great British nation, no one can reasonably say that these excesses have not the approval of the higher authorities. There appears to be a single policy underlying these various lawless doings of the custodians of law and order. A prominent Punjabi, when asked by a public man of our province as to what their Governor would do in regard to a certain matter, said that their Governor would carry out whatever orders he receives from Lucknow or Delhi. He added that for the next five years their province would be governed from Lucknow. Those who know how Sir Geoffrey de Montmorency got the Governorship of the Punjab in spite of the opposition of Lord Birkenhead, because Sir Malcolm Hailey would not agree to accept the Governorship of the U. P. unless Sir Geoffrey was to be in charge of the Punjab after him and Lord Irwin would not let Sir Malcolm Hailey go after the expiry of his term of Punjab Governorship for his advice is indispensable to the Viceroy, would not doubt the veracity of the Punjabi gentleman's statement. The unconvincing defence of these happenings put up by Earl Winterton in the House of Commons, by the spokesmen of the Punjab Government in the Legislative Council of that province and by the Governor in Council of the United Provinces in the official communiques issued regarding them, would lead one to conclude that the Government was determined to embark on a repressive policy to suppress the boycott movement.

RUMOURS OF AN IMPENDING ARREST.

While on this I may mention, for what it is worth, a rumour that has been current here for a few months now that the Government is contemplating to arrest Pandit Jawaharlal Nehru and that they are waiting for a suitable opportunity.

U. P. GOVERNMENT'S MEMORANDUM.

The Governor of the United Provinces in Council, in the memorandum submitted to the Simon Commission, is understood to have urged the transference of all departments to Ministers except Law, Justice and Police, which he does not want to be centralized but to remain provincial reserved subjects. The institution of Second Chambers of provincial legislatures is advocated and a plea is put in for the retention of the separate communal electorates. No one will be surprised at this reactionary attitude of the present Government.

A REACTIONARY MOVE IN EDUCATION.

The Education Auxiliary of the Simon Commission, commonly known as the Hartog Committee, is expected, in some well-informed circles, to make a reactionary recommendation in their Report. It is said that all the moving spirits of the British administration are unanimous in their opinion that much of the present unrest and discontent in India is due to the over-growth of higher education and that the only way to check it is to retard higher education. But they are afraid, there would be fierce opposition by Indian public opinion of every school of thought if this were done openly. Nonetheless these opinions, it is feared, will be reflected in the recommendations of the Hartog Committee. The Committee are expected to administer a mild rebuke to the provincial Governments for not doing their best for the expansion of primary education, and then would suggest that the expendi-

ture on primary education must be increased manifold in the near future. So far no one will disagree with the Committee, but if they go further as is apprehended by some people, and say that the expenditure on university education is disproportionately high and should be cut down to provide funds for primary education, no Indian who has the progress of his country at heart will accept their view. We want all-round development in education and not the growth of one section at the expense of another.

CHANGES IN U. P. GOVERNMENT.

Sir Malcolm Hailey is going on four months' leave and Mr. Lambert has been appointed officiating Governor. The Nawab of Chhatari, the Vice-President of the Executive Council, being an Indian has been superseded. The Nawab Sahib has been a member of the Government for four years and a half longer than Mr. Lambert who became an Executive Councillor less than a year ago—only on January 13, 1928. For about two years Mr. Lambert was the secretary of the departments of which the Nawab was the Member in charge. On the death of Sir Alexander Muddiman the Nawab *ipso facto* became the Acting Governor, in accordance with the Government of India Act, being the seniormost Member of Government, and was allowed to hold that office for 53 days, till Sir Malcolm Hailey assumed charge. No one can accuse the Nawab of having Nationalist leanings. It has not been suggested that he proved himself incompetent when he acted as Governor. In spite of all these facts and notwithstanding his being a loyalist to a fault he has been superseded by his junior and erstwhile subordinate simply because he was not born of British parents but of Indian!

If he is a duffer why was he appointed and re-appointed Minister and afterwards Home Member unless it is thought that a duffer is better fitted to hold charge of these appointments? Well, no one expected that the Nawab would be self-respecting enough and courageous enough to resign as a protest. His sticking fast to his post is the strongest condemnation of those who were responsible for his appointment and of his own self. It is only such persons that find favour with the Government now. The Nawab very well knows that he is there not because of his abilities but as a favour from his masters and he is grateful to them for that. Before the announcement that Sir Malcolm Hailey would go on leave, it was reported in the press that the Nawab was contemplating to take leave. But the Government of India Act stood in the way of these designs and he could not go on leave unless he was prepared to spend the winter in a foreign land. So they have been deprived of even the semblance of a justification for this grave constitutional impropriety.

REVIEW.

ADMINISTRATIVE LAW IN ENGLAND.

JUSTICE AND ADMINISTRATIVE LAW.

BY WILLIAM A. ROBSON. (Macmillan.) 1928.

8½ x 5¼. pp. 346. 12s. 6d.

"THE rule of Law" is generally regarded as one of the characteristic features and merits of the English constitution. This belief has taken deep root in the minds of lawyers and laymen, largely on account of the view put forward by Professor Dicey in his "Law of the Constitution." One of the essential principles included in his conception of the supremacy of the Law in England is that every man, whatever be his right or condition, is subject to the ordinary law of the realm and amen-

able to the jurisdiction of the ordinary courts of law. He dwelt with complacency upon the absence of what is known as the *Droit Administratif* or administrative law which prevails in France and Germany. The dictum of Professor Dicey contained a large amount of truth, but it was only a rough generalization admitting of several exceptions. The immunity of the Crown from liability for torts and the immunity of various public authorities and servants from legal liability both under the common law and by statute detracted very considerably from the validity of his proposition. The separation between judicial and administrative functions which has long been supposed to be one of the fundamental principles of the English constitution was not always true if it was completely carried out at any time. It is pointed out by Dr. Robson that Professor Maitland had, before the publication of Dicey's book, pointed out that "It is curious that some political theorists should have seen their favourite ideal, a complete separation of administration from judicature, realised in England; in England of all places in the world, where the two have for ages been inextricably blended. The mistake comes of looking just at the surface and the showy parts of the constitution." Professor Dicey lived long enough to notice the steady growth of administrative law in England. But he deprecated any belief in the existence of administrative tribunals or any real administrative law in England. It is no doubt true that the *Droit Administratif* implies a system under which remedies against the wrongful acts of the executive or public servants have to be sought in special administrative courts composed of Civil Servants or other officials connected with the Government. It is also true, subject to numerous exceptions, that a public servant who has committed a wrong, can be proceeded against by the subject in the ordinary courts of law in England. Nevertheless there has been a steady development of administrative law in England, especially since the date of Professor Dicey's book. There has been a large mass of enactments taking away, or affecting, the right of the subject to pursue his remedies against public authorities and servants in the ordinary courts of law and restricting his remedies to representation before administrative officers with a right of appeal in some cases against their decisions. This growing tendency in English legislation has been deplored by judges and text-writers. Very strong language has been used by judges in speaking about the growing tendency of Government departments and Government officials to claim the right to act without regard to legal principles and without appeal to any court. That the system of administrative law is liable to abuse will be apparent from the interesting quotation in the concluding portion of Professor Morgan's introduction to Mr. Robinson's book on "Public Authorities and Legal Liability." Professor Morgan himself is among those who have condemned this development of administrative law in England. But the fact remains that this tendency to vest judicial power in the hands of administrative authorities and curtail the right of access to the ordinary courts is too firmly established to be given up. Dr. Robson has undertaken the study of this subject in a spirit of detachment and without any prejudice in favour of, or against, this development. He has addressed himself to the task of discovering the reasons which have led to this development, examining the comparative defects and merits of administrative tribunals and courts of law and suggesting remedies for the mitigation or removal of the defects of administrative law. He has written a very thoughtful and able book which makes a valuable contribution to the study of the subject. His analysis of the

essential features of the system of purely judicial tribunals is luminous and will help to clarify the very loose and often confused notions entertained by many people about courts of justice. It must not be assumed that proceedings before administrative tribunals can never partake of the character of a judicial proceeding. Whether their proceedings are of a judicial character or not, depends upon the procedure authorized and followed by the administrative authorities. If the procedure followed by an administrative tribunal is of a judicial character, the distinction between such a tribunal and an ordinary court of law tends to disappear and the question has to be considered in what exactly the difference lies between an administrative tribunal and a judicial tribunal. What is it that constitutes a judicial proceeding? Is any authority determining disputes considered a court? Various tests have been suggested. According to the Indian Evidence Act, the word "court" includes all judges and persons legally authorised to take evidence. It has been said that persons who decide a question of right and impose by their decision a pecuniary liability on the rate-payers are acting in a judicial capacity. The decision of an administrative authority has sometimes been held to be a judicial act on the ground that the report was virtually a judgment on account of its finality. The absence of any discretion has sometimes been held to be a mark of a judicial act and sometimes of a ministerial act. The power to administer an oath has been considered to be judicial. The determination of a dispute between parties has sometimes been held to confer a judicial character upon the deciding authority. Whether the proceeding is of a judicial character or not is of importance for the purpose of deciding whether in the absence of any statutory prohibition, a proceeding is subject to the control and jurisdiction of the Supreme Court. Even if a proceeding before an administrative authority can be described as a judicial proceeding, the authority which determines the matter cannot possibly be regarded as a court of law. The essential characteristics of a judicial tribunal are the independence of the tribunal, the immunity of the Judges from legal liability, the presumable impartiality of the deciding authority and the fact that the Judges are solely employed on judicial work and are not called upon to exercise any functions of an administrative character. The constitution of the regular courts of law is calculated to ensure the conditions which make for the exercise of what is called the judicial mind or spirit. The main reasons why administrative tribunals have been set up and the jurisdiction of the ordinary courts has been excluded, are the impossibility of laying down precise rules and the necessity for vesting a large amount of discretion in the administrative authority, the enormous extension of the principle of collectivism, the expansion of the functions of the state and local bodies, the necessity for providing a system of cheap and quick adjudication and the need for the introduction of new standards in untrodden fields of legal and administrative activity which requires expert knowledge and special experience. The author is not unaware of the defects and disadvantages of administrative tribunals consisting chiefly in the want of publicity and the absence in many cases of any obligation to receive evidence, to give an oral hearing to the parties and to give any reasons for their decisions. These are defects which are capable of being remedied more or less completely. Various useful suggestions are made by Dr. Robson for the removal of these defects. In view of the enormous

expansion of the functions of Government, it would be impossible to carry them on without the help of administrative law. Dr. Robson's book deserves to be carefully studied by lawyers and politicians in this country.

P. S. SIVASWAMY AIYER.

SHORT NOTICE.

CHINA AND FOREIGN POWERS. By FREDERICK WHYTE. (Oxford University Press.) 1928. 9½ x 6¼. pp. 93. 3s. 6d.

THIS is a historical review of the relations between China and Foreign Powers. Sir Frederick Whyte divides the history of China's relations with Foreign Powers into four periods: (1) The Period of Chinese seclusion and Foreign Exclusion—from early times to 1793; (2) The Period of European Admission—from 1793 to 1873; (3) The period of European Aggression—from 1873 to the great War, and (4) The Period of Chinese Revolt, Liquidation and Equilibrium. The historical survey is a masterly one, but we disagree with the author when he says in p. 23 that "in the present politically weak state of China the Consortium is almost the only remaining bulwark of her political integrity." On the other hand, in the words of Dr. Chung-Lin-Hsia the Consortium has added to the costliness of railway construction, and added to the expensiveness of loans for administrative use; it has driven from the market lenders in good standing, and brought about borrowing from other lenders on usurious terms; it has created conditions dangerous to China's political integrity." The book contains a number of useful appendices. The get-up of the book leaves nothing to be desired.

M. V. SUBRAHMANYAM.

BOOKS RECEIVED.

- THE PRAGMATIC REVOLT IN POLITICS.** Syndicalism, Fascism, and the Constitutional State. By W. Y. ELLIOTT. (Macmillan.) 1928. 8½ x 5½. pp. 540. 16s.
- THE RT. HON. JOHN SINCLAIR, LORD PENTLAND: A MEMOIR.** By LADY PENTLAND. (Methuen.) 1928. 9 x 5½. pp. 310. 10s. 6d.
- ARMENIA AND THE NEAR EAST.** By FRITJOF NANSEN. (Allen & Unwin.) 1928. 8½ x 5½. pp. 324. 15s.
- CHINA IN THE FAMILY OF NATIONS.** (2nd Edition.) By HENRY T. HODGKIN. (Allen & Unwin.) 1928. 7½ x 5. pp. 306. 7s. 6d.
- THE MASTERY OF THE PACIFIC.** By FRANK FOX. (John Lane.) 1928. 7½ x 5½. pp. 255. 8s. 6d.
- WOMEN OF ASSAM.** By E. ELIZABETH VICKLAND. (The Judson Press, Philadelphia.) 1928. 7½ x 5. pp. 179. \$1.50.
- WAGES.** By MAURICE DOBB. (Nisbet & Cambridge University Press.) 1928. 7½ x 8. pp. 169. 5s.
- INDIAN CULTURE THROUGH THE AGES.** Vol. 1. By S. V. VENKATESWARA. (Longmans.) 1928. 9 x 5½. pp. 336. 12s. 6d.

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