

Servant of India

EDITOR : P. KODANDA RAO. OFFICIATING EDITOR : S. G. VAZE.

OFFICE : SERVANTS OF INDIA SOCIETY'S HOME, POONA 4.

VOL. XIV No. 40.

POONA—THURSDAY, OCTOBER 8, 1931.

{ INDIAN SUBSN. Rs. 6.
{ FOREIGN SUBSN. 15s.

CONTENTS.

	Page
TOPICS OF THE WEEK.	477
ARTICLES :—	
“King’s Men” Through Election.	480
Implications of Federation.	481
Labour in India.—IX. By P. G. Kanekar.	482
OUR EUROPEAN LETTER.	483
SHORT NOTICES.	484
MISCELLANEA :—	
The Federal Scheme Examined—Mr. Brailsford’s Trenchant Criticism.	485
Principles of the Constitution—Mr. N. M. Joshi’s Speech at the Federal Structure Committee.	487

Topics of the Week.

Pseudo-Democrats in Br. India.

Referring to the criticism in this journal of Mahatma Gandhi's weak and yielding attitude in the matter of the States' people's representation in the Central Legislature, our esteemed contemporary of *The Week* says in its issue of last week :

To confess the truth, we had personally no great illusions about it. What was there in Gandhiji's past history to warrant that he would stand up to the Indian Princes as he has stood up to the British Government? Has he not consistently discouraged agitation against Indian States, and when some of his own followers tried to apply his own Satyagraha methods against them, did he not put his foot down and see that the trouble was brought to a speedy end? Mr. Gandhi, like most advanced Hindu leaders, is a traditionalist. Respect and regard for Princes is in their blood. Generations of their ancestors have been bowing low before the Rajas, and their backbone has received a lasting curvature.

The Week then goes on to chide those of us who place what appears to it an exaggerated faith in election and points out that elections can be managed. Undoubtedly they can. South American republics are a constant reminder of that fact, and our readers know that this journal has never lost sight of it. But if the people have the right of election they can by organising themselves make it effective. As an awakening takes place among them, they come into their own by that very act. *The Week* on the other hand places more reliance upon a Bill of Rights. It says :

That is why we believe that the pass is not yet sold. The pass will be sold if and when our pseudo-democrats agree to the Princes' contention that there shall be no fundamental rights of citizenship common to all citizens of federal India, such rights being guaranteed by a common law and judicature. What we have to fight for is that there shall be freedom of expression and association and the reign of law throughout India. Given these, the rest

is a question of years. If, as is very likely, the Princes should insist on these things being left to their own discretion, then is the time to tell them in so many words that British India will not have federation on such terms and that they must part company. Federation is a good thing. But federation, as we have always said, may be purchased at too high a price.

We shall soon know what Gandhiji does in regard to this Declaration of Rights, which too, he himself admits, he has definitely promised to the people of the Indian States.

Gandhiji: A Swarajist but no Democrat.

To this harsh judgment the *Hindu's* own correspondent in London is driven by the Mahatma's doings during the first week of his stay in London. This correspondent, like the paper itself, gives his enthusiastic support to the Congress activities wherever he can; in other cases he would rather maintain silence than indulge in adverse criticism; and it is only where the Congress commits what he considers to be an egregious blunder that he feels impelled to reprimand. The exhibition of the Mahatma's weak-kneed attitude to the Princes is one of these rare occasions when he feels that there is no alternative but to do a bit of plain speaking. In his last letter he writes under the heading "Mahatma's Weak Spot":

It must be admitted that Gandhiji is himself at times a somewhat imponderable quantity. The part he took in yesterday's proceedings created a feeling of some mystification among his friends. It was strange to find him in line with Lord Peel as an advocate of indirect election to the Federal Legislature, and more than a little surprise was expressed at the readiness with which he conceded the claim of the Princes to determine the representation of their States in their own way. As a well-known member of the Committee remarked to me, *Gandhiji may be a Swarajist, but he is not always a democrat.* Certainly, his attitude on the question of the franchise and the implicit confidence which he seems to have in the good intentions of the Princes, do not give the impression that he will be in all respects the most successful negotiator the Congress could have chosen when it comes to shaping the actual terms of the new Constitution.

Prof. Laski's Estimate of Gandhiji.

VERY significant and, in view of the fact that he had not till then showed his indifference to democracy by agreeing to nomination if the Princes insisted on it, truly prophetic is the conclusion of an appreciation of Mahatma Gandhi by Professor Harold J. Laski in the *Daily Herald* of 12th September. Professor Laski says: "Luther was a great man until Protestant order was threatened. Cromwell fought magnificently against Charles, but he showed little sympathy with the poor democracy."

More Protests.

ON September 30 Messrs. Joshi and Shiva Rao

addressed a group of Labour members of Parliament. Both the speakers demanded special representation of Indian Labour, if landlords and capitalists were granted similar representation. Mr. Joshi further opined that communal claims concerned only a few upper class people and not workers. He felt that Labour should be a federal subject and maintained that the constitution would never be acceptable unless it provided a universal adult franchise giving direct representation to the Indian States' people in both the chambers, if there were to be two chambers. Mr. Vithalbai Patel in a speech at Essex Hall also protested on September 28 against Mahatma Gandhi's attitude on the question of the States' people's representation. He said: "It is strange that the Legislature can even be composed of nominees of Princes with popularly elected British Indian representatives. No settlement, therefore, will satisfy the States' subjects."

* * *

Press Bill.

THE hated Press Bill has after all been passed by the Assembly. An attempt was made to secure its circulation for expression of public opinion and even its recommittal to the Select Committee before its final passage, but was defeated owing to the determined opposition of the Government. Nor was a single one out of the hundred odd amendments designed to lessen the rigour of its provisions by, e. g., reducing the amount of security of which non-official members had given notice accepted either by the Assembly or by Government. That the bill aroused feelings of strong indignation throughout the land was clear from writings in the press and from the hartal observed on the 30th of September by a large number of Indian-owned papers in all parts of the country. But the Government were apparently determined to see that the Bill was placed on the statute book without loss of time. Not that a few months' delay would have been disastrous to the security of British rule in India, but they were prepared to take no risks. There was a tendency in some non-official circles to hold them up to blame, because taking into consideration the absence of a large number of members from the non-official benches the Government did not show the goodnees to postpone further consideration of a measure so vitally affecting a valued civic right. We do not think there is much point in that criticism. If the Bill was so important as it doubtless was, was it not the duty of every non-official member to be at his post of duty and do his level best to prevent its being enacted into law? If anybody is to be blamed in this connection, it is the non-official members that absented themselves from the sittings of the Assembly—and their number was quite considerable, for the final voting showed that the bill was passed in a house only more than half full—and made it possible for the Government to have its own way all through. If non-official members cannot be persuaded to remain in their seats when the liberty of the press is so seriously threatened, they must indeed be said to be having a very imperfect notion of their sense of responsibility to their constituents, to whom they will be hard put to it to explain their absence on such a momentous occasion. But this apart, the Bill will continue to be utterly odious to the public so long as it replaces judicial control by executive decrees and assumes the guilt of a man even before it is proved, which, as we said in our last issue, goes against one of the most important principles of jurisprudence.

* * *

Co-option in Bombay Municipality.

THE dull proceedings of the current session of the Bombay Legislative Council were made consi-

derably lively and interesting by important debates on Rao Bahadur Bole's two bills to amend the Bombay Municipal Act so as to abolish the system of co-option and lower the franchise from ten to five rupees rental and by the undemocratic, though clever, tactics employed by almost every section of the House, including the Government. The latter did not show the Council even the ordinary courtesy of announcing their attitude on the Bills when their principles were discussed on the first reading. What was still worse and annoying, they sprang upon the Council a most undignified surprise by tabling a reactionary amendment to Mr. Bole's first Bill to abolish the system of cooption. That amendment, while throwing open to the elections the ten seats released by the abolition of co-option, sought to create four more nominated seats, thereby increasing their number to 18 and the total number of members in the Corporation to 112. Whatever the theoretical merits of the system of co-option may be, experience has shown—and the Corporation including its Commissioner and the Government have confirmed this view—that the system is unsuited to Bombay in the present development of her public life, has not achieved the results expected of it and must be abolished. The Council, therefore, did well in abolishing it. The next point for consideration before the Council was how to distribute the ten seats. It cannot be denied that the co-option was practically an indirect election by the elected and nominated members of the Corporation; and, if this is so, logic and commonsense dictate that indirect election, when abolished, should be substituted by direct election. Mr. L. R. Gokhale's amendment to throw open to election all the ten seats released from co-option was undoubtedly an improvement on Mr. Bole's original amendment of leaving six seats to election and four to nomination and should have been accepted by the Council. But we found to our regret that there are still people in the Council who have a peculiar fascination for nomination and who indirectly helped Government in getting their amendment proposing to increase the number of nominated seats by four passed. What, however, pained us most was that the Minister for Local Self-Government, who is supposed to be responsible to the Council, failed to carry out the wishes of the majority and himself brought forward a reactionary amendment. What more proof can one have of the fact that it is the Civil Service, and not the responsible ministers, who are administering even the so-called transferred subjects? The only moral we can draw from this as from other incidents is that the sooner diarchy is abolished, the better. For the moment, it has succeeded in increasing the bureaucratic hold on the affairs of the premier city of India

* * *

Adult Franchise for Bombay City.

THE fate which met Mr. Bole's second Bill to lower the franchise qualification to five rupees rental for the elections to the Bombay Corporation, hardly enhances the reputation of the Bombay Council for fair play. Government, as usual, never indicated their attitude towards it and the Nationalist Coalition Party sprang upon the Council an amazing surprise by tabling an eleventh hour amendment to introduce adult franchise for Bombay City. We have grave doubts as to whether such a radical amendment can be tabled, under the Standing Orders, without any previous notice. Its admission, however, put such of the members of the Council as honestly believe in adult franchise between the devil and the deep sea; but we were glad to find that they rose to the occasion and solidly supported Mr. L. R. Gokhale's amendment. There is a suspicion in certain quarters that Mr. Gokhale's party

was not genuinely actuated when he tabled his amendment; and Rao Bahadur Chitale, we fancy, let the cat out of the bag when he said that his party's amendment was the test of the sincerity of those who believed in adult franchise. The challenge was, it seems, accepted by the Non-Brahmin Party and other independent members and Mr. Gokhale's amendment was carried by a narrow majority of two. It was no doubt a great victory for the principle of adult franchise, but it was much too short-lived! The Government's over-night S.O.S. whip increased the number of their supporters and the Non-Brahmin Party was successfully manoeuvred into receding from the position they had taken the previous day; and both of them combined in stoutly refusing to agree to either of the amendments, on the second reading of the Bill, to circulate the Bill for eliciting public opinion or to refer it to a Select Committee. As the Bill as amended by the introduction of adult franchise could not be made applicable to the impending elections and as it needed a number of consequential amendments and the solution of the difficulty pointed out by Mr. Kamat as regards residential qualifications, either of the two amendments merited the favourable consideration of the Council. But where fidelity to fundamental principles is not a strong point, where opportunism is rampant and where Government itself can manoeuvre successfully the non-official benches, it is too much to expect that such an important issue as adult franchise can be discussed or disposed of on its merits. On its second reading, the bill was heavily defeated and the Council stultified itself by rejecting it after having accepted its principle only twenty-four hours before! If Mr. Gokhale's party could be said to be indiscreet in tabling a radical amendment without previous notice, the Non-Brahmin Party was actually guilty of a grave disregard to its cherished principles and playing into the hands of Government. About the latter, the less said, the better!

* * *

A Case for Inquiry.

THE report of the non-official committee appointed at a public meeting in Calcutta on September 3 to conduct an inquiry into the rioting which took place at Chittagong after the murder of Khan Bahadur Asanullah is published. The Committee was presided over by Mr. J. N. Basu, a prominent Liberal, and included Mr. J. M. Sen-Gupta among its members, two of whom were Mahomedans. The *Guardian* of Calcutta, by no means an irresponsible or an irreconcilable opponent of the Government, describes the Committee's report as "remarkably moderate and dispassionate in tone," and thinks it "must arouse in the mind of every candid reader the gravest doubts of the truth of the official version" of the events at Chittagong. According to the Committee:—

The police, at any rate, were creatures of cunning and vindictiveness, but for whose malignancy the trouble would never have started, and whose calculated supineness alone permitted it to continue as long as it did. The report describes assaults which were committed during the Sunday night on Hindu citizens of Chittagong, especially persons suspected for political reasons by the police, or related to suspects, and alleges that the assailants were members of the police and armed police forces. It reports one instance in which the father of a suspect was beaten so mercilessly that he afterwards died. It describes the deliberate destruction of the printing press of a Nationalist newspaper by an armed party which included Europeans. It alleges that on the Monday hooligans were not only allowed, but even assisted, by the police to loot shops. It produces evidence of the

apparent indifference of magistrates to what was going on. It gives details of a raid on a village school in the mofussil by uniformed European police officers who thrashed selected boys, as well as of attacks on houses in other villages, in which it denies that a single Muhammadan villager took any part.

In view of the fact that the rioting is officially represented both in England and in this country as having been "the work of an infuriated mob of Mahomedans spontaneously wreaking vengeance for the murder of the Muhammadan Police Inspector" the startling revelations made in the Committee's report ought to serve as a great eye-opener. In commenting upon the report, the *Guardian* cordially endorses the public demand for "an impartial investigation" into the Chittagong happenings. In our opinion also the publication of the report makes such an inquiry more than ever necessary, and we hope no time will be lost in instituting an inquiry by means of "an impartial and independent Committee".

* * *

Proposed Legislature for Miraj State.

THE Committee appointed by the Chief of Miraj (Senior) State a few weeks ago to frame the constitution of a legislative council has finished its work and submitted its report. Under the Committee's scheme the legislative council will consist of 25 members of whom 8 will be officials including the President, 11 elected members and the balance will be filled by nomination by the ruler so that the elective element in the proposed council will be in a minority. In addition the ruler is to be given the power of nominating not more than 2 experts as members of the council in connection with any measure pending consideration at its hands. Such details as qualifications of electors, the constitution of constituencies, etc. are to be embodied in rules to be made by the Chief, but we hope this power will be used not to narrow down but to widen the basis of the constitution as much as possible. The committee's report proposes that the Dewan should be the ex-officio president, which is of course not a sufficiently progressive recommendation but which need cause no surprise in view of the undiluted official constitution of the Committee. But the Committee appears to be guilty of excessive caution bordering on reactionaryism when it suggests that the Deputy President also must be likewise selected from amongst members owing their seats to the Chief's pleasure. The Committee must indeed be blind to the happenings in some of the neighbouring States which have inaugurated the experiment of having non-officials as Presidents, an experiment which has from all accounts proved a complete success. Even within the restricted sphere allotted to it under the proposed constitution, the council will not be able to vote upon, but merely to discuss, the budget. Expenditure on workshops has, curiously enough, been added to the list of subjects generally excluded from the Council's purview in similar constitutions. Is it because the Committee was afraid that if it failed to do so it would not be showing due respect for the Chief's misdirected weakness for workshops which, as is well known, involves the State in some unnecessary and profitless expenditure every year? To expect public opinion to accept such a constitution as satisfactory is to expect too much. The least that any constitution, which, if it is to be acceptable to public opinion in the State, must do is to set a definite limit to the ruler's privy purse and to allow the popular element which must be in a decisive position in the legislative council as large a measure of real control over heads of the budget brought under its control as possible.

* * *

“KING’S MEN” THROUGH ELECTION.

THE introduction of the elective principle in the representation of the States in the federal legislature is being discussed for the first time in the Federal Structure Committee. Sir Tej Bahadur Sapru has, it must be admitted, moved forward quite a big distance from his position of last year in this respect: while in the first session he held his peace on this question, he has now ventured to plead that the Princes might consider the advisability of adopting the method of indirect election for the choice of the States’ representatives in the lower chamber of the federal legislature. The upper chamber is to be, so far as the States are concerned, a purely appointed body, as Sir Tej envisages it; it might even consist of officials. But he would very much like to see the lower chamber to be constituted on a popular basis. The States’ representatives in this house should be, he urges, non-official and elected; not elected by the method of direct popular election as in British India, but by the method of election by local legislatures where they exist, and by municipalities and local boards where they do not. Sir Tej is not quite sure that even among the larger States, which alone can hope to have individual representation, there may not be some which cannot boast of even a municipality or a local board. In such States he is willing to allow the Princes to appoint their own nominees. Sir Mahomed Shafi, without going into detail, also expressed the hope that the Princes could see their way to introduce the elective system for choosing their representatives in the popular house.

To this appeal made by the British Indian leaders the Maharaja of Bikaner, speaking on behalf of the Chancellor of the Princes’ Chamber as well as of himself, replied by saying that, as agreed by Sir Tej Bahadur Sapru and Sir Mahomed Shafi, “*there will have to be nomination by States as Governments*” (!) in the upper chamber, but so far as the lower chamber was concerned, the States’ delegation, as such could not speak for all the States. It would appear that the delegation can only claim rights for the States as a whole, but in respect of undertaking obligations it has no common policy. Each question must be left to the individual States to decide as they like. The Maharaja said: “It is not by the very nature of things in the power of any of us who are on the Indian States’ delegation to dictate policy to all rulers and governments of States” in regard to election. “In the circumstances, therefore, it will inevitably be a matter largely for the States concerned to decide.” He could only therefore speak for his own State, and he also spoke for the Nawab of Bhopal, whose views he had ascertained before. The Maharaja then added: “For my part may I say that, having a Legislative Assembly, and having had it since 1913, I have had no time to go into that question in detail, but . . . I have no doubt that we shall have some method by which the *Legislative Assembly will have a voice* in the selection of our representatives in the lower house. (Applause.)” The applause apparently frightened the Maharaja and he hastened to utter the caution, “But I

am giving you my personal views; I want to make that clear. His Highness of Bhopal shares exactly my sentiments in regard to his State, where he also has a Legislative Council.” Sir Akbar Hydari, who followed, far from promising on behalf of His Exalted Highness that the Legislative Council of Hyderabad would be allowed “to have a voice” in the selection of the State’s representatives to the federal assembly, indulged in a highly philosophical dissertation in order to show that the introduction of the western method of election would be fatal to the maintenance of oriental art and culture, and said: “Therefore, I beg of you to leave this question of representation, whether in the upper or in the lower house, to the tact, to the sense of sympathy with the people which exists in the States themselves, so that they may in their own way try to find out how best they can supply that need, and at the same time preserve the State as an instrument of that culture of which the Indian States are really the present relics.”

The question is thus left in this position: election is not even suggested by the leading politicians in British India in the upper chamber; it is not demanded in the lower. But assuming that their pleadings are fully responded to by all the States, including Hyderabad, we obtain this net result: some thirty States (for that is the number, according to the Harcourt Butler Report, which are endowed with some sort of legislative councils,) will have all their representatives elected by their legislatures. Even the Maharaja and the Nawab, who evince sympathy with Sir Tej Bahadur’s proposal, do not agree to more than letting their legislative bodies have a voice in the selection of the representatives of their States. These representatives may even be officials, under the arrangements which they contemplate. But we assume for argument’s sake that they show as great a democratic zeal as Sir Tej and Sir Mahomed urge them to do, and then see what will be the maximum result that this proposal is capable of yielding. The legislatures of Bhopal and Bikaner will, under this assumption, elect all the members allotted to these States in the lower chamber of the federal legislature. What then will be the character of these wholly elected representatives? Obviously this depends upon the constitution of the States’ legislatures.

What is the composition of these legislatures? Take Bhopal. The Legislative Council of this State, first established in 1927, consists of 24 members, of whom 14 are officials, 2 nominated non-officials and 8 elected members. Official members thus form a majority of the Council. The Legislative Assembly of Bikaner State consists of 47 members, of whom 27 are nominated and 20 elected. The proportion of the official and non-official elements composing the nominated members is not known, but it is clear that the State Assembly is formed preponderantly of the Maharaja’s nominees. Excepting South Indian States like Mysore, Travancore and Cochin, Bikaner and Bhopal, we suppose, are amongst the States which are most favourable to popular government, and it would

not be too conservative an estimate if we reckoned two dozen amongst the thirty States equipped with the modern machinery of a legislature as States whose Councils are nominee-ridden, if not official-ridden. Baroda is usually classed with Mysore and the other more progressive States, but even its Legislative Council is composed as to a half of its number of officials, and if the nominated non-officials are included they form a clear majority. If such Councils are allowed not only to have a say in the selection of the respective States' representatives in the federal Assembly, but full control over their selection, will the States' representatives be anything but what Mr. Brailsford so aptly calls them—"King's men"? Is this the kind of "election" that is to impart to the States' representatives in the popular house "the popular character" which Sir Tej Bahadur Sapru so much desiderates?

We cannot help thinking that Sir Tej Bahadur Sapru must have made the proposal under the impression that in States like Bhopal and Bikaner the Legislative Councils consist of an overwhelming proportion of elected members. When he comes to know the real facts and when he sees that, even if his proposal is accepted in full, it would only result in covering up nomination under the name of election, he would retract it and substitute for it a proposal for direct popular election, maybe, on a restricted franchise or, if indirect election must be persisted in, for election by the elected representatives of the States' legislatures. So much is plain that, even if Sir Tej's present proposal finds favour with the leaders of British India, the rank and file will not accept it. For if in the actual result we are going to have the Princes' nominees as the States' representatives, it would be much better to have open and avowed nomination than one masquerading under the guise of election. The man-in-the-street will then know where to put the blame for the anti-democratic doings of the Assembly and where to apply the remedy. But the present attempt to introduce nomination behind a façade of election must be resisted.

IMPLICATIONS OF FEDERATION.

MR. N. M. JOSHI'S first speech in the Federal Structure Committee, given *in extenso* on another page, fully bears out what we had predicted of him, viz. that his participation in the Committee's proceedings would be to very good purpose. The opportunity which offered to him of making a general introductory speech he utilised in drawing out, for the benefit of all but particularly of the Princes, the implications of federation which are not too widely understood. First of all he put in a plea for looking well ahead in settling the constitution. This was evidently a warning addressed to those of the R.T.C. delegates who show themselves only too ready to accept a compromise, however much it may offend their sense of justice or propriety, provided it promises peace for the moment. Such opportunism will only adjourn the day when the country can settle down to constructive work, and Mr. Joshi of all people wants constitutional reform only in order that the work of

social reconstruction on which the younger generation has set its heart may start on a firm footing.

He proceeded next to disabuse the Princes of their ideas of sovereignty. On this subject a great deal of silly non-sense is being talked in the quarter of the Princes, and our constitutional lawyers in the R.T.C. somehow seem to encourage them to cherish these illusions. Mr. Joshi therefore rendered a very useful public service by telling the Princes what after all should be obvious to the student of constitutional law, that the Federal Government to be formed will be the supreme authority in the land and that the federating States will necessarily cease to be sovereign. Lest the Princes should be unwilling to take this unpalatable lesson from Mr. Joshi, we give below a statement on the subject from a constitutional authority:-

"The communities of which federal unions are composed are not states in the strict sense of the term, though in most federal systems they are officially designated as such. In most cases these communities were originally sovereign and independent states, and when they became federated they naturally retained the name, a good deal of the dignity, and even some of the powers of sovereign states. But in reality, *by the act of federation they lost their sovereignty* and with it that quality which most distinguished them as states. By merging their separate existences into a new and larger personality they became in strict law mere territorial circumscriptions of the new state thus formed, yet withal retaining a degree of local autonomy and of political importance which is not enjoyed by the administrative subdivisions of a unitary state."

The Princes seem to imagine that because they are now sovereign, they will even after joining the federation continue their sovereignty in all respects except only in regard to a few minor subjects which they newly give up to the Federal Government. This is an entirely wrong notion. Sovereign States may help to create a Federal Government, but when it is once created, the Federal Government becomes sovereign and the whilom Sovereign States lose their sovereignty. As there is widespread misconception on this point we would refer here to another constitutional authority. He says:-

"The central government of a federal State, being conceived of as the organ of a true central State is not to be regarded as the common organ through which the member states of the Union realize certain of their individual ends. Rather is the reverse the case, for the central state, being admittedly sovereign, and the member States not sovereign, their governments may properly be regarded as organs through which the central State exercises its sovereign will in the several areas of the non-sovereign member states.

"The federal State is thus to be viewed as deriving its authority from its own inherent sovereignty and not by way of delegation from the member states. It may indeed be the historical fact that the Union was established at the

common desire and by the joint co-operation of these states, but if it be conceded that a national sovereignty exists, it is irrelevant, legally speaking, how this was brought about. The constitutional result is that the member states may no longer be viewed as themselves sovereign and upon a constitutional level with the national State."

From this it follows that the federal government which alone is a fully sovereign state has a citizenship of its own. No federal government can exist without this common citizenship, to which Mr. Joshi next refers in his speech. This too is almost a platitude, but it becomes necessary to mention it because the Princes stoutly maintain that their subjects owe allegiance to no one but themselves. The larger loyalty which the federal government claims from all its citizens, viz. the citizens of all the federating units, the Princes deny. Here also the Princes go against all the maxims of constitutional law, for the latter lays down that the federal citizenship "imports such an allegiance upon the part of the citizens that a breach of it may be punished as high treason." The rights of federal citizenship are usually protected by guarantees in the federal constitution against oppressive action on the part of any of the individual states. Mahatma Gandhi has pledged himself to secure this guarantee to the people of the Indian States, though how far he will redeem his pledge is more than one can say.

Mr. Joshi next emphasised the necessity of placing on the federal list all subjects which are of national as distinguished from local concern; and in this connexion he advanced a general proposition for the guidance of the R.T.C. delegates, of which the truth cannot be questioned, viz. that all subjects which are now central should be federal. The reason which led us in the past to put any subject in the category of central subjects is the very reason which should lead us now to put it in the category of federal subjects. But with many of the delegates the determining factor is not what is a matter of all-India interest but what the Princes will agree to. Thus the federal list becomes exceedingly narrow, limited to those subjects which for the States are even now handled by the central government, and consequently federation loses all its value. What is more, it becomes necessary to make to the Moslems the same concessions as are made to the Princes, and if some of the subjects now administered by the Princes are not taken over by the federal government, these subjects will have to be transferred from the Government of India to the provincial Governments in British India. Mr. Joshi in this connection particularly mentioned criminal law, labour legislation and international conventions which for obvious reasons should be comprised in the federal category.

Then Mr. Joshi urged that the "legislative organisation should be fully elected," the State's representation also being on the elective system; that the States should have only proportionate, and not weighted, representation; and lastly, that the

federal ministry should be responsible only to the Federal Assembly. It is unnecessary to dilate on this here though it was highly necessary to make these points in the Federal Structure Committee in the telling way in which Mr. Joshi made them.

LABOUR IN INDIA.

RESULTS OF THE ROYAL COMMISSION'S ENQUIRY. —IX.*

RESTRICTIONS ON SALE OF LIQUOR.

"THE consumption of drink, and particularly of spirituous liquor," say the Commission in their Report, "may be said to be a feature of the majority of industrial areas and has created considerable havoc in some of them." It being no part of the Commission's function to indicate a national policy on the subject they have confined their recommendation to restrictions on the sale of liquor among the industrial workers, having no doubt that a reduction in the consumption of liquor would increase the welfare and efficiency of that class of the population. It is suggested that in all large cities and industrial areas a general policy should be adopted of restricting the facilities for the sale of liquor. The areas selected should be sufficiently wide to ensure the policy of restriction being effective. The number of drink shops should be reduced and the hours of opening should be limited to certain hours which should in no case include any part of the forenoon. The Commission have also recommended that the possibility of a wide extension of the system prevalent in some areas of the United Provinces of supplying liquor only in sealed bottles be examined. That system has, according to the memorandum furnished to the Commission by the Government of those provinces, resulted in reducing consumption. Being conscious of the fact that excise revenue forms a considerable part of the total revenue of every province, the Commission have made their recommendations in a halting manner. Reduction in the number of shops is not likely to be of much help and also the suggestion to prohibit sale only in the forenoon cannot be said to have much worth. Even now there is not much sale during those hours in industrial areas. The experiment of supplying liquor only in sealed bottles is, however, worth trying in other provinces. Prohibition alone would be really effective, and that prohibition must be nation-wide goes without saying. As the suggestions for the restriction of sale of liquor have been made in the chapter dealing with the income of the industrial worker, it is necessary to point out the havoc created by gambling in the forms of betting on race results and American cotton futures among the workers especially in Bombay. The latter kind of betting has assumed alarming proportions and thousands of workers are wasting their time and money in this gambling which has become an organised business and for the suppression of which so precious little is done by the police.

INDEBTEDNESS.

The Commission have put on record the estimate that in most industrial centres the proportion of families or individuals who are in debt is not less than two-thirds of the whole, and have expressed their belief that in the great majority of cases the amount of debt exceeds three months' wages and is often far in excess of this amount. The report contains

* Previous articles in this series appeared in our issues of July 23 and 30, August 6, 13 and 27, September 3 and 10 and October 1.

information regarding the rates of interest the workers have to pay on the loans they take from the money-lenders in the different provinces. The highest rate of interest on small loans is found to be one anna in the rupee weekly, which works out at 325 per cent annually! "We have been impressed", state the Commission in their Report, "by the number of cases in which an industrious worker is obliged to stint himself and his family of necessities to meet interest charges without the faintest prospect of ever being able to reduce the principal." The Commission have recommended co-operative credit, but having gone to the root of the evil, have essayed strike at it by suggesting measures of a radical nature. They rightly remark that credit in the sense of borrowing capacity is not the worker's need; it would be nearer the truth to describe it as his curse. An agriculturist requires a loan now and again for a productive purpose and it is essential that he should not be totally deprived of credit; but the same thing cannot be said about an industrial worker. The comparative ease with which the latter is able to secure loans has also prevented him from feeling the necessity of co-operative credit by having resort to which he can satisfy his real and legitimate needs such as unemployment and sickness. The Commission deliberately propose to destroy the industrial worker's credit with the moneylender and make the following recommendations:—that the salary and wages of all workmen receiving less than Rs. 300 a month should be exempted entirely from the possibility of attachment, and that, failing extension to all persons below this salary limit, the definition of workman in the Workmen's Compensation Act might be suitable; that at least so far as industrial workers in receipt of wages or salary of less than Rs. 100 a month are concerned, arrest and imprisonment for debt should be abolished except where the debtor has been proved to be both able and unwilling to pay; that workers' contributions to provident funds maintained by private employers and certified by Government for the purpose should be safeguarded against attachment; that legislation should be enacted providing a summary procedure for the liquidation of workers' unsecured debts; that apart from this legislation the possibility of reducing the period of limitation for debts and the period within which a decree may be kept alive under the ordinary civil law should be examined; that besetting an industrial establishment for the recovery of debts should be made a cognizable offence. There are also some other recommendations such as that the recovery of any amount advanced to meet travelling expenses to the place of employment should be made illegal, that the employers should adopt a system of weekly payment; that in textile industries, railways and engineering workshops and iron and steel works, the law should require the payment of wages to the process operatives at intervals not exceeding 16 days; and that for industrial employees in factories the legal period of notice should in no case exceed a week, whatever the period by which wages are paid. All these recommendations deserve to be carried out at the earliest possible moment. The Government cannot postpone the measures on the ground of financial stringency, since it has not to spend a single pie if the recommendations are given effect to, nor can the employers reasonably object to any of the measures.

P. G. KANEKAR.

Our European Letter.

(FROM OUR OWN CORRESPONDENT.)

GENEVA, SEP. 25-

OFF THE GOLD STANDARD.

THE RE are many interesting developments in the Assembly such as the final shape that the Grandi proposal for truce in armaments, pending the Disarmament Conference, is taking, the participation of non-members of the League, principally the United States of America, in the deliberations of the Disarmament Committee, the discussion about the draft convention for the reinforcement of the means of preventing war and the Sino-Japanese conflict over Mukden which came before the Council, but the most stirring event which has touched the League in the last few weeks has been the British Government's decision to do away with the gold standard. This action came as a surprise partly because it was taken with unwonted promptness and partly because of the difficulty in imagining the association of such financial unconventionalism with British policy.

Its implications are far-reaching and may well prove to be of the utmost concern to Geneva. The world is back at the same or nearly the same position at which it stood at the time of the Brussels Conference when a great many of the currencies of Europe had weakened and it was thought that the only cure to the widespread monetary disease was a return to the gold standard. The recommendation was acted upon at the sacrifice of an enormous amount of wealth. Nearly all the capital of Germany, Austria, Poland and the Central European States and four-fifths of the money of France vanished in the process. Yet it has evidently proved unavailing. Great Britain's action was obviously dictated by necessity and the same necessity may compel other nations to follow her example. In that event, which is far from unlikely, what is to be the cure of the financial ills of the world? Mr. Keynes and a host of other economists have put forward various suggestions for the better distribution and utilisation of the gold supply of the world, but the experience of putting any one of them into actual practice may have to be acquired at a high price. The inevitable uncertainty which must accompany the transition is a source of danger.

Apart from this financial confusion, there are the commercial consequences of the step to be considered. In Great Britain, where it is increasingly being recognized that the financial crisis cannot be ultimately overcome except by setting the trade balance right, the Government is heading towards protection. Mr. Baldwin has again and again insisted that the principal use of tariffs will be as a weapon against the foreigner: for reprisals where an offensive has got to be taken and for negotiations where only a defensive measure is called for.

The foreigner has not been slow to recognize the significance of this development. Monsieur Lucien Romier, writing in the *Paris Midi*, utters the ominous warning, "prepare for an economic war." He further says:—

Already, the depreciation of the pound by 15 to 20 per cent. assures British goods an advantage in price much greater than any rebates that French exports could afford to give. This advantage will act against us first of all on the British market, which is our principal market. Let us hope that the British will not add Protectionist duties to this advantage. But this advantage will be felt also in other markets, and French exports risk not only the losing of the British market, but they will be up

against the British reduced prices in other markets. Until now the majority of French exporters work the foreign markets without any profits, and it will be therefore impossible for them to fight against this new competition. They can only withdraw. It needs therefore very little to cause a further and brutal decrease in French exports.

All the Scandinavian countries, which have important trade connections with Britain, are watching the situation with anxiety.

The first shots of the tariff war of which Monsieur Romier speaks have already been fired at Geneva itself. At the meeting of the Second Committee of the Assembly, the German delegate, Herr Stoppe, evidently upset by the declaration of the Swiss delegate implying denunciation of the German-Swiss commercial treaty, used very direct language. Germany, he said, was in such a desperate position that she did not know which way to turn, and looked with hopeless fear on the coming winter. "We shall suffer, but we shall protect ourselves. The German market is not an insignificant market, and we can take reprisals. The people who were responsible for breaking the thread of the European economic system would find that they were the losers by the action". The Swiss delegate could only say in answer that he had attempted to be straightforward in warning the German delegation of his intention to take protective measures for Swiss trade. Switzerland was being swamped by the output of other countries. He was not responsible for the war and she should not be made to suffer for it.

Once more, as in the case of the financial crisis, in regard to the commercial crisis also, the question arises: where is the way out? In a speech of great distinction and much penetration in the Second Committee, on which the Assembly should have concentrated all its forces this year, Sir Arthur Salter, the ex-Director of the Economic and Financial Section of the League and a member of the British Delegation, sketched out an answer to this question. It was necessary, according to him, to have a new financial lead which would make it clear that the post-moratorium position would be considered at a very early date. That lead, which should be political, must establish that all the great countries meant to support the collective system which had been created against war in the last twelve years—the League Covenant and the Kellogg Pact, duly coordinated and mutually supporting each other. That must be backed by a readiness to use Government resources for external loans so far as the situation demanded it. Sir Arthur Salter suggested three directions for League activity:—A declaration by the Assembly of the necessity for new financial and political leads; the equipment of the League financial organization so that it might bring emergency help in the provision of expert advice; and the hastening of the report of the Gold Delegation. The Finance Committee of the League should elaborate the principles which should govern public borrowing. Much of the present trouble was due to the fact that when money was plentiful some Governments and public authorities had been able to borrow and to spend on unproductive work. If all public loans had been examined by disinterested advisers, in the same way as League schemes, the gap in the balance of payments would have been much smaller than it was, and the task of restoring confidence would have also been less difficult. Stated briefly, this is an exhortation to the nations of the world to bring all their problems to Geneva and to utilise the League's machinery fully in finding a solution to them.

The alternative to this course must also be envisaged for while democracy has proved capable of being roused into a fight, it has shown little appre-

ciation of the discipline of peace. The accentuation of tariffs must lead to declining international commerce and the development of internal trade in each country, and parallel to this tendency a "managed currency" must also come into being. The double restraint on liberty, external as regards trade, and internal as regards currency, must ultimately lead to a rigorous State control of the economic machinery of the nation which, through inevitable political changes, can be turned to any desired direction. Well may the Governor of the Bank of England write to Mr. Snowden that the capitalist system throughout the world is in danger of disappearing within a year.

SHORT NOTICES.

THE METHODS OF THE MASTER. BY W. M. RYBURN. (Arthur H. Stockwell.) 21cm. 148p. 3/6.

A VERILY true and a bold exposition of Christ and a bolder denunciation of the unchristian churchianity. Jesus, the humble carpenter, with abundant faith in human nature and in God began his work with still humbler disciples. He needed no organisations for fighting the evil in all its phases, but began working through individuals. Evils, social, political and economic, according to Jesus, are the mere symptoms of the rotten soul, and with this clear diagnosis he began to cut at the root of the disease. He realised that love and sacrifice alone can fight the evil, and living such a life he preached what he lived. For this, organisations, mass movements, and rushing achievements are not needed today as of old. But we are lost in them, making it a department of life just as any other. Jesus' high pitched ideal of establishing the Kingdom on earth is today compromised with anything, not excluding the establishing of empires, and—though strange but too true—the destruction of His earth in his own name. War for national honour, for defending the weak, for maintaining justice—all these fine high-sounding catchwords end in destruction and devastation which Jesus most abhorred, and always avoided. The author—the pious Christian that he is—wonders how these churches dare sanction and bless wars in the name of Christ. However the spirit of Jesus has not disappeared and manifests itself in some individuals. Some, whether they take the name of Jesus or not, live up to His teachings and Mr. Ryburn with pride mentions Francis of Assisi, Fox, Pen, Tolstoy and Gandhi as the known few of them. Mr. Ryburn is glowing with optimism when he says "Impractical idealism perhaps, but it should not be beyond the capacity of the followers of Jesus" and we wish to share his optimism.

N. S. S.

PREVENTION OF CANCER AND OTHER PUBLICATIONS. (American Society for the Control of Cancer, 25 West 43rd Street, New York.)

THE American Society for the Control of Cancer has published very useful information about the prevention and in the early stage, cure of cancer, which it expects every literate man and woman to read and follow. In India no such attempt is being made, and we earnestly draw the attention of Indian medical practitioners to the American Society's efforts in that direction. Dr. Tambe of the Cutch State has tried to collect some information about the prevalence of cancer in India, but we do not know how far he has succeeded in it. Public Health Officers can do much in broadcasting such useful information among the laymen, but knowing as we do that they do precious little in matters of public health, it is useless to

expect much from them. The medical profession therefore must take the lead in this matter and do their bit in preventing this scourge to human society.

V. M. BHAT.

THE FLAME OF YOUTH. BY C. JINARAJADASA
(Theosophical Publishing House, Madras.) 1931.
103p. 13cm. As. 9/—

THIS book embodies a collection of addresses to the young by Mr. C. Jinarajadasa, and is dedicated to the Flame in the hearts of all boys and girls. There are

seven addresses in this book, with the following titles: (1) Making Good; (2) Nature Craft in Ancient India; (3) The Knightly Ideal; (4) Great Actions for Little People; (5) Glorious Don Quixote; (6) Youth and the Masses; and (7) the Crown of Olive.

The addresses are worded in beautiful but simple English and abound in apt quotations from leading poets and prophets. This is a small book worthy of being left in the hands of young boys and girls for careful reading. It contains gems of precious advice conveyed in a charming style.

V. C. GOKHALE.

THE FEDERAL SCHEME EXAMINED.

MR. BRAILSFORD'S TRENCHANT CRITICISM.

Mr. H. N. Brailsford, the well-known English journalist, who recently paid a visit to this country, writes as follows in his new book "Rebel India" on the subject of the Sankey Report:—

THE pivot of this (Round Table) Draft is its federal scheme. In almost any form federalism promises some gain. The division into British provinces and Indian States answers to no real differences of race, language, religion or culture. The Indian nation, were this separation to continue, would feel herself incomplete. Here is the promise of a political unity, such as she knew only once or twice, and then only for a brief span, in her long history, one struggles to give to this aspect of the plan its due value, but unity has been won at a heavy price. The Princes fought hard to avoid the surrender of any substantial part of their sovereign rights. In so far as they come into the federal scheme they gain much, and abandon nothing. They will now have, what they never had before, a share in determining the policy of India, in all that concerns tariffs and communications. But their influence has narrowed the scope of federal legislation within dangerously narrow limits. As the Draft stands, the Federal Legislature will have no power to set standards, to prescribe any minimum of civilisation, or even to guarantee to all Indians respect for their elementary civil rights. In certain of its most questionable features the Constitution of the United States has been taken as a model. The checks and balances of its elaborate mechanism of political frustration, designed to prevent a majority from achieving anything in the way of fundamental change—all these are duly copied in the two chambers, and provision for their election at different times. But of the nobler spirit of the American Constitution, its bold assertion of the citizen's fundamental rights, there is, as the Draft now stands, no trace. A federation will have a living unity, if it embodies some idea of the terms under which men should live together within it. This Indian Federation rests upon no social ideal whatever; it has no foundation of citizen rights. Within it there will continue all the anomalies of to-day, and it will have no power to abate them. In Bombay there are certain freedoms which the courts will secure: in Patiala there are none of these things. Under this Federation, a Maharajah may continue

to do as he will with his own, and that is the whole range of his subjects' lives, their honour, their property and their liberty of expression and association.

If the Draft brings no gain, through a definition of basic rights, to the citizens of the despotically governed Indian States, it involves for the provinces of British India a serious risk in their social advance. Labour legislation is a provincial, and up to a point, a central but not a federal subject. It is intelligible that the Princes should have resisted the efforts of the spokesmen of Indian Labour at the Conference, who wished to make labour a federal subject. To legalise Trade Unions, to regulate hours and conditions of work, perhaps one day to fix minimum wage rates, and, above all, to render such reforms effective by extending inspection to the Princes' dominions, would have seemed to all but the enlightened few among them an intolerable infringement of their autooracy. The effect will be to hamper labour legislation, as it is hampered in the United States. To escape the relatively satisfactory legislation of Massachusetts, the textile industry is transferring itself to Southern States, which have no code for the protection of women and children. The same thing might happen in India. Even if it did not in fact happen on a great scale—and few of the States could offer to a highly organised industry the facilities which it can enjoy in the Bombay Presidency—obstructive interests would play upon the fear that it might happen. The risk that minor industries may migrate to the States to avoid the regulations of British India is more serious indeed, in the case of ginning factories this is already happening. A Province with a progressive Ministry would be hampered at every turn by the fear of handicapping its own industries in their competition with those of more backward States, and this will be true not only of its labour legislation in the narrower sense of the word, but also of what it may do to improve housing and the condition of the masses generally. To this defect in the Draft Constitution the Whitley Commission has drawn attention in an emphatic passage (pp. 457-62). Both federal and provincial legislatures should have power to legislate, but the provincial or States legislation must not impair or infringe that of the Federation.

The Draft makes no proposal for any uniformity in the system of representation by which the Federal

Legislature will be composed. The provinces of British India will elect their representatives on a franchise which will be laid down, and will be the same for all. The Princes will do as they please. Some of them who have consultative chambers (not even the most liberal have yet conceded responsible government) may possibly permit some process of election. It is fairly certain that most of them will nominate their own delegations, even if they should go through some motion of consulting their purely decorative Councils. The Prince, in short, will send his own servants, who will vote and speak as he requires them. There can be, while the Princes remain autocrats, no representation of their subjects' interests or opinions.

This would be sufficiently objectionable, if the Princes were, in fact, independent. A very few of the best of them nearly deserve that name. Mysore, for example, is so well governed, and has under its progressive Prince a population so numerous and contented, that it offers no pretext for intervention from Delhi. It is otherwise with most of the Princes. Their administration is commonly so backward and inefficient, their misuse of their revenues for personal aggrandisement so scandalous, their oppression of their subjects so flagrant, that at any time the Political Department at Delhi, or the British Resident at the Prince's Court would have ample ground for intervention. In practice this power of supervision is little used. The Prince enjoys a certain undefined latitude to indulge his oppressions and his vices, but scrupulous loyalty is exacted from him, and a ceremonial deference towards British officials who represent the Paramount Power. It is a feudal relationship, which fails to secure even tolerable government in the Prince's dominions, but does ensure discipline. For any misconduct which offends Delhi the penalty may be deposition. The Prince is a tenant-at-will, and is very careful in all his political acts to consider the susceptibilities and follow the promptings of Delhi. This is so well understood that the proposal to include in the Federal Chambers a large representation of the Princes which will be approximately a third of the whole number of members brought about an astonishing rally of Conservative and official opinion in favour of a federal scheme. To win Conservative support for responsible government at the Centre for British India alone, would have been difficult or impossible: that would have meant the control of policy by an elected Assembly. The Princes will dilute its democracy, they will take over the part which the contingent of official members plays to-day. Their severest critics will not accuse them of democratic leanings, and one may safely assume that whenever the Viceroy, as the representative of the Home Government, holds on any item of current business a strong opinion, the princely contingent will be found to share it. The surrender of power to India is not so complete as it seems. The Federal Assembly will look like an Indian body, but within it a solid immovable contingent of "King's men," subject to discipline, will be at call to override the will of the Indian people.

A majority, indeed, the Princes will not possess in either House, but with the more conservative groups from British India to back them, their votes (as high a figure as 50 per cent. for the Senate, and 40 per cent. for the Lower House has been suggested) should usually suffice to ensure a solid Conservative majority in the Federal Legislature. One general election may follow another, but unless British India is virtually unanimous, a progressive majority will be unattainable. The princely contingent may refrain (though this is uncertain) from voting on issues which concern British India alone. They might not, for example, directly defeat a proposal to lower the burden of taxation on the peasants by making landlords' incomes subject to income tax; but they can prevent any Government from holding office which would be likely to offend the propertied class in this way. It is even proposed that a majority of two-thirds shall be necessary to unseat a Ministry by a vote of no-confidence: in other words, the vote of the princely contingent would alone suffice to sustain a ministry. India, with the balance of political power determined by the princely contingent, will be ruled by its landlords.

The demand of the Indian people, including the subjects of the Princes, in so far as they dare express themselves, is that the rights of the Paramount Power should be exercised in future by the Federal Government, or to be precise, by the Viceroy on the advice of the Federal Ministry. If that were done, the worst menace of this federal arrangement would disappear, for this princely contingent would cease to be the reserve force of the Imperial Power within the Indian Parliament. This ready means of ruling India by division would no longer be available. On this, however, it is improbable that the Empire will give way. It has called in the Princes to hold the people in check, and presumably it knows what it is doing. There remains, however, another possibility, which would appreciably lessen this danger. It has been suggested that if paramountcy is vested in the Viceroy, acting in his personal capacity and not on the advice of his Ministers, there ought to be some tribunal which in the case of disputes would stand between him and the Princes. A Federal Supreme Court, if such a body should be created, would be the proper body for this purpose. It might serve as some slight check upon an arbitrary use of the Paramount Power, to enforce political discipline. If any declaration of civil rights could be introduced into the Constitution, a Supreme Court could perform a vastly more important service. It might enable the subjects of the more despotic Princes to impose upon their rulers some show of respect for the more elementary human rights. If it were also entrusted with the decision, whether any proposed legislation infringes minority rights, there would be fewer occasions for the exercise by Governors of their formidable powers of veto. There is danger as well as advantage in the creation of a Supreme Court, charged with the interpretation of a written Constitution. It might interpret it, as the American

Supreme Court does, consistently in the interests of property. But on the whole in India, the gain is likely to outweigh the danger. India stifles under arbitrary authority: against that, in all its forms, the first line of defence is law.

If the Indian peoples were free to follow their own interests and wishes in determining their relations with the Princes, their course would be clear. They would lay down in the Constitution a bold statement of the elementary rights, civil and political, which belong to every citizen of the Federation, and these must include the right to popular representation, on a defined franchise, in its Federal Assembly. The Princes on this conception would be free to enter, or to remain outside the Federation: but if they should decide to enter, it must be on conditions which ensure the minimum standards of a civilised life. If this plan were followed, Princes who delayed their entry would soon be exposed to agitation from their subjects, backed by the sympathy of all India. Against the intense sentiment of nationality, few of the Princes dare make a stand. If, on the other hand, they enter on their own terms, withholding popular representation, maintaining their customary pretensions to dispose of the persons and property of their subjects, the Federation and the Paramount Power are bound to protect them, and to defend them against a menacing agitation by their subjects, even though it should be for the conquest of rights which obtain throughout British India.

There remain in considering this Federal Constitution two subjects of the first importance, as to which the Draft gives little or no guidance. By what procedure may this defective constitution be amended? Will the Princes have the same power to forbid its improvement, that they have had to maim it at the start? One sometimes felt in India last year the presage of revolution. Nothing will hasten the attempt so surely as the knowledge that peaceful change lies outside the scope of the people's will. Again, one does not know on what franchise the members of the two houses from British India will be elected. Almost certainly, the Provincial Legislatures will elect Senators. The Lower House may be elected by some indirect process: if elected directly, it will be by an extremely restricted electorate, which will entirely exclude the peasant masses and the urban workers. For the latter special representation will doubtless be provided: organised Labour will at least be heard, though its voting power may be negligible: apparently no similar arrangement is proposed for the poorer peasant cultivators and tenants, who form the immense majority of the population of India. Yet at every turn in handling both federal and central subjects, the All-India Legislature will be disposing of their interests and fortunes. It may tax their salt, but alternately it might relieve their meagre diet of this charge by raising and spreading the income tax, which at present their landlords wholly escape. It will fix the tariff, and so determine the cost of much that they may buy. Over all this, it appears improbable that the peasants

can exert any influence whatever: they will not have so much as a spokesman who might enter a protest. Their interests will be confided to a Legislature dominated by those arch-landlords the Princes, balanced, if the more liberal proposal prevails, by representatives of British India who will speak for its propertied and professional class, but not for the masses in its villages.

PRINCIPLES OF THE CONSTITUTION.

Below is given the speech of Mr. N. M. Joshi, M.L.A., in the Federal Structure Committee of the Round Table Conference on 14th September 1931.

I AM grateful to the Prime Minister for giving me an opportunity to take part in the work of this Committee, and I am very grateful to you, Lord Chancellor, for giving me this opportunity at this early stage to place on record some of my views on the principles of the constitution which should be adopted for India. I am speaking in this Committee not as a constitutional lawyer nor as a constitutional professor, for the very good reason that I am neither the one nor the other; but, Lord Chancellor, I am speaking here as a humble representative of the working classes of India, and I shall speak with that amount of common sense with which I am endowed and with that knowledge of the mind and the heart of the working classes of my country that I have acquired.

At the outset let me welcome the fact that after all we are going to have in India one national government for the whole of India. We welcome the formation of the Federation. We welcome that the Indian States are going to join the constitution of all India. We fully appreciate the action of the Princes gathered round this table in showing their willingness to join in a common constitution for the whole of India. We fully appreciate the wisdom with which, both in self-interest and out of altruism, they showed willingness to join in framing a common constitution. Let me assure Their Highnesses who are gathered here that we have no desire to dictate to them as to what administration they should have for their internal affairs. If we refer to some matters which they may consider as interference, it is due to the fact that, as they themselves made quite clear that they would like to federate with self-governing British India, we too may desire to federate with self-governing Indian India. I assure Their Highnesses, therefore, that we have absolutely no desire to interfere with their internal affairs, and I would appeal to them not to misunderstand us, but to appreciate the point of view which we propose to place before this Committee.

Let me also say that when we begin to frame a constitution, a joint constitution for British India and for Indian India, let us start with full mutual confidence. Let us not say at the outset that we shall start with only a limited confidence and leave it to time for the development of fuller confidence. I believe, Sir, that if we ourselves feel to-day that we cannot put the fullest confidence in each other, we shall not succeed in framing a constitution which will be agreeable to all sides. I therefore appeal to

all here to start our work with the fullest mutual confidence.

Sir, if during the course of discussion in this Committee some members feel that certain members are impatient, let me assure them of one thing, that our impatience is born of one desire, and that desire is that when we start our new constitution, for some years to come we should have the fullest opportunity for constructive work for the people of India.

Some of us believe more in constructive work than in anything else. We therefore feel that when we are framing a constitution we should not start with the idea that an agitation will take place and developments arise and that things which we do not get today may be obtained in a few years' time. I believe, Sir, that that is a wrong method of proceeding. When we are framing a constitution let us frame a constitution which will not require great agitation within a very short time. Let us get some breathing space to do constructive work which many of us want to do for the people of our country.

If we want a real national government for all India, I feel that that national government should be the sovereign or the supreme authority in the land. I do not think it will be for the good of India if all the constituent elements claim to be the sovereign or the supreme authority in the land and only show a desire to make common cause for a limited purpose. I believe that if India is to derive good from a national constitution, those who form the constituent parts of that India should regard the federal or the national government as the sovereign or the supreme authority. I also feel that if we are to have a real national or federal government we must have a common citizenship. To me a federal government or a national government for the whole of India without a common citizenship, or with different citizenships, is not thinkable. I therefore feel that if we are going to frame a constitution for the whole of India, that constitution should provide that there shall be a common citizenship, a common Indian citizenship for the whole country.

I need not, at this stage, mention what will constitute a common citizenship. I may say that common citizenship ordinarily will be constituted by people living under a common law, by people who can go from one part of the country to another without losing their citizenship. Sir, at this stage I do not wish to go into the details of the constitution, but let me say a few words on the main principles. With real federation there must be a desire on the part of the constituent parts to surrender not as little as they dare but as much as they can to the central authority. If we start with this principle, I feel that the distinction which is made between central and federal subjects will be found to be unnecessary. I feel that subjects which are regarded as being suitable by their very nature to be central should all be federal, because after a good deal of experience and discussion it has been found that these subjects

cannot be provincial, and if they cannot be provincial, in my humble judgment they should all be federal if we are going to have a real federation for the whole country.

Without going into the detailed list of federal subjects, I would suggest here that out of the subjects which are not yet made federal I should mention the criminal law. A federation without a common criminal law, in my judgment, will not be a real federation.

Coming to the subject in which I am especially interested, it is also necessary for me to state that I feel that a federation which will not be able to legislate on labour matters will be a federation in which the working classes of the country cannot be expected to be much interested. Similarly, we would like from the point of view of the working classes that the federation should be in a position to consider the ratification of international conventions on labour subjects.

The second point upon which I would touch at this stage as regards the federation is that we are anxious that when framing a constitution for the federation and for a national government that constitution should be as democratic as we can make it. The constitution should represent the will of the common people of the country. For this purpose we would like the Legislative organisation to be fully elected. I again assure Their Highnesses on this point that we have no desire to dictate to them what form of administration they should have within their territories, but they will not misunderstand us if we expect that our form of government should not be watered down by the form of administration which exists within their territories. We would like that our Legislature should be thoroughly and fully responsible to what is called the popular legislative body; we would also like that the financial responsibility should be the sole concern of the popular Chamber and we would like the Executive to be responsible only to the popular Chamber.

There is one point which I should mention at this stage because I feel it is necessary that our attitude on the main point should be made clear, and that point is the claim made by Their Highnesses for weighted representation in the legislative body. I feel that it is difficult for any one unit of a federation to give weightage to any other. The federation is going to be formed by various units that are willing to federate. It is not a federation of British India with Indian States, two parts organised fully into their separate organisations; it is a federation of many federating units. I do not wish to speak at length on this point, but I thought it was necessary that my attitude on this question should be made clear at the very start.

I do not wish, Lord Chancellor, to speak on other points at this stage which are contained in the Report of the Federal Structure Committee. I fully share the views of Sir Tej Bahadur Sapru and Mr. V. S. Srinivasa Sastri on many points which are contained in the Report. In conclusion, I am very thankful to you for giving me this opportunity of speaking.