

The Servant of India

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CONTENTS.

	Page
TOPICS OF THE WEEK. — —	173
ARTICLES :—	
The Irish Warning	175
The Princes	176
The Emigrants. By K. M. J.	177
REVIEWS :—	
Indis and the I. L. O. By V. V. Giri	178
Protection for Anstralia. By M. H. G.	179
Federation of Europe. By R. A. Kelkar	180

Topics of the Week.

Yet Another Ordinance.

THE claim of Sir Samuel Hoare that the Ordinances had worked admirably and successfully is completely stultified by the promulgation by the Government of India of yet another Ordinance, the Bengal Emergency Powers Ordinance of 1932, on the 18th May, to replace the Bengal Ordinance of 1931 which was due to expire on the 29th May. Those who hoped that the Ordinance regime was coming to an end will be bitterly disappointed.

The Government have got over the legal difficulty that might be raised as to whether Ordinances were renewable, by promulgating a fresh Ordinance. But the constitutional objection remains. We are not discussing for the moment the need for the drastic powers conferred by the Ordinance, but the method of securing them. Ordinances are meant for emergencies when there is no time to consult the legislature. A state of things which lasts for over six months cannot properly be called an emergency. It is an outrageous violation of the spirit of the constitution to continue to refuse to consult the legislature and to govern the country by means of Ordinances. Having regard to the present personnel of the Indian Legislature, Government would have had no great difficulty to securing the passage of any measure had they had set their heart upon, and they could easily have thrown the responsibility for the continuance of what is not very different from martial law on the Indian Legislature. The nonchalant attitude of the Government can only indicate their contempt for the constitution and a determination to rule without consent.

The new Bengal Ordinance is supplementary to the General Emergency Powers Ordinance in some respects, and cannot stand by itself. It is a legitimate conclusion, therefore, that the latter Ordinance will be practically renewed or re-promulgated, if only to back up the former, unless in renewing it, its application be limited to Bengal alone.

The agitation that Ordinances should not be of general application but should be limited to areas where the need was felt, has had some effect. The new Ordinance limits its operative clauses to the Chittagong District, in the first instance.

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The Frontier Council.

THE newly constituted Frontier Legislative Council finished its first budget session last week. A perusal of the press reports of the proceedings leaves the impression that the legislators have in one bound got into Parliamentary stride and acquitted themselves with credit. Even the element of dramatic excitement was not wanting. Aggrieved that he was not given the same amount of time as the officials, the leader of the Opposition walked out of the chamber in protest, followed by his followers. The debates on cut motions on Police and Jails were vehement, vigorous and charged with liberal sentiments. The non-official members earnestly pleaded for humane and gentlemanly treatment of political prisoners. They vehemently opposed the whipping of such prisoners, which was admitted by the Government, who pleaded that the organised recalcitrancy of the prisoners rendered it imperative. The Government's defence of whipping will carry no conviction because of the strong suspicion of vindictiveness in dealing with such prisoners. After making every allowance for the difficulties of the jail authorities, it is yet most deplorable that they should have resorted to whipping of political prisoners. It is a most degrading, humiliating and insulting form of punishment, the sting of which will rankle in the minds of the victims for life. Certainly the authorities know of forms of punishment less drastic but equally effective.

The Councillors impressed on the Government the need for digging wells in districts with scanty water supply, the promotion of the co-operative movement, the increase of educational facilities and other social reforms. It is particularly gratifying that a strong plea was put in for a girls' high school in Peshawar. The non-official members roundly denounced the excise policy of the Government and demanded prohibition. An unofficial bill for the abolition of brothels was introduced and ordered to be circulated to elicit public opinion. This is a record of which the Frontier Council may well be proud.

* * *

The I. L. O.

THE proceedings of the last session of the International Labour Organisation mark yet one more milestone of the long, long way to the goal of the Organisation. The most important convention that the Conference adopted concerned the minimum age of workers in non-industrial occupations. This new convention fills up the lacunae left by the earlier conventions, which referred only to child labour in industries, agriculture and at sea. Now all children

under 14 are protected from being employed in any type of occupation. The only exception is that children under 14 may be employed in family undertakings and in private domestic service in the family, with the consent of the competent authority in each country.

But this protection is meant to apply only to advanced countries like Europe and America. India, and we suppose, all the East, has special provisions which relax the convention. The minimum age for the employment of children in non-industrial occupations like those in shops, offices, restaurants, hotels, etc. is fixed at ten. Even this minimum may be lowered to permit children to appear on the stage, cinema and other entertainments. In the case of occupations which involve danger to life, health or morals, the minimum age shall not be lowered below 14.

It may be that these special provisions shall have to be modified for India when the Asiatic Labour Conference, which was decided upon last year, comes to be held. Moreover, it is one thing to be a party to a convention, another to implement it by legislation and enforce the law seriously. And in India the presence of the Indian States further complicates the situation. It is to the interests of the Labour world as well as the I.L.O. to press to the full their moral influence on the framers of the new Indian constitution to see that Labour is made a federal subject and the federal Government shall be the competent authority to ratify the conventions of the I.L.O. on behalf of all the Units of the federation.

* * *

Sirala's Statement.

WITH reference to the recent decisions of the Princes in Bombay the Raja of Sirala, who represented the smaller States in the R. T. C., has issued a statement in which he repudiates the proposals of the Bombay meeting that membership of the Chamber of Princes should confer on a State the right to direct representation in the Upper Federal Chamber. He states that the smaller States had all along opposed the idea. The claim to equal individual representation to all permanent members of the Chamber will be equally opposed by the larger States. The demand for increased representation in an enlarged federal legislature is also not practical politics. There can be no doubt that the Bombay decisions will be opposed by both the larger and the smaller States, and they are not a few uninfluential ones. It is clear that the distribution of seats among the Princes is as difficult as the solution of the communal problem. If it is humiliating that British Indians could not settle their communal question, it is equally humiliating that the Princes could not settle their problem of allocation of seats. Sir Mirza Ismail had foreseen the result long ago, and earnestly pleaded that the matter should be decided by His Majesty's Government. The Princes, like the Commoners in British India, will do well to pocket their pride, and request the British Government to decide the matter expeditiously.

* * *

The Orissa Province.

THE Report of the Orissa Committee, consisting of three members, is unanimous in every respect except that the two Indian members wished that the Zamindari of Parlakimidi was included in the new province, while the European Chairman thought otherwise. The Committee was unable to include in the new province all the territory that the Utkal Union claimed for it, several areas failing to stand the tests of race, language, and the wishes of the people. The new province as recommended by the

Committee will include certain parts of Bengal and Madras provinces, and will cover 33,000 sq. miles, and will contain a population of 8,277,000.

The N. W. Frontier Province has been a province for many years and quite recently its status was raised to that of the other provinces. Its population is just over 5 million, according to the 1921 Census. Sind, the separation of which into a province is under investigation, has only a population of 3,279,277. Under the circumstances, the population of the Orissa Province-to-be is enough to justify it.

The recommendations do not contemplate a full fledged province. It is to have no High Court or University of its own nor its own superior services cadre; it is to share some administrative institutions with Behar.

But the real difficulty is finance. On the basis of the existing system of taxation and expenditure and the extra cost of separation, the deficit of the new province is estimated at 35.21 lakhs. Far from diminishing, the deficit is expected to increase gradually to 40.93 lakhs in fifteen years. But the latter contingency may to some extent be ignored; within fifteen years things may alter a great deal. Nevertheless, the prospect is certain that Orissa province will be a deficit province for a long time. There is no possibility of augmenting the resources of the Province by the re-allocation of central and provincial finance. The only alternative is a subsidy from the Central Government. Orissa may well argue that if the North West Frontier Province could be given a subvention of a nearly crore of rupees, a much smaller subvention may well be given to Orissa.

The Frontier Province, Sind and Orissa have this in common that they want to be autonomous provinces at the expense of other provinces. It may well be that under the new constitution of India with power transferred to Indian hands, we shall re-organise the administration of India and cheapen it considerably. We may then be able to carve out new and self-supporting provinces. But is it necessary that the problem of Swaraj for India, which is sufficiently complicated in all conscience, should be further complicated by pressing to a solution just now the problem of the internal delimitation of provinces? It is true that the separation of Sind is under active investigation. But there it is part of a political bargain. The Muslims fear that under Swaraj the Hindu majority in the Central Government will oppose the separation of Sind. They are, therefore, bargaining for it now. But Orissa is not a pawn in the political bargain; it can well rest its claims on its merits, and there is no doubt that under Swaraj the wishes of Orissa to carve out a linguistically homogenous province will not be influenced by communal considerations. The question may well wait.

* * *

Unemployment.

It was recently reported from Bangalore that a young man of thirty, a double graduate, a committed suicide by taking poison because he was unemployed for several years, and could not face starvation of himself and his family. The untimely death of this young man, though it brought no relief to his dependants, must set people a thinking furiously even as the suicide of Snehalata did some years ago. It indicates the acuteness of the problem, of unemployment among the educated. Several Provincial Governments had appointed committees to investigate it and suggest remedies. But very little has been done to soften it.

Unemployment is not confined to the educated though perhaps it receives greater attention. It is met with among the labouring classes as well, though

It has hardly ever been measured satisfactorily. To add to the intensity of the problem in India, thousands of Indian labourers are returning from Malaya and other colonies. The problem of unemployment in India is so immense that it staggers investigation. Nevertheless it has to be undertaken.

Colonisation abroad is one of the ways out of the difficulty. And it is hoped that the joint investigation to be carried out by the Governments of the Union of South Africa and India will lead to some hopeful results. Mr. and Mrs. Chandra L. Singh, who are now in Bombay and who have personal experience of Brazil, advocate migration to Brazil under a Government-aided scheme. We hope the joint investigation by India and South Africa will explore the possibilities of Brazil.

If the history of South Africa is a reliable guide, foreign countries are preferable for Indian colonisation to British colonies! The British Government espoused the cause of Indians far more zealously when the Transvaal was a Boer Republic than when it became British territory. Britain will far more effectively guard the interests of Indians in Portuguese East Africa than British East Africa!

Articles.

THE IRISH WARNING.

SPEAKING on the Irish Oath Bill in the Senate Mr. De Valera shifted the emphasis from the political to the legal aspect. He no longer laid emphasis on the fact or assumption that the Irish Free State people had given him a mandate to abolish the oath and that, therefore, it must go, whatever be the constitutional and other difficulties in the way. He contended that the Constitution and the Treaty were different matters, that the Treaty was an international instrument which had really no place in the domestic constitution of the Free State, and the abolition of the Oath did not affect the Treaty or the relations between England and the Free State, and that it was quite competent for the Free State to amend its constitution and so abolish the Oath. The question he wished the Senate to consider on its merits was whether the Oath could not be eliminated without interfering with the Treaty and whether it was not proper that the Treaty, which was really an international instrument, should not form part of the fundamental domestic law of the Free State.

It must be remembered that the Oath finds a place not only in the Constitution, but in the Treaty as well. But there is a difference. While both prescribe the actual form of the Oath to be taken by Members, it is only the Constitution that goes further and expressly stipulates that the Oath shall be taken and subscribed to by every member of the Irish Free State Parliament. It is open to the contention, therefore, that the Treaty did not make the Oath obligatory, but merely prescribed the form of it, should any member take it, and that the obligatory character of it is derived entirely from the Constitution. And the Constitution is the creation of an Irish Constituent Assembly, and the Free State has an inherent right to amend it, apart from the right expressly acknowledged by the recent Statute of Westminster. So,

it is argued, that the Oath can be eliminated by merely amending the Constitution without in any way touching the Treaty.

Against this it is contended that the words "to be taken" do not make the taking of the Oath optional. The Constitution more expressly affirms what is obvious in the Treaty. Moreover, the Treaty provides that "the law, practice, and constitutional usage governing the relationship of the Crown or the representative of the Crown and of the Imperial Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State." Even if the actual wording of Clause 4 referring to the Oath in the Treaty is capable of a different interpretation, Clause 2 which modelled it on the Canadian pattern, gives no room for ambiguity. And to make things doubly sure, Art. 2 of the Constitution made the Treaty a part of the fundamental law of the Free State, which could under no circumstances be amended. So the argument runs that the Oath is an integral part of the Treaty as well as of the Constitution, and the Treaty was an integral part of the Constitution which could not be amended by the Irish Parliament in the sense desired by Mr. De Valera.

From the other side it may be contended that there is nothing in the Treaty which makes it obligatory that it should be part of the fundamental domestic law of the land; that such inclusion was the work of the Irish Constituent Assembly which made the Constitution and which derived its power, not from the Treaty nor from Great Britain, but from the people of the Free State. It was the Irish people who of their own accord chose to make the Treaty a part of the constitution and, therefore, it is open to them to eliminate it if they so choose now.

But is it open to the Free State Parliament to amend its Constitution to the extent of eliminating the Oath and the Treaty? Art. 50 of the Constitution contemplates amendments "within the terms of the Scheduled Treaty" and Sec. 2 of Constitution invalidates any amendment contrary to the Treaty. The Irish Free State's Constitution is in some respects not free to amend its own constitution, notwithstanding its Dominion Status or the source of its authority. It may however be argued that what a Parliament did it can undo. But then the Constitution was made, not by an ordinary Parliament but by a Constituent Assembly. Will it then be necessary to throw the present Constitution on the dust heap and convoke another Constituent Assembly and frame a more elastic constitution?

There is no doubt that the Irish Constitution is anomalous to a degree. First of all, a treaty with another and equal Government is made fundamental part of the domestic constitution. Secondly, the Irish Constitution has tied its own hands, as it were, by making amendments which conflict with a foreign treaty impossible. In both these respects, Mr. De Valera has a good case.

But the procedure he followed may well have been different. It need not have savoured of a challenge to Britain, or of a unilateral denunciation

of a Treaty between two States. As Senator Douglass said, Mr. De Valera might have carried a resolution in the Free-State Parliament, and armed with it, he might have negotiated with Great Britain for the changes that he desired. There are many who believe that an Oath is an anachronism, a meaningless and irritating hypocrisy, and they would have supported his plea. Similarly, the Treaty might by mutual consent have been eliminated from the Irish Constitution.

There are many parallels between Ireland and India. The recent constitutional history of Ireland is not irrelevant to the framers of the new Indian constitution. The constitution of British India will derive its legal authority from the British Parliament, in the first instance. But the power of amendment thereafter must rest with India. The constitution of India should be self-amending without reference to England. But that is the least part of the complications or danger. The federation of the Indian States with British India must necessarily be by treaties. The British Parliament cannot legislate for the Indian States. But will the States enter into treaties with British India or with the Crown? If the latter, every time there is an amendment, reference will have to be made to England. Even if it be with British India, it will be practically impossible to amend the federal constitution if it must be done only by means of a series of treaties with hundreds of States. The difficulties now facing Ireland will be multiplied a thousand-fold in India. Some means must be found to minimise, if not eliminate, them. The Federal Legislature must be competent, under certain conditions, to amend the constitution without reference to England or individual Princes.

THE PRINCES.

IN an interesting letter to the "Times" of the 11th May, the full text of which is now available in India, Mr. Rushbrook Williams traced the evolution of the attitude and motives of the Princes towards the federal idea. The Princes felt for some time past that economic and fiscal matters common to British India and the Indian States were being determined, not by a British Government who held the scales even between the two, but by a British-Indian Government more responsive to British Indian interests. They, therefore, wished to safeguard their interests by sharing the responsibility for the decisions. They wished to federate with British India. The other reason was their grievance against the agents of the Crown for the use or abuse they made of the power of paramountcy. They wished to define and delimit paramountcy, and regain their autonomy in as full a measure as possible. They wished to shake off England but did not wish merely to change masters and come under the domination of British Indians, as they would if the Government of India with its present powers, jurisdiction and control was made responsible to the people of British India. They hoped that by their joining hands with British Indian leaders in their demand for Dominion Status they would secure their own autonomy. But they

discovered that the Sankey Scheme would subordinate them to British India. They wished to abandon federation. But federation had become the declared policy of His Majesty's Government which they felt delicate to repudiate openly. So, at the instance of the Jam Sahab of Nawanagar, they decided to place upon the Crown the responsibility of safeguarding their position, and subject to such guarantee, to offer to join the federation.

It is clear from what Mr. Rushbrook Williams says that a section of the Princes did not favour federation and decided to cling to the Crown desperately because the fear of the British Indian was greater than of the British Government. All the Indian Princes want their theoretical autonomy to be respected in its integrity, apart from such functions which they transfer to the federation. The question of the extent of the transfer is quite different from that of the desirability of respecting the residuum of autonomy left with the Princes, and it is again different from the question whether the Princes should look to the federal constitution or to the British Crown to guarantee them in their autonomy. It is true that even when the Princes at the first R.T.C. gave enthusiastic consent to federation, they stipulated that the integrity of their treaties with the Crown should be maintained. But that referred to what they wanted retained rather than who was to be the guarantor. The enthusiastic support of the Princes of the plea for Dominion Status for India would have been meaningless if they had at the same time insisted that the British Government should remain in India for all time as the guarantor of their treaties. Though the pronouncements of the Princes were not altogether free from ambiguity, it was evident that the Princes desired that their residual autonomy should generally be recognised but they did not insist on the British Government guaranteeing it to them. Now some of the Princes have, less, we believe, because of their distrust of British Indian leaders than because of sinister influences from abroad, changed their mind, and proposed to sabotage federation and to clutch desperately to the very autocracy which they wished to shake off and whose exercise of paramountcy has been their principal grievance. As the Correspondent of the *Manchester Guardian* recently put it, "the Princes are already experiencing a temptation which will grow greater, the temptation to form a close alliance with the Government, and if the Princes and our own reactionary elements united, there is no doubt that they could preserve autocracy intact for a few years longer." It will, however, be an autocracy, subservient to another and superior autocracy, the paramountcy of the Political Department.

British Indian leaders have done nothing to deserve the distrust of the Princes. The British Indian Provinces will themselves be so jealous of federal intervention within the sphere allotted to them that the Princes need not fear that the federal Government will ride rough-shod over their residual autonomy, except in very special and grave

circumstances. The Princes will do better to rely on British Indians for their economic and political autonomy than on the British Crown.

THE EMIGRANTS

IT was in the evening, after I had transhipped from the spacious Union Castle liner on to the little "Karagola," bound for Bombay, that I first saw them. It was a hot, heavy night, and they stood in groups on the quayside, saying good-bye to their friends and relations. Just as the Englishman, every few years, tries to go 'Home', so these Indians were bound on the self-same errand, some of them to remain there permanently, since fortune had not favoured them in South Africa, some to arrange for the marriage of sons and daughters, or for their education, and others to visit aged parents or transact some business.

In some cases, the scene was a merry one; in others it was pathetic. One venerable gentleman, evidently of some consequence with long grey top-knot on his head, slipped a coin into the hand of each friend as he bade him farewell. Unfortunately, one little fellow of about six summers came up rather late. The supply of small change had seemingly dried up. With anxious eyes he watched the old man try first one pocket and then another in a search for something small and yet adequate. At last it was found. The little hand was taken between the two old wrinkled ones, a little fumbling ensued, and the small boy stood to one side and furtively examined his treasure. A hop and a skip indicated that it had found favour in his eyes, and all was well!

At about eleven o'clock the ships officers ordered all the passengers on to the ship, the friends trailed away, and the arrangement of their luggage and the preparing of their beds occupied all the attention of the deck passengers. For three weeks a tiny scrap of deck space was to be their home. I had wondered, when I saw the limited space of the first class decks of the "Karagola," how I would manage to exist for so long in such a confined space; but when I saw how scanty was the accommodation for these people, I realised that it was possible to manage with very little indeed, if only one could adapt oneself to it. I had paid Rs. 600 and they had paid Rs. 65 for transit from South Africa to India; yet, from all accounts, there were persons among them of far greater wealth than will ever come my way. It is not necessary, then, to pity these people. They were very happy and contented despite the discomfort. It would, however, greatly add to the respect felt towards them by Europeans in South Africa if those Indians who could easily afford to do so were to travel in a less primitive style. Something better should be the result of an improvement in their economic condition. The better class Indians on the boat spoke in shame of their fellowcountrymen below, some of whom were worth as much as thirty and forty thousand pounds, or had chains of hops extending throughout the Union, while others had even been known to go back to their own country

as deck passengers taking with them their motor cars!

As I stood looking down on the confused mass of people and luggage below me, however, I did not know all this. I thought they were all as poor and humble as they appeared to be. Seeing them with their bundles of bedding, tied up in bright straw mats, their fruit in huge wide-necked baskets and their household goods in heavy wooden chests or tin trunks, fastened with innumerable lengths of thick rope tied and tied again, I asked myself in wonder: "How in the world will all these men, women, babies and luggage get through the long weeks to Bombay?"

Until midnight I stood there fascinated, watching them open the bundles, spread their mats and quilts on the decks, and pile up their baggage into a sort of wall between themselves and their neighbours. Those who had been on the trip before obviously knew the best spots to choose. They did not take the top of the hatch, since this would later have to be kept open, neither did they choose the spaces where most of the passing back and forth would have to go on. Gradually the shrill chattering and the hubbub died away. With little or no ceremony they slipped on to their couches and composed themselves for sleep. In a secluded corner, one after another, a few devout Moslems performed their prayers, and at length I too slipped into my cabin, giving heartfelt thanks for its space and privacy.

The following day the ship's doctor, an Indian, took me on his rounds. There were as yet only about three hundred deck passengers on board. If I had thought them crowded, then, I was to learn how crowded they were yet to be. Those who were on the deck at least had plenty of fresh air. After Mombasa a large double canvas sail would be stretched over both the fore and after decks. From there on those who chose to sleep between decks or below— for there was a second stratum of humanity below this—would live in a sort of constant twilight. Fresh air and light, however, they seemed in most cases not to prize too highly. Between decks there were platforms about four feet from the ground. These could be used for sleeping on, and the women who wore purdah would hang dingy curtains round the little space which they had taken up for their home. As far as Mombasa the air in these enclosed spaces was still quite pleasant, but after that the curtains only assisted further in preventing the stale atmosphere from being dispersed.

Each day, before the doctor made his tour of inspection, the decks had to be washed down and also the spaces between decks in which they were housed. This meant that all the beds had to be rolled up and moved, and in this way a certain amount of cleansing was ensured to every part of the ship. The ship's doctor showed no particular concern as to the scruples of the purdah ladies, beyond shaking the curtains several times in lieu of knocking, before he peeped behind. No one resented his appearance, and in fact, I could not understand why the ladies bothered to put up the curtains at all, for they were as often as

not twisted to one side, or rolled up. It did, however, ensure some little privacy to the family. One be supposed. By paying a very little more, those who set store by these indispensable adjuncts to cleanliness on a voyage, can take an intermediate ticket. This gives them the privacy of a four berth cabin between decks, with a washhand basin inside.

Crowded as I had thought the deck passengers on the way to Mombasa, I was astounded to see the numbers taken on board at that port. Instead of three hundred, there were now almost eight hundred of these people! Every nook and corner was full to capacity, and there was literally scarcely room to turn. The hatches were opened, and rope nets stretched over them to keep the people on deck from falling on top of the people below. With the exception of a narrow pathway left clear round each of these areas, the mattresses and camp beds were placed side by side so that one could not walk between them, but had to scramble over one sleeping place on to the next. Men and women, boys and girls, old and young, all sexes and religions and races were bundled together in one heterogeneous mass. Here and there the almond eyes of a Chinese woman peeped timidly up at one, or the swathed figure of a *pardah* Moslem woman, in dirty white, with a narrow grating across the eyes, pattered hurriedly and secretly from one area to another:

Yet they seemed happy and cheerful, though the space allotted to each of them could not ensure that they would maintain good health to the end of the voyage. Constipation, malaria and fever, headaches and other ailments began to grow prevalent a few days before the ship reached Bombay. Nevertheless, they did not appear to miss the comfort of a more spacious abode. They are apparently accustomed to be crowded, and in their quiet way—for they were the most quiet and orderly kind of passenger that could well be imagined—they were well content to play their games of cards, listen to a little harmonium vilely played, or pore in the dim light over their books of queer characters worse than the Greek alphabet by far. In all sorts of odd corners these cross-legged studious figures would be come upon, both legs, sometimes, neatly coiled on the top of a camp chair or a little stool, looking so precarious that I was always trying to linger near by to see how long the stork-like pose could be maintained. If a stork could sit with his legs crossed, he would sit like these men, there is not the slightest doubt of it.

Through the long uneventful days they sat there, or lay about in their draggled saris and cheap silk trousers. If they quarrelled or were unkind to each other in their weariness, there was no sign of it that I could detect. Even those who were ill evinced a languid pleasure at the sight of someone from far away parts.

They were not very clean; their virtue lay rather in their pleasant and consistent good humour than in their ability to contend against circumstances. Had seven hundred Westerners of their class been herded together so closely, the voyage would have been punctuated with free fights. They were dirty, but

quiet and well-conducted. They were friendly and pleasant but not happy. High spirits seem to be foreign to the nature of the Indian, and it is noticeable that music and laughter, so much beloved by our African aboriginal, seemed lacking among these poorer peoples of India.

K. M. J.

Reviews.

INDIA AND THE I. L. O.

INDIA AND THE INTERNATIONAL LABOUR ORGANISATION. By P. P. PILLAI. (Patna Univ. Banaili Readership Lectures, 1929-30.) (Patna University, Patna.) 1931. 20cm. 198p.

THIS book contains the text of the lectures delivered by Dr. P. P. Pillai as Banaili Reader in Indian Economics, Patna University. No one is more competent to speak of the International Labour Organisation than Dr. Pillai.

The first lecture on the International Labour Movement is a rapid survey of the history of the First, Second and Third Internationals as, in the view of the author, the history of the International Movement is largely the history of the Internationals.

The second lecture is devoted to the treatment of the history of labour legislation both national and international as known at present. Tracing the evolution of thought from days of economic liberalism and referring to the repercussions caused by the industrial revolution throughout the world, the author refers to the harrowing conditions of work of the children and girls before the introduction of factory legislation and how Robert Owen, Kingsley, Ruskin and a host of others worked for a change in the angle of vision of contemporary thought. Slowly the dawn of the idea that "the antidote to competing cheap labour is not artificial protection, but the greater efficiency of well paid labour" is well described. Some space is devoted to the work of Le Grand for effecting international legislation to limit working hours. His efforts in addressing the Governments of France, England, Prussia, the other German States and Switzerland, the support he received from Karl Marx, the rebuff given by William II of Germany to this International Conference and how Switzerland offered co-operation despite the emperor's grave international discourtesy to her, Bismark's secret efforts with the French Government to induce them to abstain from participating, the famous Encyclical, *Rerum Novarum* from Pope Leo XIII in 1893 are succinctly described. The Pope said, "protection given to the workers would obviously be very imperfect if it were secured only by national legislation, for on account of international competition, the regulation of labour conditions here or there would lead to the expansion of industry of one nation to the detriment of another." The lecture ends with a description of the founding of the International Association for labour legislation. One feature of all the previous efforts in regard to international legislation was that no machinery existed to pursue the work of each International Congress without intermission.

The third lecture deals with the machinery of the International Labour Office. Mr. Pillai shows how even so early as in 1906 Great Britain foresaw the necessity of the international machinery. He shows how during the earlier days of war, democracy slowly yielded to autoocracy resulting in a reaction later on. The unrest caused by the war among the working

classes, the revolutions which spread through Bulgaria, Hungary, Austria and Germany after the October revolution in Russia, the efforts of the American Federation of Labour under the leadership of Samuel Gompers to look to the provision of safeguarding the workers' interests upon a new basis, political and economic, when settling peace terms between the belligerent countries during the Great War, the Leeds Congress of July 1916 which resolved that "the Treaty of Peace which will end the war and which will give to the peoples freedom and political and economic independence must also be placed beyond the reach of capitalistic international competition and secure for the workers of all countries a minimum of moral and material guarantee regarding the right of work, the right to organise, regulation of imported labour, hours of work and the health and safety of the workers," and how the efforts were seconded by neutral and central powers held at Berne in 1917 under the auspices of Swiss Federation of Labour resulting in a demand for a recognition of the International Association for Labour Legislation in the Peace Charter and lastly how the intimidating appeal of Russia to the masses evoked a panic among the capitalistic countries with the result that the part relating to the International Labour Office in the Peace Treaty was woven into the fabric of the Treaty, have been well set forth. This lecture closes with a detailed description of the constitution of the I.L.O. and how through the intervention of Sir Louis Kershaw of the India Office, India secured representation in the Governing Body as one of the countries of chief industrial importance in the world, despite certain opposition, which wanted to deny that right to India on the ground that India was not a self-governing country.

Lectures 4 and 5 are a summary of the various International Labour Conventions which have been ratified by India and also the influence of the International Labour Organisation in giving an impetus to labour legislation in this country. In regard to non-ratification of certain Conventions, Mr. Pillai points out that all cases of non-ratification do not necessarily connote opposition of the Government to labour legislation and that cases like the non-ratification of the Seamen's Convention by Switzerland which is a land-locked country cannot but arise. The author also traces how the International Labour Organisation germinated despite the insistence of the constitutional pundits on upholding the theory of national sovereignty.

The last lecture deals with a more intriguing subject, viz, India's political future, which is viewed, as is to be expected, through his I. L. O. spectacles. The anomalous position of the Indian States taking prominent part in the political activities of the League of Nations while at the same time refusing to consider the obligations in regard to Labour Conventions, is criticised. Mr. Pillai quotes the following from Lord Birkenhead's letter of the 28th September 1927 to the Secretary, General of the League of Nations:-

"But although unable to assume obligations in regard to the Indian States, the Government of India will (on the analogy of the ninth paragraph of Article 405 of the Treaty of Versailles), when a Draft Convention has been ratified by India, bring it to the notice of those States to which its provisions appear to be relevant, and will also be prepared, when necessary, to use their good offices with the authorities of such States to induce them to apply so far as possible the provisions of the Convention within their territories.....I would ask you to be good enough when forwarding a copy of this letter to the Director of International Labour Office, to request that it may be given the fullest publicity."

The author points out that the Secretary of State for India has made it clear that all ratifications by India were subject to a territorial reservation, (though no reservations of any kind are admissible under the Treaty). As the unfair competition from Indian States is increasingly felt by British India, it is to be hoped that the Conventions will be enforced in India without territorial reservations.

Mr. Pillai rightly draws pointed attention to the danger of a Federal constitution as opposed to a unitary one for India in the matter of ratification of Conventions, which will be reduced to mere Recommendations in the case of a Federal constitution. He is also opposed to the labour legislation being left entirely in the hands of the provincial Governments which by the paucity of their labour legislation up-to-date have shown hopeless incompetence. He admits that this need not debar Provincial Governments from the initiating labour legislation on their own motion. The necessity of "National Minima" for labour being expressly recognised in the fundamental rights of the future constitution is also emphasised. He claims that "to the I. L. O. belongs the credit of having first drawn prominent attention to the fact that the improvement of the conditions of life of the citizens is one of the main aims of political action." He states that the Nehru Report may advocate adult suffrage but without the guaranty of proper economic and social reforms of a radical character adult suffrage would be an eye-wash. Democracy and slavery are incompatible.

The six lectures cannot fail to be very interesting and instructive to the students of the history of the International Labour Organisation.

V. V. GIRL

PROTECTION FOR AUSTRALIA.

THE DELUSION OF PROTECTION. A PLEA FOR TARIFF REFORM. By GEORGE. H. WINDER and CLUNY MACPHERSON. (Angus and Robertson, Ltd., Australia) 1931. 157p. 3/6.

THIS brochure does not appear to be an unbiased enquiry into the desirability of protection to Australia. "The primary object of this brochure is to expose the cost and fallacy of protection." [Page 5]. The authors as staunch free traders seem to carry on a crusade against "an utterly false belief." They believe in the British Empire as an economic unit with Australia as a country producing mere raw material and food. How far Australia will be content to be, as the old phrase goes, "a hewer of wood and drawer of water" is for her to decide. But if she has the means to become an industrial and commercial country, she would commit an economic blunder if she does not develop them.

The brochure under review is of great interest because it attacks the principle of protection in general. In part I the authors consider the effects of protection, in part II they attempt to show how historically free trade has succeeded and in part III they consider protection as a policy. The authors do not appear to have succeeded in their object. Sometimes, as on page 40, they forget themselves in sentimentalism: "Any lover of the land which bred him cannot but regret the passing of the ancient order, with its health and beauty."

Their free trade arguments found particularly in part I are hackneyed ones. We need not notice them in detail. In chapter IV they observe that protection implies a class to be protected, and a class to protect suggests that protection is simply a sectional affair [pp. 37, 43, 79 etc.]. Nothing can be farther from the truth. The nation through its re-

representative institutions protects certain industries because they ultimately benefit the nation itself.

Again the authors observe: "Statistics show that the effect of such a policy is to penalize primary, in order to create secondary, industries." [p. 37.] It is difficult to understand what they mean by primary and secondary industries (unless they take the extractive or 'natural' industries as primary). Agriculture was the 'primary' industry of England in the 18th century; but in the 19th manufacturing industries became the primary ones. It may be suggested that an industry must be considered primary, which has undoubted natural advantages. If therefore Australia has raw materials, labour and market for an industry and its products, it is primary, though for the moment the industry might not even exist. We need not dilate on arguments and conclusions of this type.

In chapter X the authors cite the case of Silica, an island in the Pacific, where protection brought disaster. But the parallel fails to hold good. Silica contained 100 people and was by nature unsuited for growing foodstuffs. Surely the case for protection does not depend on the experience of such insignificant islands.

Even the knowledge of economic history found in the brochure is not beyond question. "The rise of Western Europe from barbarity to ripe civilization and prosperity can be restated in terms of the gradual enfranchisement of trade from barriers to commerce." [P. 97]. "Under free trade Britain has attained naval supremacy and has consolidated the greatest Empire in the world". [P. 112]. We demur. Britain's naval and commercial supremacy must be ascribed, firstly to her policy of protection as shown in the Navigation laws and customs tariff which held sway upto about the middle of the 19th century, secondly, to the absence of competitors in the industrial world, and finally to her early start. These gave Britain supremacy. She adopted free trade when she found protection no longer necessary, and even harmful lest other countries should copy her protectionist policy. That even mighty Britain should be driven to tariff reform, Imperial Preference and ultimately to the adoption a few days ago of protection speaks for itself. Whether protection is no more than that "The blind have led those still more blind into the impassable morass of protection," [P. 131] remains to be seen.

On the contrary, it looks as though their faith in free trade has misled the authors. According to them, the movement for secession by Western and South Australia and Tasmania is traceable to protection; the railway losses in Australia must be ascribed to protection; the national debt can be cleared off by free trade; in fact "most of the apparently disconnected problems facing Australia for solution are really not causes in themselves, but effects of a common cause in the tariff." [P. 144].

Thus this brochure starts with a predetermined object and ends with a stupendous charge-sheet. In so far as protection has tended to be in some countries indiscriminate and seemingly everlasting, we join the authors in condemning it. But to condemn the principle itself is to misunderstand it. Protection, judicious protection, aims at fostering, by means of temporary tariffs, the growth of industries which, essential and useful to the nation, cannot grow, not because of inherent disadvantages, but because of want of start.

M. H. G.

FEDERATION OF EUROPE.

THE UNITED STATES OF EUROPE. By PAUL HUTCHINSON. (Willet, Clark & Colly, Chicago.) 22cm. 225 p. \$ 2.00.

THE Danubian Plan which is at present being examined by the 'experts' of the Great Powers is in some quarters regarded as the French counterblast to the Austro-German Customs Union. To those better acquainted with the underlying thought-currents of European diplomacy it is but one step in the direction of the United States of Europe.

As an idea it has long been familiar to the political visionaries, but its emergence into practical politics is due to Count Condohove Kalergi of the University of Vienna. M. Briand's powerful support and active advocacy has made its success a question of time, though there is some danger that it may be twisted a little out of shape before it becomes a reality.

To those whose political ideas have not travelled beyond the 19th century the scheme seems to be a fantastic one. They have yet to grasp the significance of efficient transport and mass production in the economic sphere. The pre-war system of political boundaries and the tariff walls built up on their foundations has become out of date. The economic life of nations was rudely disturbed by the organisation of industry necessitated by the great war and by the poverty of the consumer that followed in its wake. On the other hand, the political hatreds were intensified by it. If things are not to be allowed to drift into chaos the United States of Europe has become an economic necessity.

A few Americans at first fought shy of the idea because they saw in it an organised attempt to repudiate American debts by concerted action. But the better mind of America quickly discovered the mistake and now hails it with joy as a step towards world peace. Mr. Paul Hutchinson's book is a clear proof of this. Its clear exposition and lucid style are convincing in their own way.

R. H. KELKAR.

SASTRI SPEAKS.

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