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Topics of the Week.

“Observer” and Mr. Sastri.

WE heartily share the high praise which the *Tribune* of Lahore bestowed on “Observer” whose series of well-informed, well-argued, and illuminating articles it was our privilege to publish in the SERVANT OF INDIA. The *Tribune* is right in stating that “Observer” had done valuable service by his contributions and will do even greater service by declaring himself. But his preference for anonymity must prevail.

An enterprising writer in the *Times of India* ventured to identify “Observer” with the Rt. Hon. V. S. Srinivasa Sastri. It is hardly necessary to say that the guess is wholly incorrect.

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Draconian Anti-Terrorist Legislation.

A BILL designed to deal with terrorism has recently been introduced into the Bengal Legislative Council. It proposes, amongst other things, to confer on the executive very wide and arbitrary powers of restraining personal liberty and seeks to enhance punishments for offences under the Arms and Explosive Substances Acts. This however is by no means the Bengal Government's first essay in that direction; but this time under the inspiration of Sir John Anderson with his Irish experience, they are apparently determined not to be content with any half measures but go the whole way by prescribing the extreme penalty of death for offenders against the two Acts, though the maximum originally laid down in the former did not exceed seven years' imprisonment and in the latter transportation for life. Special anti-terrorist legislation due to expire next year is also sought to be made permanent by the proposed measure. The fact that even after ten years' ruthless enforcement of the very drastic provisions of this legislation terrorism

is not rooted out should really have made the Bengal Government pause and think of devising different remedies for stamping out the evil. But far from adopting this sensible course they are now intending to place that legislation permanently on the statute book! What to others may seem to be a conclusive argument against the continuance of repression is to them one in its favour. They argue, to the satisfaction of none but themselves, that terrorism can no longer be regarded as a passing phase of the situation and therefore the specially drastic powers for dealing with it embodied in that legislation must be made available to the executive for all time. If the movement is admittedly yet far from being brought under control, it is difficult to see how the mere permanent availability of those drastic remedies is going to work the miracle of stopping it. But if a subservient legislature makes matters easy and smooth for the executive, it would be surprising if they made any attempt to resist the temptation of using short-cuts like these to the suppression of popular discontent.

Contrary to the Government of India's declared intention to close the Andamans as a penal settlement—a declaration made as far back as 1921, convicted terrorists are being constantly sent to that island, the hardships of which place it is superfluous to detail now. In these circumstances public concern for the well-being of these young people sent to the Andamans or locked up in special detention camps is perfectly natural. In fact the prolonged hunger strike on their part in the Andamans of last year resulting in the death of three of them convincingly shows that such curiosity is not misplaced. Yet the proposed Bill seeks to penalise any “undue concern and sympathy” with these unfortunate human beings on the ground that it is likely to create an atmosphere favourable to recruitment to the terrorist movement! With the line of demarcation between due and undue concern being very thin, it is easy to see that no newspaper can report even the ordinary illness of any of these detenus without bringing itself within the clutches of the very comprehensive provisions of the proposed law. But why, one wonders, are the Bengal Government so half-hearted in their dealings with the press? Why do they hesitate to be thorough even in this matter by ordering the wholesale abolition of this newspaper nuisance? That would be entirely in line with the whole scheme of the new measure and would save newspapers themselves from the unpleasant consequences of the uncertainty of their fate involved in working with this Damocles' sword hanging over their heads.

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Repression in Bhor.

IN very few States in the Deccan is there such sustained and organised agitation for redress of popular grievances and assertion of popular rights

on the part of the people as in Bhor. This is solely due to the public spirit of the leaders in the State, of whom the most prominent is Mr. Gopinathrao Potnis. In these circumstances it is only to be expected that Mr. Potnis should come into constant collision with the State's officials. His popularity is so immense that it would almost seem as if, with a little effort, he could cause the State's machinery to be held up if he were so minded, but Mr. Potnis is gifted with a spirit of self-restraint which is rare among political agitators and it is mostly on account of the influence he steadily exerts on the side of peace that in this State where, in spite of the keen discontent felt by the masses with the administration, so little obstruction is offered to the machinery of government. But the officials in the State are apparently eager to bring about a general flare-up, for otherwise we cannot understand their present policy of repression, which only results in putting out of action the only elements which can exert a restraining influence upon the public at large.

The latest instance of this repressive policy consists in the Bhor Durbar launching a prosecution against Mr. Potnis on the charge that he threatened and assaulted a constable who had been told off to shadow him. The magistrate who tried him found him guilty and sentenced him to two years' rigorous imprisonment and ordered him further to execute a bond for Rs. 500 with one security in a like amount for another year. We suppose this magistrate has exhausted all the legal power he possessed in imposing this sentence. For him the conviction was a simple affair: he just believed the prosecution story and disbelieved the accused. What could be easier than this? The prosecution story was that the "accused is a leader of lawless people. He visits villages, collects people, makes speeches and encourages them to break the law or commit breach of the peace... He is a nuisance to the State... &c. &c." Few judges misbelieve such stories in political cases in the States, and the magistrate in question does not deserve any particular blame for such a complete failure of the appreciation of evidence that he exhibits and for the travesty of justice of which he is guilty in consequence. The whole blame rests upon the officials who started the prosecution. They might have bethought themselves of the ridicule which they would bring down upon the state from all thinking people by arraigning a man who is universally known in these parts for transparent honesty and almost a romantic devotion to non-violence. The question involved here is not one of justice but of policy, and the ruler of the State must give full consideration to it. We verily believe that to lock up a man like Mr. Potnis is to sit upon a safety-valve. The ruler's attempt should on the contrary be to conciliate him and thus to establish conditions of permanent peace in the State. With true leaders of the people in prison, there will be anything but peace.

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Capitation Debate in the Assembly.

THE recent debate in the Assembly over the British Government's decisions on the findings of the Capitation Tribunal served the purpose of voicing India's sense of keen dissatisfaction at the manner in which the whole question has been disposed of. But the importance of the subject really merited fuller and better-informed attention at the Assembly's hands than was possible within the limits of an adjournment motion. We hope an early opportunity will be sought for this when the necessary materials, about the lack of which a complaint rightly went up from more than one member, become available. In this connection we cannot help saying that the public demand for the publication of the

full texts of the notes appended by Sir Shadilal and Sir Suleiman to the Tribunal's report has reason on its side. Even at their best their officially prepared summaries can be but poor substitutes for the originals, and their suppression cannot be justified even on the ground of cost which the Army Secretary tried to make out was the only one for their non-publication.

But the real point upon which the Indian public has a right to ask for enlightenment from the Government of India is why when the latter were asked by the British Government whether they were prepared to accept the majority findings of the Tribunal they were in such a deadly hurry to notify their acquiescence. Did they owe no responsibility to public opinion and was it not incumbent on them to consult it before committing themselves? If anything, it would have strengthened their hands in the splendid fight they have been putting up on India's behalf in the matter of the capitation payments. The defence of the Government's failure to do so given by the Army Secretary was, to say the least, most unconvincing. To say that further higgling would have been practically useless, as the Army Secretary did, is to show a light-hearted unconcern for the taxpayer's interest.

It also transpired in the course of the debate that the Tribunal did not go into the vital question whether the existing size of the Indian army was settled solely with an eye to Indian interests; for if it had done so, it would have necessitated, it is argued, the laying before it of information of a highly confidential nature. How then did the Tribunal fix on the figure of nearly two crores of rupees which, it decided, should be contributed by the Imperial Government towards India's military expenditure? It is clear that in this matter India has not received justice at the hands of the Imperial Government.

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Kashmir Reforms.

THE serious public disorders which disorganised life in Kashmir two years ago, however regrettable in themselves and whatever their other evil consequences, served to draw pointed attention to the deep-seated political discontent among the people of the State. A declaration of the intention of the Maharaja to grant liberal reforms to his subjects soon followed, the task of framing a constitution being simultaneously remitted to a committee which has now submitted its report. According to this, the proposed State Assembly would consist of 75 members, of whom 28 are to be State officials (16 State Councillors and 12 officials), 33 elected, and 14 nominated from constituencies in which election is impossible. The number of elected members would be made up of 21 Moslems, 10 Hindus, and two Sikhs; while the fourteen nominated ones are to include two untouchables, two Buddhists and one domiciled Hindu of Srinagar. It has been provided under the scheme that, apart from the officials, the minimum number of Muslim members should be 32 and the maximum Hindu ones 25. We are concerned not so much with the communal balance sought to be established in the proposed Assembly as with the number of seats thrown open to election in comparison with those to be filled by nomination. It is seen from the above figures that while 33 of its members would be elected, as many as 42 would be nominated so that the popular voice stands little chance of being effectively heard. It is some consolation that the election to the Assembly will be direct, for which a unanimous preference was expressed to the Committee by different sections of opinion in the State.

The franchise qualifications are cast on the lines of those obtaining in the adjoining province of the Punjab and are expected to bring 10 per cent. of the male adult population on the electoral register. It is difficult not to find fault with the Committee for barring women from the franchise and proposing a residential qualification so unconscionably long as ten years. The exercise of the right to vote is optional and it is impossible to persuade oneself that its extension to the purdah-ridden fair sex even in educationally backward Kashmir would have led to any unmanageable complications. Literacy in Urdu has been prescribed as a qualification for candidature for seats in the Assembly whose life will be three years, though the State Councillors will be appointed for four years and a half. The need for this last provision is difficult to see clearly. It is to be hoped that the functions that may be allotted to the Assembly will at least be more satisfactory than its constitution.

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Triumph of Personality.

THE Harijan tour of Mahatma Gandhi from end to end of India and right across has been a triumphal march which the mightiest Prince or the holiest Prophet might envy. The mammoth crowds that flocked from far and near to every place where he halted if only to have his *darshan* and nothing more were unprecedented. The ardent devotion of some of the Harijans, who hailed him as their saviour, as an *avatar* come down from on high to wipe their tears, to break their bonds of social tyranny and to uplift them to the bosom of God was indeed very touching. Non-Harijans too flocked in their thousands to hear him preach—not a political tornado against foreign tyranny but a social crusade against their own *swadeshi* tyranny; to show up their sins in practising, tolerating and even defending untouchability and to call them to contrition and reparation. His message was certainly not flattering to them nor were the great majority of them prepared to answer his call, at any rate immediately. The attraction was his personality, not his precepts. And so great was the attraction of his personality that thousands of proud *Savarnas* cheerfully put themselves to no inconsiderable trouble and inconvenience to seek his *darshan* and quietly tolerated his castigation of them.

* * *

Superstitions.

The Mahatma is no cheap rhetorician who would not hesitate to press into service a false analogy or superstition if only it promised at the moment to drive home his argument and electrify his audience. His references to the recent earthquake which devastated some parts of Bihar are, therefore, to be regretted. In one of his speeches in South India he is reported to have said that there was a divine purpose behind the earthquake. And in another speech—it was at Tuticorin—he is reported to have said that the earthquake was a divine punishment for the sin of untouchability. If it were true that not a sparrow falls but by divine sanction, the Sanatanists might argue that untouchability had also divine sanction. As a matter of fact, at a public meeting in Poona a Sanatanist affirmed that devastations like the recent floods and the more recent earthquake were the expression of divine wrath provoked by the desecration of Hindu *dharma* by the Mahatma and his anti-untouchability campaign. Apparently God is on the side of both or neither. In either case he may be eliminated when reform based on human effort is under consideration. Reasons of humanity and social justice are good enough weapons with which to combat untouchability without dragging God into the controversy and without inculca-

ting puerile superstitions, backed with all the moral authority of the Mahatma, among a people already over-ridden by impenetrable superstitions. It is a disservice.

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Mahatma and Bihar Harijans.

Earnest appeals have been addressed to Mahatma Gandhi to divert his attention for a time from Harijan work to the relief of the sufferers from the earthquake in Bihar. He has replied that he may not do so as he had dedicated himself for the time being to the Harijan cause. His vow must be respected. Will it not, however, be open to him to divert the funds he has been collecting, or at any rate a good part of them, for the special benefit of the *Harijan* sufferers in Bihar? The establishment of the homeless Harijans on well-planned and well-built colonies in Bihar will be a first class piece of work which the Harijan Seva Sangh may well undertake without in the least deviating from its rightful path.

* * *

Danger in Kenya.

THE Indians in Kenya, and in particular the traders among them, have been greatly alarmed by the proposal of the Kenya Government to introduce legislation with the object of restricting the present freedom of Native marketing and of creating special markets for the sale and purchase of Native produce and to otherwise control Native marketing. Lord Moyne, the Special Financial Commissioner, in his report advocated the constitution of a Native Marketing Council, which might consider, among other things, the "establishment of marketing centres where large-scale buyers might be induced to handle native produce, licensing of traders and the prohibition or restriction of the system of barter which as practised in some of the small Asiatic stores is alleged to operate generally to the disadvantage of the native producer." It may be noted that Lord Moyne did not himself make out a case for these changes but was content to suggest that these questions "might usefully be considered" by the Native Marketing Advisory Council. The Council was appointed and Mr. J. B. Pandya, the veteran Indian publicist and businessman and the President of the Federation of Indian Chambers of Commerce in Kenya, was a member thereof. It recommended legislation on the lines suggested for consideration by Lord Moyne, Mr. Pandya emphatically dissenting. In his extremely able and well-argued speech at the second session of the Federation held recently at Nairobi, Mr. Pandya stated that no case had been made out for the intended legislation, that the evils complained of either did not exist or could be remedied otherwise and to much better effect and that the legislation, while in no way benefiting the Native producer, would only divert the marketing of Native produce from the Indians, who had been pioneers in this matter, to Europeans. It was more an anti-Indian measure than a pro-Native one. Professing to benefit the Natives, it, in effect, was intended to and will benefit the European at the expense of the Indian.

Such legislation has already been passed in Tanganyika and Uganda in the teeth of Indian opposition. Mr. Pandya and his Federation, while in no doubt about the real purpose and effect of the proposed legislation in Kenya, were however willing, nay anxious, to submit their case to impartial examination. They suggested that inasmuch as such legislation is already in operation in the two neighbouring countries, its results should be assessed by an impartial commission of enquiry before it was

extended to Kenya. This is an extremely fair offer. If it can be proved that the legislation did no good to the Natives but only benefitted Europeans at the expense of the Indians, there would be no justification for undertaking similar legislation in Kenya. On the other hand, there will be every justification for repealing the legislation in Uganda and Tanganyika.

The Federation requested the Government of India to depute Kunwar Sir Maharaj Singh, the Indian Agent in South Africa, to enquire into the situation already created in Uganda and Tanganyika and which will be created in Kenya by such seemingly general but really anti-Indian legislation. This strengthens the plea for the stationing of an Indian Agent in Eastern Africa. Danger as is threatened by the looming legislation is better nipped in the bud than fought at a later stage. The presence of an Indian Agent charged with the duty of keeping a close watch on the march of events and the premonitions of coming dangers will go far to achieve this purpose.

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Land Mortgage Banks.

THE announcement made by Sir George Schuster the other day of his intention to introduce a Bill in the Legislative Assembly for the purpose of giving the status of trustee securities to the debentures of co-operative land mortgage banks will give great satisfaction to all who are interested in the improvement of the condition of the rural population. The Bill is really due to the persistent efforts put forth by the Central Land Mortgage Bank of Madras, of which Dewan Bahadur M. Ramachandra Rao is President. As in the case of such other institutions of land credit, this Bank, which was established in 1929, issues debentures on the security of mortgages assigned to it by primary land mortgage banks (of which there are now 60) and finances these banks out of the proceeds of such debentures. At the last annual meeting of the Bank, held on 7th October 1933, the President said that the Bank had by then sold debentures worth Rs. 10,73,000, although the rate of interest had been reduced from 6½ to 5 per cent, which shows that the debentures are popular. Still until they are recognised as trustee investments, they will not be readily saleable and will not be taken up in as large quantities as is desirable. The Madras Government, as recommended by the Townsend Committee on Co-operation, has guaranteed interest on debentures within the first five years, but the Government of India wanted local Governments to guarantee principal as well as interest as a condition precedent to their making the debentures trustee securities under the Indian Trusts Act. Probably the Madras Government has now undertaken to guarantee principal as well. Anyway we are glad that the principal impediment will soon be removed that stood in the way so far of supplying all the needs of agriculturists for long-term loans for such purposes as redeeming old debts or effecting land improvement.

Articles.

MISDIRECTED CRITICISM.

WHEN Mr. Sam Weller knocked down out of hand the portly Mr. Grummer, the chief of the Police at Ipswich who had arrested Mr. Pickwick, the gallant Mr. Nathaniel Winkle, possibly animated by the display of Mr. Weller's

valour, commenced, no sooner he saw Mr. Grummer fall, a terrific onslaught on a small boy who stood innocently near him. Much of the criticism of the speeches of Mr. V. S. Srinivasa Sastri in Madras and of the organisers of the All-Parties' Conference in Bombay is reminiscent of Mr. Winkle's performance. It is perhaps natural that the gallant fire-eaters, routed by the "mailed fist" of the Government and writhing under defeat and consequent chagring and unable to renew their struggle against the Government, seek some compensatory consolation in denouncing the Liberals and others whose only fault is that they decline heroically to attempt the impossible, refrain from uttering empty threats against the Government and do not bang their heads against a stone wall for the simple reason that it does more injury to the heads than to the wall.

Much of the criticism, where it is not deliberately malicious or mendacious, is wholly misdirected. It centered round the White Paper, the Communal Award and sanctions. It is common ground that nobody in India is pleased with the White Paper. On the other hand, almost everybody is disappointed, though not all for the same reason. Nobody had denounced it so unsparingly as Mr. Sastri and the Liberals either at Calcutta in April last or more recently in Madras and Bombay. But this negative agreement will not serve India's purpose. It will only strengthen the hands of the Tory Government. For the Indian constitution, at its next stage, must necessarily be a compromise between the claims of the various parties in India and in England. Inasmuch as the White Paper is uniformly unsatisfactory not only to all the political parties in India but to the Tory diehards in England, Government might with justification maintain that it is the best compromise and the only compromise possible.

Something more positive is necessary to tell the Government what exactly will make the constitution tolerable to progressive opinion in India, though it may not wholly satisfy the demands of the extremists in any party. The search is therefore for the greatest common measure of agreement that may be reached at the All-Parties' Conference. Nobody will regret if the level of agreement was higher than the Joint Memorandum. A unity conference must lay emphasis on unity but, of course, the higher the level of unity the better. The present objective is not to run a race in formulating demands and to discover who can put up higher demands than others. The optimum demand backed by the maximum of public support has better chances of producing practical results than the maximum demand backed by the minimum of public support.

The White Paper as it stands satisfies nobody. Even Sir Tej Bahadur Sapru, who played the largest and the most effective part that any Indian was permitted at the Round Table Conference and may therefore be presumed to be most tender to its results, went so far as to threaten non-cooperation if the White Paper was enacted as it stood. He has submitted a most important memorandum on the minimum improve-

ments necessary in the White Paper. So have the signatories to the Joint Memorandum. Even Dewan Bahadur Ramaswami Mudaliar, while championing the White Paper, has lined up with the signatories of the Joint Memorandum in his demands. If, as a result of the All-Parties' Conference, these friends can be persuaded to raise their demands higher as some others wish, so much the better. It is however highly desirable that nothing should be done at the All-Parties' Conference which might weaken the hands of the signatories of the Joint Memorandum, for at the moment they carry the maximum, whatever that may be, of constructive influence with the British Cabinet. An agreement at a higher level than the Joint Memorandum will, if conceived in a friendly and appreciative spirit, strengthen the signatories of that Memorandum inasmuch as they can with justification maintain that the bulk of public opinion in India wanted them to go beyond the Memorandum.

In his letter to Sir Chimanlal Setalvad declining to attend the Conference, Mr. Satyamurty contended that, as a follower of the Congress, he was unable to agree to the reservation of Defence and Foreign Affairs wholly outside popular control—a policy which, he presumed, the Round Tablers had agreed to. He was, however, willing to agree to safeguards in the mutual interests of India and Great Britain during a short transition period. There does not seem to be material difference between his thesis and the Joint Memorandum, inasmuch as it says that the reservation is only for a transition period and protests against reducing such influence as the Indian members of the present Executive Council have been exercising in Army affairs and suggests various means by which Army administration shall be subjected to popular influence. The difference, if any, is not enough to justify the boycott of the Conference.

The organisers of the All-Parties' Conference have come in for severe criticism from certain quarters for excluding the Communal Award from the deliberations of the Conference. It is not their fault that they had to do so. The organisers were mostly nationalists, including the Liberals, and their attitude towards the Communal Award is well known. Nobody dislikes it more than they do; nobody realises more vividly the permanent evil results of that Award than they and nobody will be more pleased if it could be set aside in favour of a national agreement. Nobody was more zealous in promoting unity conferences to achieve this object. But all previous efforts were in vain. The difficulty has only been added to by the Communal Award. If there is a fairly large volume of opinion in favour of reopening it, the All-Parties' Conference, we fancy, will only be too pleased to include it in the programme. It is for those who criticise them for excluding it to make out a case that there is a fair chance of agreement on the communal question. And let it be remembered that it is possible only if prominent leaders of the Muslims, the Harijans and other communities indicate their willingness to

reopen the Award. It will do no good if only the Hindus or the Nationalists are keen on the change. The unilateral zeal of the Hindu-Nationalists has only intensified the suspicions of the Muslims and others and driven them more firmly into the arms of the Government. Let those who are disappointed with the exclusion of the Award from the deliberations of the Conference engage themselves to better purpose in persuading the minorities to agree to a change. The exclusion does not mean that the Liberals propose to reconcile themselves to the communal electorates for all time, though they realise only too well that the longer they last the more difficult will it be to get rid of them. They look forward to the earliest opportunity when they may tackle the question with some chance of success. If it comes earlier, nobody will be more pleased. The Liberals are driven to abandon any proposal for the immediate modification of the Communal Award for the very reason that the Congress decided to abandon mass civil disobedience: both are impossible at the moment.

The exclusion of the discussion of "sanctions" has brought on the organisers of the All-Parties' Conference the most formidable, and some caustic and contemptuous, criticism. In the first place it may be useful to understand what was understood by sanctions. If the British Government declined to accept the modifications which the Conference might suggest, what should India do to enforce the demands on the Government? What coercion, what sanctions can India apply in order to compel the Government to yield to India's wishes? This is quite different from what India should do if and when an unsatisfactory constitution is actually passed and put into operation. To the best of our knowledge, the promoters of the Conference discussed only the former question of sanctions and did not discuss the latter question.

Most of the critics who cried down the Conference did so on the ground that the organisers shied from sanctions. It is up to those who believe in them to take the public into their confidence and enumerate the sanctions that are available and may be adopted. Beyond wishing that sanctions should be developed, they make no concrete suggestion. The Congress, under the Mahatma, believed in sanctions. It did not abandon them now because it was reconciled to the Government. If sanctions were possible, the Congress was not the body to give them up at this stage. Mr. Sastri asked to be shown a sanction which would do the maximum damage to the Government and minimum to the people themselves. It is difficult to understand those who swore by sanctions, applied them and subsequently abandoned them, criticising those who never believed in such sanctions, who never practised them and who now do not propose to do so, except on the analogy of the "fox without the tail." The Conference does not hinder anyone who believes in sanctions from applying them. Since there could be no agreement on the subject, it has been excluded.

Boycott of the legislative Councils can be called a sanction only by stretching unduly its mean-

ing. The successful wrecking of Ministries in Bengal and C. P. for a time in the last decade has not served as a sanction in the sense of compelling the Government to yield to the wishes of the boycotters. Far from that, the Governor took over the transferred departments and carried on the government. Boycott is a form of protest but it is not a sanction.

It is doubtful if the resort of the Congress to sanctions has strengthened the hands of the Indian delegates at the Round Table Conference but it is certain that it has weakened them and provoked the numerous and serious safeguards in the Hoare constitution. Sanctions have secured—not swaraj but safeguards. The tactics of the Congress in India and of Mr. de Valera in Ireland have put ideas in the head of the British Government and made it their primary concern to make the new constitution not only conservative and reactionary but impregnable so. They have brought about a formidable combination between the diehards in England and in India to block the way of the liberals and the radicals. However regrettable it may be, India at the present moment has no sanctions other than public opinion which she can apply without doing herself more harm than good.

As to what the most patriotic and public-spirited Indians should do when the new constitution is passed the Liberal Federation and the organisers of the All-Parties' Conference did not discuss because, we fancy, it was a contingency that had not yet arisen. Mr. Sastri has anticipated the decision of the Liberals. The Congress Democratic Party and allied parties have already declared themselves. Elsewhere is printed Mr. Sastri's speech on the subject delivered in Madras. It is impossible to improve on his passionate plea that the constitution should be worked, and not boycotted, by the best people in the land. It is no display of courage but of cowardice to run away from danger, shut oneself up in a sanctuary and save his conscience that he had no responsibility for the disaster. To let the people suffer when he might have helped them ever so little is not public spirit.

There are others who would enter the Councils in order deliberately to wreck them. Past experience has warned the Government who have profitted fully by it. The new constitution is proof against wrecking tactics, unless all the parties join. In which case, there is no need for wrecking.

No nationalist in India will shed hot tears if the British Government, declining to improve the White Paper, decided to withdraw it altogether. If Mr. Sastri "accepts" the new constitution, he does it even as the Biharis "accepted" the earthquake: it is inescapable. It may be defeatism but it is a fact, however unpleasant and humiliating. The Communalists as well as those who have special interests in India gain by the new constitution, primarily in the provinces in which alone they are specially interested. And together the Communalists form no inconsiderable section of the Indian peoples. To their avidity is added the anxiety of the Conservatives in England to inaugurate in their time a constitution which shall forestall a more progressive constitution that the Labour Party may propose, when they come into power. There is no power in India today which can effectively defeat the purpose of these forces in England and India.

Consistently with his opinion that the Hoare constitution cannot be escaped, Mr. Sastri holds that the White Paper cannot be improved either by any move from India. In which case, why have an All-Parties Conference at all? For one thing, Messrs. Jayakar and Ambedkar and Sir Henry Gidney, who participated in the proceedings of the Joint Select Committee, cherish some slight hope that if the Joint Memorandum is powerfully backed up in India, the White Paper may be improved. Sir Samuel Hoare is not the Joint Select Committee and it is just possible that the latter might be more influenced by the Joint Memorandum if it is influentially supported in India, than Sir Samuel Hoare was by the arguments of the Indian members during the sessions of the Round Table Conference. At any rate, a Conference of the kind proposed may do some good but it cannot do any harm.

RELIEF FROM RURAL DEBT.

THE Government of the Central Provinces is to be congratulated on the further measures which it proposes to take for helping the agriculturist carry his load of debt. We say "further" because last year it got a Debt Conciliation Act passed, under which it took power to set up Boards in districts or parts of districts for the purpose of compounding prior debts of agriculturists. Accordingly two such Boards have been functioning, and it is encouraging to have the testimony of the Governor, Sir Hugh Gowan, who as Revenue Member was responsible for the Act, that they "have made a promising start." A third Board is being created almost immediately, and provision is to be made in the next year's budget for the constitution of four more. The conciliation proceedings of these Boards take place

on a purely voluntary basis; that is to say, the Boards (the number of whose members, all nominated by Government, is now to be increased from five to nine) arrange to bring the creditors and debtors face to face and leave it to the parties concerned to agree or not to agree as to the amount of debt to be paid and the instalments in which to pay it. The Boards have the power of compelling the attendance of creditors with statements of accounts and documentary evidence in support thereof. In case of non-appearance, it is provided that the creditors will forfeit all their claims upon their debtors. This provision is enough to secure the presence of the creditors with all the necessary materials for initiating negotiations for a settlement of debts and the Boards give their good offices in bringing the parties to a

fair and equitable settlement. But if and when a settlement takes place, it is voluntarily agreed to by the parties and not forced upon them as the award of an Arbitration Tribunal. An agreement between creditor and debtor is however encouraged in various ways by the Act. Creditors who agree to compound their claims are given a priority in the execution of their decrees over all other creditors excepting those whose loans are secured. Further, such creditors as hold to their original contract and refuse to come to terms are penalised by providing that in subsequent civil court proceedings costs be not awarded and interest of more than 6 per cent. be not allowed to them after the date of conciliation proceedings. These are very good inducements for creditors to come to an agreement and to effect a substantial scaling down of their claims. If an agreement is reached it is registered, and thereupon it takes effect as if it were a decree of a civil court. The dues under the agreement then become liable, in case of default, to be recovered summarily as arrears of land revenue. The agreement is not valid unless at least 40 per cent. of the debts come under it. The benefit of the Act is limited only to those who live mainly upon the land. Eventually the Act will be made applicable to all debts, however large they may be, borrowed by genuine agriculturists; but for the present, till the Boards find their feet, a limit is put upon their activities, viz., that they shall not attempt composition of debts owing to an individual creditor of more Rs. 5,000 in amount. Similarly a lower limit is put, Rs. 150 in the case of a tenant and Rs. 500 in the case of a landlord. If the debts are less, the Boards do not start conciliation proceeding.

The Debt Conciliation Act is now being supplemented in the Central Provinces by other measures in the interest of debtors. The Home Member Mr. Raghavendra Rao, introduced in the Legislative Council two Bills intended to give a fairer deal than at present to the borrowers. The first is a Bill amending the Usurious Loans Act of the Central Government. This Act has remained mostly ineffective, because the power it confers upon the court to reopen old transactions of moneylenders in the interests of equity can be exercised only where two conditions are satisfied, viz. where, in the opinion of the court, (1) the rate of interest is excessive and (2) the transaction was substantially unfair. It has been found very difficult to fulfil both these conditions, or in fact either of them. In a great many loans the scales are in fact heavily weighted against the borrowers, but it is not easy to produce evidence in support that will satisfy a court. Nor can the court treat any rate of interest as excessive if it is widely prevalent in the surrounding district, as unfortunately it too often is. Under the Act, interest was to be held reasonable or otherwise according as the risk run by the creditor in recovering his loan was great or small. His risk was undoubtedly great and interest could not therefore be looked upon as excessive, within the meaning of the Act. The Act has before remained practically a dead letter. The Central Provinces Government now desires to amend

it in two ways. First, it would not be incumbent upon the court, under its proposals as it is at present under the Central legislation, to hold its hands till both the conditions mentioned above are satisfied. It would be sufficient if either of the conditions is, and the satisfaction of the first condition is proposed to be made easier by giving clear guidance to the court in determining what is and what is not an excessive rate of interest. Compound interest would be regarded as definitely excessive and would be thus prohibited; and so far as simple interest is concerned, no precise definition of an unconscionable, and excessive rate is attempted, or in fact is possible but any rate above 12 per cent. per annum in the case of secured loans and 18 in the case of unsecured loans would be regarded by the court as creating a presumption that it is excessive, and the onus of proving that the rate is fair would lie on the creditor. This would in effect impose a maximum limitation upon interest charged in all loans of a normal type. The limits laid down may themselves appear to some to be too high; but considering the fact that unsecured loans are often made at the rate of interest of 75 or even 150 per cent. per annum, the limits mentioned in the Bill are quite fair. In the British Moneylenders Act of 1927, it should be remembered, the limit stands at 48 per cent., though this limit is without prejudice to the general power given to the court by an earlier Act to give relief to the debtor in all cases in which it considers the rate of interest to be excessive in spite of the fact that it does not exceed this limit.

The other Bill introduced in the Central Provinces Legislative Council, viz. the Moneylenders Bill, may well be expected, in conjunction with the Usurious Loans Bill, to lower the rate of interest on loans such as we have in view in the present case. Like the corresponding Bill in the Punjab, this Bill prescribes to moneylenders a form of accounts in which principal and interest have to be shown separately for each individual debtor and the moneylender is made to supply such statements yearly to all his debtors. These provisions are aimed only at prevention of fraud and cannot be objected to by any reasonable person. But in addition to the maintenance of accounts in a particular form, the Bill provides for another very important principle, viz. that of *dam dupat*. The benefit of this principle is to be afforded not merely to Hindu borrowers, but borrowers of all other religions too. It is true, as the report of the Agriculture Commission says, that this principle "merely provides that, in passing a decree for principal and interest, the Court shall not allow interest in excess of the amount of the principal when the claim is made;" and that "no consideration need be paid to the amount paid on account of interest during the currency of the loan nor whether the rate is usurious, nor whether the total sum paid to the lender does or does not represent a fair repayment of both principal and interest." But we are led to believe that, along with the other provisions detailed above of this particular Bill and the provisions of the Usurious Loans Bill, it will go

a long way to check usury. At present the principle of *dam duput* is circumvented in practice by the moneylender getting a fresh promissory note from his debtor a short time before the accumulated interest equals the principal. But this practice can be stopped by strictly enforcing the provisions regarding the regulation of accounts. At any rate the court would be able to go behind the transaction as it appears in the books and to give the needed relief to the debtor. And the creditor would be compelled to clear the accounts after a certain period. The worst aspect of the present unregulated system is that the creditor finds it to his interest to keep the debts running indefinitely. In the conditions that will be created by the proposed legislation he will find it to his interest to terminate the loan. These measures, if they are effective as we hope they will be, will certainly restrict the credit of the agriculturist; but if so, they will restrict it only to the extent to which it would be beneficial to him in the long run. Too many facilities of credit are by no means an unmixed blessing to him; and indeed they constitute a serious danger. If he finds that he cannot raise money too easily, he will be compelled to be more thrifty than he will otherwise be. Contraction of credit is not thus in his case much of an evil; what we are rather afraid of is that the measures, though they are carefully devised, may not yet be quite proof against evasion, in which case his credit will be maintained intact. For the present we can only hope that the measures will prove efficacious, and that, if any loopholes are found in practical experience, they will be capable of being effectually closed.

LIQUIDATION OF INDUSTRIAL DEBTS.

AT the last session of the Central Provinces Legislative Council, an important Bill by a private member, Mr. R. W. Fulay, was referred to the Select Committee. The Bill is called the Central Provinces Protection of Industrial Debtors Bill and is based upon the recommendation of the Indian Labour Commission on the liquidation, by a summary procedure, of unsecured debts due from workmen. The recommendation is as follows: "We contemplate that, on the presentation of an application by a workman giving a statement of his debts and creditors and assets, the court should issue a notice to the creditors and should thereafter in a summary enquiry estimate the workman's assets, his probable earnings and reasonable expenditure for the maintenance of himself and his family during the ensuing two years. The court, having assessed these, would issue a decree based on the difference between the two sums. Execution of this decree could then be obtained in the usual way, but it should not be possible to keep the decree alive for more than three years in all." Old debts incurred before the passing of a special Act of this kind should also be brought, according to the recommendation of the Commission, within the purview of its operation. The only concession that the Commission was prepared to make in the case of such debts was "to allow, in respect of applications made during the first three years of the operation of the Act, the amount recoverable to be based on three, instead of two, years' income and expenditure and the maximum period during which decrees could remain effective to be four years instead of three."

The Bill was debated in July last and seemed at the time to have been defeated, but the President declared that the matter was somewhat in doubt and that the benefit of the doubt must be given to the mover. In this way it became possible for the motion to be discussed again in the Council at the last session, and this time it obtained the support of a large majority of members in the Council and was passed. The attitude of Government towards the Bill was one of reluctant acquiescence. Having the authority of a Royal Commission in its support, Government could not oppose the Bill but pleaded that a Bill of this kind should be passed by the Central Legislature, and at any rate the Central Provinces, not being a province where industry had developed very much, need not take it upon itself to give the lead to other highly developed provinces like Bombay. However, if the Council would rather consider the Bill, Government would not stand in the way. There is not much point in the objection that because the Central Government does not move in the matter, a provincial Government should not. An amendment of the Usurious Loans Act and the enactment of legislation relating to moneylenders are also fit subjects for Central legislation; but the Central Government hanging back, Mr. Raghavendra Rao pressed forward, and rightly, in the Central Provinces. So should it be with this most urgent reform concerning relief of the industrial worker. We are very glad to notice that in the debate that took place in the Council, the Rev. G. C. Rogers gave whole-hearted support to the Bill and answered effectively the objections raised by several Indian members, of whom the most prominent was Mr. Khaparde. To the objection that the Bill, if passed, would serve the interests of one class only and must therefore be rejected as a sectional measure, Mr. Rogers said: "Legislation was always meant for the protection of one class against another. The honest man was protected against the thief. Even the wife was protected against the misdoings of her husband." And there is no doubt whatever that the industrial workman must be protected from exploitation at the hands of the moneylender.

In the last year's session of the Legislative Council the Revenue Member, Mr. Gordon, showed great alarm at the views expressed by the Labour Commission on dangers of easy credit. But what the Commission says on this point is the core of the whole matter. Reflection on the Commission's observations on this point will convince everyone that a certain reduction in the borrowing power of the worker, whether industrial or agricultural, is not in the existing circumstances a matter to be deplored but desired. The Commission says:—

"The fatal weakness in the present system is the comparative ease with which the worker can borrow sums which he has little prospect of being able to repay. His lack of education tends to prevent him from taking long views; and the offer of cash to the extent of a hundred or two hundred rupees in exchange of a thumb-print is almost irresistible.

"The worker's debts are due to a large extent to the fact that the lender finds in him a profitable investment and is ready and, indeed, eager to give the worker money which it is contrary to the latter's interest to accept. After weighing carefully the considerations on both sides we are definitely of the opinion that it is in the worker's interest to reduce his attractiveness as a field for investment. In other words, efforts must be concentrated on diminishing his power of obtaining credit. We recognise the force of the argument against this conclusion. There are occasions when the worker is in grave need, and moneylenders often perform a useful function in assisting the worker in emergencies. But the wide-spread havoc produced by the present system of comparatively easy credit far exceeds the hardships that would result from a

reduction in the moneylender's readiness to lend... Our proposals, then, are mainly directed towards making it unprofitable for the moneylender to advance to workers amounts which are beyond their power to repay."

We should only like to add here that summary liquidation proceedings were recommended by the Labour Commission for industrial workers alone merely because it was concerned by its terms of reference only with industrial workers. But it advised the Government to institute an examination into the question whether the scheme advocated by it for industrial workers (whose wages did not exceed Rs. 100 a month) could not be applied "to the poorer classes of the population generally."

What the Labour Commission has recommended in this connexion must not be confounded with the recommendation of the Agriculture Commission in regard to a Rural Insolvency Act, whose object would be to relieve the rural debtor of all his debt that cannot be met out of "the usufruct, for fifteen years, of the land not absolutely essential for maintenance" of himself and his family. The special law that the former Commission desires to see enacted is quite different and should be, it says, "as far as possible unrelated to insolvency acts." The reason for it is thus explained:

"Insolvency has somewhat unfortunate associations, and it is necessary to seek an entirely new avenue of approach. In insolvency proceedings there is an inevitable tendency on the part of the court to regard itself as charged primarily with the duty of assisting the creditors and of checking fraud on the part of petitioners. In the case of loans which are obviously beyond the capacity of the labourer to repay it is not unfair to regard the creditor as the person ordinarily to blame. While therefore the court will be in a position to assist in the recovery of fair loans, it should regard itself as the protector of the poor against extortion and their own foolishness."

Our London Letter.

(BY AIR MAIL.)

(From Our Correspondent.)

London, January 19.

THE EARTHQUAKE.

THE sympathies of all generous-hearted people, of all classes and climes, go out to the Indian people in the grave disaster that has just befallen them and of which we have received only fragmentary reports. Indeed, at the moment of writing, it is doubtful if more than fragmentary reports have reached the Government or the public in India. The area of havoc is so wide-spread, the magnitude of the disaster so vast, and the means of communication so terribly dislocated that it will almost certainly take a considerable time before a true picture can be built up of the result of the most tremendous physical catastrophe that has occurred in India in our generation, if we except the appalling influenza epidemic in 1918. It is only too true that the devastations of the minute and insignificant, such as a filter-passing bacillus, are more to be dreaded than even the greatest cataclysms of Nature, even including the great Indian earthquake of nearly two centuries ago, when, it has been stated, there was a death-roll of upwards of 300,000.

Whilst, at first, it was supposed that the epicentre of the present earthquake was in Assam, it is now stated to be more probably in Nepal. This appears the more likely, as North Behar has borne the brunt of this latest calamity. The state of affairs from and

including Patna and north of the Ganges must be beyond description. The flooded country, the wrecked and ruined homes and factories, the broken bridges and roads that have been destroyed, the thousands of dead, human and animal, the many more thousands of shivering, shelterless, terrified people who have lost all except life, which can have but little meaning and promise for so many of them—what an awful picture! One dare not let one's imagination run riot amid these panic-stricken scenes.

It was Mr. Montagu that wanted to see India awakened out of her sloth of the centuries. Mahatma Gandhi, too, has contributed his enormous energising powers to the same purpose. Is Nature, too, taking a hand at the gigantic task? If so, where will she end? For she is seldom tender and often ruthless. Let us hope, however, that, with this great upheaval, she is satisfied with her effort and will not make a fresh attempt to impose her dreadful will upon her children. Mother India ought to be their protectress and not their scourge.

THE EAST AFRICAN VISIT.

In my recent correspondence, I raised some doubt as to whether the Secretary of State for the Colonies was sufficiently aware of the diverse views held by the different racial communities in East Africa, whose exponents would wish to interview him during his present visits. Looking up the Parliamentary proceedings relating to it, I find that, on the 29th November last, the ever-vigilant Colonel Wedgwood asked the right hon. Gentleman whether he would meet any representatives of the Indian community or the natives. Sir Philip Cunliffe-Lister is reported in Hansard to have replied: "I have no doubt that I shall meet representatives of every body." That is all to the good. It is to be hoped that the Indians in Kenya have had the wisdom to compose their differences before seeking to place the Indian view before the distinguished and influential visitor.

There is, however, a new occasion for watchfulness on the part of the Indian public. An inspired statement appears in Thursday's *Times*, of which I had received confidential information some time ago, to the effect that, upon his retirement from India next autumn, Sir Malcom Hailey will undertake, on behalf of a group of persons here interested in the welfare and development of Africa, a survey and to prepare a report on the main problem of Africa south of territories of the Mediterranean littoral, which it is hoped to publish in 1936. The group, of which Lord Lothian is Chairman, and Lord Lugard, Mr. Ormsby-Gore, Mr. Lionel Curtis, Dr. J. H. Oldham, Sir Arthur Salter, Professor Julian Huxley, Professor Coupland and others are members, has had for the last two years under consideration the suggestion made by General Smuts in his Rhodes Lectures, that the time had come for a more comprehensive study of African problems, and of the extent to which the resources of modern knowledge were being used in dealing with them.

It is stated that the Carnegie Corporation of New York has generously placed funds at the disposal of the group for the purpose of making a preliminary survey of the problems, with a view to discovering the extent and adequacy of existing knowledge regarding them and what need there is for further research. In the meanwhile, pending Sir Malcolm Hailey's release from the burdens of office, the group, assisted by a number of specialists, is collecting certain preliminary information, mainly in the scientific field, and Dr. E. B. Worthington of Cambridge is preparing a special report on the scientific work in all fields which is being done in and on behalf of

Africa. Doubtless research upon the influence of cranial peculiarities upon racial potentialities will fall within the scope of the new venture. It is to be presumed that the Government of India will take due note of this inquiry and will brief Sir Malcolm Hailey sufficiently to ensure that Indian interests are not neglected, overlooked or ignored.

Our Parliamentary Letter.

(FROM OUR OWN CORRESPONDENT.)

New Delhi, January 29.

THE EARTHQUAKE IN THE ASSEMBLY.

THE Legislative Assembly met under the shadow of the recent earthquake in Bihar and after question time on the first day of its Budget Session the Home Member made a detailed statement about the damage done in Bihar and the measures of relief that are being carried out. The Home Member could give only a rough estimate of them, as communications were still interrupted. Besides damage done to human life and property the earthquake has foreshadowed ruin to a large number of cultivators as the paddy crop has been ruined by floods. The destruction of sugar factories has also deprived a large number of cultivators of their market. As was to be expected, after the statement of the Home member Sir B. L. Mitter, the leader of the House, moved a resolution recording the Assembly's sympathy with the sufferers and expressing confidence that the Government, the princes and the people would do all in their power to help in alleviating the distress. All the party leaders in the Assembly joined in supporting this motion and it was unanimously passed. Mr. B. V. Jadhav speaking on it expressed satisfaction that the Government of Bihar welcomed cooperation of Congressmen in measures of relief and hoped it would pave the way for cooperation in other fields as well. A meeting of the members of the Assembly held on the 26th has promised contributions amounting to about Rs. 9,000 to the Viceroy's Earthquake Relief Fund.

INDO-JAPANESE TREATY.

Another adjournment motion was moved by Mr. B. Das on the 25th to consider the question of signing the Indo-Japanese Trade Treaty in London. Mr. Das said the treaty was a domestic affair concerning India and Japan, and the Foreign Office in London should not have objected to its being concluded and signed in India. India had signed the Treaty of Versailles as a separate entity; and signing of this treaty in London when all the negotiations took place in India reduced the Indian Government, in his opinion, to a subordinate status as only a

branch of the British Administration. Mr. Azar Ali feared that in case England decided not to enter into a treaty with Japan, all the labour would be wasted. Sir Joseph Bhore, the Commerce Member, in reply to the debate lucidly explained the constitutional position. He said, "India is not an international unit and never has been treated as an independent unit in the British Commonwealth. So long as the present constitution stands, we cannot get away from the consequences of that constitution." He further explained that under the present constitution the Government of India had no power to enter into a treaty and whether the treaty was signed in London or India, the constitutional position remained unaltered. He assured the House that there was absolutely no interference or pressure from Whitehall, and that the conclusions were arrived at by the Government of India, as being in their judgment the best in the interest of the country. The formal conclusion of the treaty in London would not alter the substance and as for the first time in her history India's representatives on their own soil had entered into an agreement with a neighbouring country, it marked an epoch in her history. On Sir Joseph's explanation the motion was withdrawn by the mover.

TARIFF ACT AMENDMENT BILL.

Sir Joseph Bhore moved that the Tariff Act Amendment Bill to give specific protection to certain industries from ruinous foreign competition be referred to a Select Committee. Its circulation for opinion was moved by Mr. Masood Ahmed on the ground that the consumers would be very hard hit by the Bill. Dr. Ziauddin Ahmed complained that the Government did not do anything to raise the price level of agricultural produce and paid attention only to the question of raising the level of produce from foreign countries. Mr. Ghuznavi attacked the Bill as it was not in the interest of the masses nor did it, he said, sufficiently protect the industries concerned. He contended that the price of the cheap Japanese goods used by the poorer masses would go up too high for them and thus deprive them of the little luxuries they could now afford. Sir Abdur Rahim objected to the Bill if it was going to profit only a few industrialists. Mr. Joshi asked Government why the fact about the various industries reviewed by the Tariff Board and the Director-General of Commercial Intelligence was not published. In the absence of this information, how were the people to judge of the justification of such protective measures, he asked. He hoped that Government would in future acquaint the people with facts and figures in such cases. After Sir Joseph Bhore's reply Mr. Masood Ahmed withdrew his motion and the Bill was sent to Select Committee.

"THE WHITE PAPER—WHAT NEXT" ?

MR. SRINIVASA SASTRI'S ADDRESS.

Under the auspices of the South Indian National Association and Ranade library, the Rt. Hon. V. S. Srinivasa Sastri recently delivered, a lecture on the "White-Paper—What Next," at the Ranade Hall, Mylapore, with Mr. T. R. Venkatarama Sastri in the chair.

THEY would have noticed, Mr. Sastri said, that the recent gathering of the All-India Liberals held in this City fought shy of the question, viz, what should be done in the event of the White Paper constitution as it now stood, without considerable improvement, being imposed on the country. The Liberals did not consider the question. Moreover

they would perhaps have noticed that the subject also stood excluded from the programme of the All-Parties Conference which was being projected in Bombay. There must be reasons of high policy which made the subject tabooed. He was a Liberal belonging to the Federation that met in the city and intimately connected with those who were organising the Bombay Conference. It was therefore somewhat out of the way on his part to presume to handle the subject which in the wisdom of his colleagues should be for the time being avoided. He wished therefore in the first place to be understood that whatever he was stating on the subject, was off his own batting as it were and he did not

presume to commit the party to which he belonged to any views which he was propounding. That must be clearly understood in justice to those whose general line in politics he embraced. Secondly, there had been a question raised by Mr. Jayakar and one or two others who happened to possess what might be called the inward knowledge of things. By these people, it had been conveyed to the public of India, that if a representation backed by all the progressives in the land with a fair degree of unanimity could be put to the present Government in power in Britain, it was not impossible to expect some details of the measure embodied in the memorandum signed by H. H. Aga Khan and 2 or 3 Mussalman colleagues and Hindu friends and also he thought by Sir Henry Gidney and Dr. Ambedkar being put in the constitution. That hint had been conveyed.

THE INDIAN DELEGATES' MEMORANDUM.

He had already stated in his previous lecture that the chance of their getting the British Cabinet to follow their idea in this matter was so small that in his judgment it need not be taken into consideration. In other words the memorandum of their friends, however creditable it might be, would by no means add to the weight of the representations already made by the authors of the memorandum in conjunction with others. All these months they had been doing nothing else. It might at least, as he had previously said, deprive the British authorities of any excuse that they might be inclined to put forward that they were in ignorance of the strength of the Indian demand. That value it had. But he refused to concede that it would change the prospects of their position. That being his unequivocal judgment, he would proceed to base his remarks to-day on that supposition.

The White Paper proposals, unsatisfactory as they were, would be enacted into law and India must swallow, willynilly, this medicine. There was a body of thinkers among them who believed that if it were possible for India unitedly to declare that she would have none of this constitution, how could Britain impose it on them. If such a thing were possible, India might contentedly rest where she was instead of passing under a constitution which the White Paper had put forth. But the speaker was emphatically of the opinion that it was not possible for India unitedly to reject that constitution. He did not believe that he was saying anything in disparagement of the various communities and interests in India when he said that even the awkward prospect of having that constitution thrust upon them would not press their different communities and interests into unity. There was a considerable section among them who looked for some advantage to themselves in the coming constitution; and it was not possible to induce the belief in the British authorities that, though they might enact a constitution, people in India were not going to accept it or work it. It was impossible to produce that state of affairs.

THE TORY POLICY IN INDIA.

"Is it possible", Mr. Sastri, proceeding, asked, "by strong representations, vigorous protests and remonstrances, to frighten the present Conservative party out of the position they had taken? I think that too is equally impossible. Above all let us remember what has been declared more than once by the leaders of the Conservative party in Britain that they are very anxious to dispose of this question in their own way at the present time. They are not for allowing the thing to lie over for settlement by the Government that will succeed the present one. For the only alternative to their Government is the Labour Government. The Conservative Government

wants this question to be settled now and to see that their own political kinsmen in India, viz., the Conservatives in India, will be placed in undisputed power and will be in a position to prevent things from growing to extremes. In other words, the move of the present Government is to create a class in the way of further progress, the application of which shall rest in Indian hands, so that it will be possible to say that the enemies of further progress in this country are Indians themselves. Things are being shaped towards that end. I want you to realise that the White Paper constitution is coming and we have got to reconcile to it. It is impossible for us to reject, for India is not united in that respect and the Conservative Party wish to frame a constitution of their own liking for India. In that position, the question becomes relevant, what are we to do?"

If, Mr. Sastriar asked, it were impossible for them to reject the White Paper constitution what was their next position? Now India had been accustomed to a certain way of thinking upon these matters and the minds of eager people were ready now, almost as if by instinct, to put the question, "what is your sanction?" What steps were they going to take to prevent the functioning of the Act? If they examined carefully his arguments for showing that they could not prevent the coming of the Act, they would find that those very arguments would show that they could not prevent its functioning. There was a very considerable body of people in India who would find it advantageous to work the Constitution. There would be no want of men to handle it and once it was handled a great many of those who now protested vehemently, would, without further examination of the matter, fall into line, taking from the new state of things that which might redound to their benefit. Looking at it as practical men, could those who disliked the Constitution and even detested it, could they by their numbers, by their weight in the country, by the following behind them, promise themselves that if they organised a boycott, they could put it through? The speaker's answer was a clear negative.

Speaking on the various aspects of boycott, Mr. Sastriar set himself the task of examining whether boycott was such an imperative duty as to make them adopt it without caring for the consequences. It was said that a free man in a democratic country or in a country that aspired to be democratic, in the enjoyment of his full civic and political freedom, was in a measure, and indirectly, if not directly, responsible for every wrong, for every imperfection, for difficulty in the society wherein he lived, unless he had shown resistance thereto. That was pushing the doctrine of responsibility to a very romantic length. This was an unfortunate world where so many wrongs had thriven for long ages. If a man were to go to jail for wrongs around him, he could never come out. However, it was argued, if one did not want to take part in the Constitution, the best thing for him to do was to go to jail. But the speaker viewed the matter differently. In times of crisis, it was their duty to stand by the people in their suffering and mitigate it for them as much as possible. Should they take themselves away and seek an asylum, where academically responsibility fell off their shoulders, while people all round them, people who were not so well able to resist it, suffered? This Constitution was coming. Under it, laws might be made, some of them unwise laws, some of them inefficient laws, laws twisted as democracy only could twist laws, and laws inimical to the true interests of the nation, when such laws were made and administered, would it not be possible for them, if they were wise and vigilant, to see that they did not

do the maximum amount of harm that they bore? Was it not their duty to try at least and see that the Constitution was not in effect as bad as it was in potentiality? It seemed to the speaker that when trouble was acute, when the difficulties were the greatest, when the constitution was worst, it was then that the duty of the citizen to perform all his functions was most strong. It was then that all the leaders should feel that the very best in them must be placed at the disposal of the community. Things were not stable. They fall by their own weight. Even so wicked institutions! They must prepare for that state of things and when things improved and when there was scope for good work, they must be ready to take their places.

NON-CO-OPERATION.

Non-co-operation, it appeared to the speaker, was evolved under a certain set of circumstances, at a time, when it seemed possible to wrest from Government a certain point aimed at by putting pressure on it. During the time the campaign was in full operation, people suffered terribly. The Government did not suffer nearly so much. For achieving a great end, it would be wise on the part of leaders, to ask them to undergo terrible privations, provided they had the capacity to bear them and, provided also the end seemed in sight. He would not say that this was, from the point of view of theory, an impossible campaign. But in this country, it was impossible. But they would ask him whether they had not achieved a certain measure of success. So long as Government forebore to use physical force, so long as Government thought that non-violence must be met by non-violence, so long as Government thought that the Mahatma was a person of extraordinary character, that he and his followers could only be combated by weapons, which could be called righteous, so long as Government thought that it was impossible for them to achieve a certain measure of success. The agony had to be prolonged beyond the endurance of the people. And was it or was it not the case that the civil disobedience movement came to nought, the moment the Government thought it fit to use physical violence? After referring to the change of outlook that had come all over the civilised countries, particularly European countries, in the matter of dealing with political enemies, the speaker said that the high standards to which they expected Government to rise, were no longer fixed standards upon which they could rely. If they tasted Government too far, there were resources at their disposal which would be un pityingly brought into force. Before the naked manifestation of force by a powerful government, like the Government of India, methods which might have been successful in a good time, must be considered unsuitable to a new state of things. Here the speaker had to say one thing. Of all the civilised countries, Britain was the one which would be slowest to bring methods of force into full play, and Britain was the one country from which, after the application of force, they might expect swiftest reaction. He conceived it a piece of good fortune that, had as their conditions were, their lot was cast where it was. The Conservative Party in power was misapplying their power. He would not shrink from bringing that charge against them. But at the same time, he must say that the devil they knew was likely to be very much better than the devil, with which they still had to make acquaintance. That was why he would beg of them to look at the coming difficulties in the light of reason not swayed wholly by emotions. He believed that by the

adoption of disruptive methods of civil disobedience, passive resistance, etc., they were not likely to further the objects they had in view. If the Constitution was bad, instead of submitting only to its penalties, they must be up and doing in order to see that penalties did not fall with unbearable severity upon their people. The nationally-minded people must be in the grasp of things. If they walked out, they would find that the day of salvation was indefinitely postponed.

THE POLICY OF CO-OPERATION.

"Therefore," Mr. Sastriar concluded, "instead of refusing to be guided by the warning of American leaders, who shook by iniquities of their municipal politics kept aloof so that those politics grew worse, let us follow the policy of remaining on the scene of action, taking as much into our hands as circumstances allowed, and within the opportunities that are allowed to us keep up the spirit of nationalism, so that when the sky clears up, we may see that everything that is narrow, everything that is purely sectarian, is kept under, while such things as subserve the interests of the nation and will enable every single citizen to feel that he is a citizen of India and not merely exercising franchise within a limited community are kept aloft. That state of things can only be brought about by a policy of co-operation and this is my last point. It is an important point. It is not out of love for the framers of the Constitution that I take this course or advise this course; it is not out of love of the British rulers of the land that I say this to you; it is out of love of our own people who will be worst sufferers. If you can tell me something which will hit the Government without hitting the people, far more shall I be pleased. But nobody has devised that till now, and it will be a miracle of an argument which will compel me to hit the Government slightly in order that our people may be hit terribly. I am by no means certain that this statement of my views will be welcome or be pleasing. There will be strong, there will be prejudiced, and in some cases, there will be unsparing criticism. I will watch it and read it and benefit by it as much as I can. If I am shown to be wrong, I hope I shall live long enough to profit by it. If I am not shown I am wrong, I hope to go on as I have gone on." (Cheers.)

With a few remarks from the chair the meeting terminated.—*The Hindu*.

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