

# Servant of India

Editor : S. G. VAZE.

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## CONTENTS.

	Page
TOPICS OF THE WEEK ... ..	305
ARTICLES :—	
Federation Counters Dominion Status. ... ..	207
The Karachi Firing. ... ..	208
Sparks from the Commons' Anvil. ... ..	209
MISCELLANEA :—	
Not Consent, But Coercion—Mr. Churchill's Speech. ... ..	215
Famine Relief in Ceded Districts— Appeal For Funds. ... ..	216

## Topics of the Week.

### Famine Relief in Ceded Districts.

MAY we draw the pointed attention of our readers to the appeal for funds to save the children in the famine-affected districts of Anantapur and Bellary which is printed in another column? It will be seen from it that the dole of three pies for each child upto one year allowed by the Famine Relief Code is altogether inadequate. The only nourishment that can be given to such babies being milk, it is doubtful if even four times as much money will be enough for the purpose. It is therefore contemplated by the Servants of India Society to supplement the Government relief by the distribution of free milk to such infants. A beginning in this direction has been rendered possible by the grant of Rs. 250 per mensem for two months in the first instance, made by the local branch of the Indian Red Cross Society. But in view of the daily increasing number of children at the relief centres and the urgency of the case the need for more extensive and prompt help is self-evident. Let us hope that the charitably disposed public not only in the southern presidency but in other parts of India as well will extend its generous co-operation to the Society in its humanitarian endeavour.

### Problem of Detenus.

PUBLIC attention was prominently drawn to the hard lot of a large number of Bengali youths involved in their indefinite detention by the recent observance of an All-India Detenu Day in different parts of the country. It is a well-understood principle of jurisprudence that a man is to be presumed innocent till the offence he is charged with is proved

against him in a court of law. This fundamental principle of law is completely violated by the severe restrictions imposed by Government on the personal liberty of those condemned to detention. If the detenus are suspected of complicity in revolutionary activities, which is officially cited as a justification for their detention, the proper course to be followed is to put them on their trial before a judicial court. Instead of doing so, to detain them not for a day or two but for years together without the prospect of any opportunity to prove their innocence and without even any limit on the period of detention is, to say the least, most unjust and iniquitous.

We are prepared to concede that Government could not have restrained their liberty of movement without evidence which they apparently regard as sufficient to justify their action. But it is not enough that only Government should so regard it; it must so strike an impartial judicial court after a trial of the persons concerned by the usual legal processes. To screen such evidence from public view, in the name of the preservation of public interest, as is done by Government, is to proclaim its untrustworthiness. Many of the detenus have repeatedly challenged Government to establish their guilt in a law court. The studious refusal of Government to accept the challenge goes to strengthen the suspicion that their case against the suspected revolutionaries is far from strong. The least that Government can now do by way of justice to these unfortunate young men is to produce them before a law court for their trial. They and their dependents have already suffered terribly by the ruination of their material prospects which Government displeasure generally carries with it. Why must also be added to it the sense of grievance of detention without trial? Let this at least be removed by Government.

### Congress Successes in Madras.

OWING to the dominance of the non-Brahman party in Madras politics during the last fifteen years, the southern presidency had generally come to be regarded as being almost immune from Congress influence. But the results of the recent elections to the Assembly and of by-elections to the local legislature have given a rude shock to this complacent belief and proved Madras to be a Congress stronghold. If anybody had dared to foretell this turn of the tide of popular feeling in favour of the Congress a few months ago, he would have been laughed at as a day dreamer. But what seemed impossible only a short while ago has actually come to pass and so far as recent elections go, the Justice party has been completely routed.

THE Congress successes in the Assembly elections were attributed in some quarters to the fact that the Justice party with its exclusively provincial outlook did not care to bestow much thought on

winning them. It could very well afford to neglect, it was said, elections to the Assembly which dealt only with matters of all-India concern; but it was sure to fight to the bitter end when the prize to be carried off was a seat in the local legislature. It was pointed out that it attached greater value to a seat in the local Council than to one in the Assembly and did not much bother as to who failed or succeeded in the elections to the latter. In keeping with such expectations, the Justice party did put forth its best effort in connection with all the recent by-elections to the Madras Council only to be nullified by superior Congress strength.

LOOK for instance at the remarkable success of Mrs. Rukmani Lakshmi pathi in the Madras City by-election. The election was hotly contested, the Justice party leaders making it almost a question of public confidence in it. This however does not seem to have much influenced the result, for while she secured 7,397 votes, her rival, a Justice party candidate, could muster not more than 1,643. In other words, the Congress candidate secured as high a percentage as 82 of the total votes polled at the election, which must obviously be looked upon as a measure of the popularity of the Congress or at any rate of the unpopularity of the Justice party in Madras.

#### Safeguarding Interests of Indians Overseas.

The suggestion that the interests of Indians overseas should be in charge of a separate Secretary to the Government of India has been put forward by the Council of the Imperial Indian Citizenship Association. The idea doubtless deserves the serious consideration of all having the interests of our countrymen settled overseas at heart. The Association was obviously impelled to make this suggestion owing to its very recent experience about the anti-Indian decrees in Zanzibar. In its view, these decrees might have been averted or at least mitigated in their severity if the Government of India had been informed about them in time. Its representation to Government also gives other instances in which possible mischief might have been avoided if timely information had been available to the Government of India.

From this it would be seen that the real problem is not so much to make the Government of India move as to secure information about any anti-Indian legislation or measures that might be planned in different parts of the Empire. Would it be possible for a Secretary, however sympathetic, sitting at Simla or Delhi, to get any scent about such anti-Indian moves in good time? We may be told that it would be done by the Indian community concerned keeping in touch with such a functionary. This arrangement has however not been found to work very satisfactorily. For one thing, what is everybody's business is nobody's business, with the result that information about possible anti-Indian developments is in most cases long in reaching the Government here. For another, when it does come it is very often too scrappy for purposes of official representations. To take the case of the Zanzibar decrees themselves. News about them reached India while they were more than half-way through the local Legislature, the text of the decrees following weeks later.

We should not be understood to be in any way opposed to the suggestion for which the Association has made itself responsible; but we feel that for the attainment of the purpose which all of us have in view the mere creation of a special functionary without suitable means of supplying him with relevant in-

formation will not go far in relieving the lot of our unfortunate countrymen settled in foreign lands. From this point of view it would clearly be more advantageous to station the Agents of the Government of India, as in South Africa, Ceylon or Malaya, in countries in which a substantial number of Indians have permanently settled or to which they have gone for bettering their worldly prospects. The suggestion has been influentially supported in the past but has perhaps been shelved for want of financial provision. It should now be seriously considered by the Government in connection with the Association's present suggestion.

#### Mr. Devadhar's Presidential Address at Orai.

MR. G. K. DEVADHAR'S presidential address to the nineteenth session of the U. P. Co-operative Conference recently held at Orai gives food for thought not only to cooperators but to the general public as well. There is nothing surprising in this, for the address embodies the observations of one who has to his credit a long and varied experience of the working of the cooperative movement in British India as also in most of the progressive Indian States. The movement has emblazoned on its banner the economic uplift of the masses as its aim, but has so far failed to bring about any improvement worth the name in their economic condition. It has been estimated that the Indian peasantry is burdened with a debt of Rs. 900 crores, while that in U. P. to which Mr. Devadhar's remarks were mainly confined is indebted to the tune of Rs. 125 crores. This coupled with the agriculturist's ignorance and illiteracy with the consequent difficulty of reaching him by means of propagandist literature makes the task of the cooperator exceptionally uphill in India.

So far as the U. P. is concerned, the president of the Conference held, after a careful examination of the relevant statistics, that the growth of the movement was far from adequate to the needs of the province. He feels that there are many fresh fields for the spread of the cooperative movement with whose help the prospects of cottage or small scale industries could be materially improved. He also indicated the possibilities of much useful cooperative work in a different sphere. In view of the fact that the U. P. can boast of more than one river regarded as sacred by vast masses of the population and many places of pilgrimage, Mr. Devadhar would like the feasibility of the starting of some cooperative activity for the benefit of pilgrims whose number, as everyone knows, runs into millions. It is obvious that such activity must do nothing to encourage orthodoxy or obscurantism but must be conducted on modern lines. Mr. Devadhar would call it by some such name as the Centres of Pilgrims Cooperative Service.

The cooperative movement can, in his view, be pressed into service for diffusing knowledge among the masses by the promotion of a cooperative educational and publications scheme. Work on these lines which is being attempted in Baroda seems to be meeting with a fair measure of success. Last but by no means least, Mr. Devadhar favours arrangements for instructing the youth of the country in cooperative principles and practice while still at school or college. Considerations of space preclude us from making a more detailed reference to the address, but we have no doubt that the valuable suggestions put forward by Mr. Devadhar for exploring fresh fields of cooperative activity will receive from his co-workers in the cooperative field the attention that they deserve.

## FEDERATION COUNTERS DOMINION STATUS.

**T**HE Preamble to the 1919 Act remains unrepealed. It will not form part of the new Act, but it will be in being—somewhere and somehow. The wider interpretation put upon it by Lord Irwin on the authority of His Majesty's Government has been reaffirmed by other Ministers of State, and the pledge of dominion status as the culmination of British policy in India which it contains has been preserved in full force, though no statutory provision is to be made for it in the new constitution. So far so good. Those who care more for the road being left open to the attainment of the final objective at an unspecified date in future than for the instrument that is now being forged being satisfactory for use here and now may feel some consolation for what has been done by Parliament in the way of maintaining the old Preamble under a new meaning, but we suspect that the operative Act being so violently objectionable, formal declarations of dominion status will not impress Indian opinion too favourably.

However, one aspect of the question may be stressed here, for it needs stressing in view of the pronouncement by the Attorney-General on the implications of dominion status in the House of Commons when the question was debated there last time. Then he ruled secession out as quite unthinkable, for he seemed to hold that a country which had attained dominionhood had reached the summit in empire development, but the country must even then remain an integral part of the British Empire and could never shake off its duties as a member of the imperial family. This pronouncement, coming as it does from the highest law officers of England, has not taken long to receive an emphatic contradiction at the hands of the Prime Minister of one of the most important dominions.

A motion was brought forward by a private member on 19th February in the House of Assembly of the Union of South Africa affirming, in the sense of the pronouncement of England's Attorney-General, that "the Union of South Africa is, in peace and war, an integral and indivisible part of the British Empire and bound by the obligations created by that status" and repudiating the doctrine enunciated by General Hertzog that South Africa need not consider itself to be at war with a country with which England had gone to war. The debate that followed on this motion is of absorbing interest to the student of constitutional questions in general and particularly to us in India, occupied as we are with controversies over questions of dominion status and independence.

To the Prime Minister of South Africa the two terms are synonymous. A country which has attained the full status of a dominion is, according to him, a country that has attained the status of a sovereign independent country. In fact the Status Act passed by the Union Parliament last year defines, with the consent of General Smuts and all the leaders of the South African Party, the status of South Africa to be the sovereign independent status. Basing himself upon that General Hertzog hotly

repudiated the doctrine that South Africa is "an integral and indivisible part of the British Empire." Where is this Empire, he asked in this debate, of which South Africa must be part and parcel? And he answered his own question by saying, "It is a mere name and it is nothing else."

What he meant to say was that there is no super-State controlling South Africa and other dominions. "The British Empire is a mere term, a term to cover certain States, that is all". These States are autonomous communities, in no way subordinate one to another in any aspect of their domestic or external affairs, every dominion being able to judge both of the nature and extent of the co-operation it may give to others; every one master of its own destiny and none subject to any compulsion whatever on the part of others. These words have been taken from the Report of the Imperial Conference, 1928. Quoting these, General Hertzog said:

South Africa is an autonomous unit standing by itself. It is an independent community, equal to Great Britain. It is equal to Great Britain and it is in no way subordinate to Great Britain or to any of the other dominions, although it is freely associated in the British Commonwealth of Nations. To ask this House, after that, to say that South Africa is a country which forms an integral and indivisible part of the British Empire and owes any obligations to the British Empire—well, it is not necessary for me to say anything more in respect of that.

*An Hon. Member:* Have we no obligations, then, Sir?

*The Prime Minister:* No obligations are owed by us or by any dominions to any other except such as we have undertaken or that in future we want to undertake by agreement. As constitutionally free and independent countries, we owe no obligation whatsoever.

In undertaking these obligations, he said, "the interests of South Africa shall always be number one; and if those interests are served in the best way, then I shall turn to the others, and assume an attitude of the friendliest character that can be expressed."

From this statement of the constitutional position it follows, as General Hertzog claimed, that "the Union of South Africa may lawfully trade with the enemy of Great Britain in time of war", and that, by virtue of its sovereign independent status, it may exercise the right of neutrality in the full international sense of the word. It is recognised on all hands that when Great Britain is at war, every dominion may determine for itself to what extent, if at all, it will co-operate in prosecuting the war. Though the amount of active help that it may render is to be decided by itself, it is thought by some that every dominion is, at any rate theoretically, at war with the country with which Great Britain is at war. The doctrine of passive belligerency is thus invented. Active belligerency is a matter of choice with dominions, but passive belligerency they cannot get rid of. That is, supposed to be the approved constitutional theory, but General Hertzog repudiates it and claims for the dominions a position of perfect neutrality, including the right to trade with enemy countries.

The debate of 19th February mostly turned on this question. We are not intimately concerned with it, but the question of the right to secede

also came up incidentally, and that is a question which affects us in India very nearly. General Hertzog, referring to the statement in the Balfour Report to the effect that every dominion is the master of its own destiny, asked: "Will my hon. Friend tell me how a member can be an indivisible part of any other State and still be master of its own destiny? How is he going to reconcile mastership of its own destiny with each of the six or seven dominions and still say that they are one and indivisible?" What is the authority for such a statement; on what right does he say that? he asked, and the hon. Member in question said: "On the right of the Attorney-General of England, who said it." It was not specifically mentioned in this debate, but we believe the reference is to Sir Thomas Inskip's pronouncement on the position India will occupy on attaining dominion status. On this General Hertzog said:

I do not care what the Attorney-General of England said. I know what the other dominions have said, and I also know what they maintain, which is much more, viz. the right to secede from the British Empire.

Whether these contentions of General Hertzog are allowed or not, they can at any rate be advanced; they have not yet been objected to; and His Majesty having given his assent to the Status Act, they are indirectly admitted too. Right of Secession, Right of Neutrality, Sovereign Independence—these can be claimed by South Africa and other dominions, but can they ever be claimed by a Federated India, in which the States are bound to the British Crown by treaty? On a lower interpretation of the rights appertaining to dominion status, India can, of course, under an all-India federation hope to attain dominionhood, and the Indian public may be willing, as part of the sacrifice which they have to make for federation, to adapt their own ideas of dominion status to the exigencies of the situation. But unless the ideas of advanced politicians in India undergo such a change dominion status of the wider variety seems impossible under federation. Well did Pandit Kunzru say to the Progressive Club of Allahabad: "Federation is the reply of British politicians to the threat of independence" and if, as General Hertzog claims, dominion status is indistinguishable from independence, we may as well say, "Federation is the reply of British politicians to the Indian claim for dominion status."

### THE KARACHI FIRING.

A LENGTHY press note giving the official version of the circumstances leading to the recent firing in Karachi has made its appearance in the course of last week. This is the result of the "flying" visit of Mr. R. D. Bell, the Bombay Home Member, to Karachi and the visit of himself and his chief, Lord Brabourne, to Delhi where the Viceroy's executive council was apprised of the Karachi situation as seen by Mr. Bell. After detailing the course of events which culminated in the firing incident, the note announces the decision of the local Government, fully concurred in by the Central Government, not to hold a public inquiry into the Karachi happenings,

as demanded by public opinion. The decision seems to be supported by two reasons. One is that the proposed inquiry is superfluous, all the facts having been already fully ascertained and the other is that a public inquiry will only tend to embitter communal feeling still further. We are afraid that both the conclusion itself and the considerations by which it is supported will fail to be generally acceptable.

Can Government really be so sure that there remain no more facts to be brought to light? The press note itself supplies considerable evidence which inclines one to accept this statement with a grain of salt. To take but one instance. The casualties included one woman who was injured and seven boys of whom five died and two are seriously injured. The press note is not able to account for these casualties satisfactorily, seeing that "no women or children were seen moving in the procession." The belief is officially entertained that these casualties were caused by bullets ricocheting or gone astray. But a belief can only be a poor substitute for a fact established after independent and unbiassed inquiry. It is needless to multiply such instances.

The other ground on which a public inquiry is refused is also equally unconvincing. It is difficult to see how an inquiry which is set on foot specially with the purpose of inquiring into the conduct of officials in connection with the firing should in any way add to communal bitterness. If the proposed inquiry had been expected to apportion blame for the disturbances between the Hindu and Muslim sections of the population of Karachi the task could obviously not have been encompassed without raising communal passions to a very high pitch. But the inquiry which the Government in their superior wisdom choose to burke was intended to have an altogether different aim. It would have gone exhaustively into the circumstances of the firing and done its best to find out whether the force used to quell the disorder was the minimum possible with a view to avoiding needless loss of life. The contention of the Government therefore does not seem to have any force in it.

The public need not be regarded as uncharitable if it holds the view that the Government version is in the nature of circumstances bound to be one-sided, even if it made no conscious attempt to whitewash the conduct of their subordinates. The promptitude shown by Mr. Bell in this matter is no doubt worthy of praise, but it is doubtful if he made any attempt to get his information verified by contact with unofficial opinion. It may be that public opinion in connection with this regrettable incident speaks with divided voices. But the point for consideration is whether Mr. Bell's information can be regarded as reliable in the absence of any independent non-official testimony as to its correctness.

Frankly the attitude of Government to the demand for an independent inquiry strikes us as enigmatical. If, as they say, the conduct of Sind officialdom and the troops that helped it in putt-

ing down the disturbances was above reproach, why should they oppose it? What have they to fear from such an inquiry? Their verdict will only derive added strength by its confirmation as a result of an independent inquiry. If, on the contrary, they continue to resist a public inquiry the suspicion that the actions of their servants were not such as could bear the light of public scrutiny will only tend to deepen. It is not yet too late for them to help dispel such a cloud by boldly facing an open inquiry. The fact that a motion of adjournment—the only one made in the whole session—was moved in the Council of State in order to impugn the Government decision about the inquiry should show to them how strongly public opinion feels about it.

Whatever the Government might say to the contrary, public opinion will need a good deal of convincing that the situation in Karachi following the execution of Abdul Quayum was not mishandled by the local officials. If the execution was carried out so early as at 4 a.m. why could arrangements not be made to assemble the relatives of the executed man at once thereafter? According to the press note, they seem to have started coming not earlier than 7 a.m. and even after their arrival they were in no hurry to complete the obsequies. The press note is

silent as to whether the officials in charge of the burial arrangements took any steps to persuade the relatives to act more expeditiously and if so, with what success. It is surely not unreasonable to suppose that all arrangements in such cases are generally carried out according to a time-table settled beforehand. Was this necessary precaution taken on this occasion? If not, whose fault was it? The result was that the burial which was expected to be over by 7-30 a.m. was not finished even till 9 a.m. leaving much room for mischief-making. If it had been carried out at the time originally intended the bloodshed that followed might very likely have been avoided. Perhaps we are trying to be wise after the event; but there is no doubt that the only way of making the public believe that the situation could have been handled in no other way is by setting up an independent inquiry into the affair and allowing it to reach the same conclusion. Hindu opinion may not see the need for the inquiry because the loss of life in this case is largely Muslim; but not being communalists ourselves and being anxious that human life, Hindu or Muslim, should in no circumstances be lightly valued, we have no qualms of conscience in urging on Government the need for an inquiry into the Karachi firing incident.

## SPARKS FROM THE COMMONS' ANVIL.

*1st, 2nd and 4th April.*

### TRUST THE INDIANS!

**T**HE Labour Party on the question of the Statutory Railway Authority as on most others took up an attitude in the Committee of the House of Commons which will afford complete satisfaction to Indians. The Authority is proposed under the provisions of the Bill to be composed as to "not less than three-sevenths of the members" of "persons appointed by the Governor-General in his discretion." Mr. Morgan Jones moved an amendment asking the appointment of the whole of the membership to be made by the Governor-General on the advice of his Ministers. Similarly, the Bill provides that no change can be made even in subsidiary matters connected with the Railway Authority except with the previous sanction of the Governor-General. Mr. Charles Brown moved an amendment making this previous sanction of the Governor-General unnecessary. It need hardly be said that both the amendments were defeated, but the Labour Party had undoubtedly the best of the arguments.

Mr. Wilmot, speaking on the amendment of Mr. Jones, said: There is a case to be made for all the members being appointed on the recommendation of the Federal Government or all of them being appointed without reference to them, but there is no case to be made for a mixture of these two methods.

If one desires to lay down sets of regulations which would involve the maximum of political interference, this is the way to do it. To reserve a certain number of seats and to give the rest for appointment on the advice of Ministers is to invite that a section of the board shall represent interests or shades of opinion and that the

Governor-General's representatives shall be persons who are impartial. Surely nothing could be more destructive of good business management than that a board should be thus divided as between the nominees of the Governor-General, who presumably will be business, non-political experts, and the nominees of the Ministers, who, because of this reservation, will tend to become political nominees. I would urge the right hon. Gentleman to look at this question again and see whether, in the light of further consideration, it would not be wiser to place in the hands of the Indian Ministers the responsibility of appointing to this board people of capacity, experience, and responsibility who can be trusted with the administration of this great function, without restricting them in a manner which throws the gravest reflection upon their responsibility as appointees.

As it is, in appointing four-sevenths on the Ministers' advice and three-sevenths apart from it, the Government will have, as a member put it, the worst of both worlds.

### MILITARY REASONS.

**T**HE real reason for keeping the control of the railways practically in the hands of the Governor-General and away from the Federal Ministry was given by Lieut.-Col. Applin as follows:

Everyone who has been in India knows that the real reason for making these appointments in this way is that these railways are mainly strategic railways. They were mainly made originally to enable us to get up to the frontiers. They were made to protect the people of India against any fighting which might occur and to bring British troops up to the front. Therefore, it is absolutely necessary on a board of this kind to be sure that you have not only politicians and people who represent the railways concerned, but men who are able to understand the

necessity for rolling-stock, permanent way, and other matters connected with the railways being ready and in proper condition should they be required for strategical purposes. That is the real reason, in my opinion, for controlling these appointments, and I think it is absolutely essential for the Government and the people of India that these railways should have a board on which the Governor-General is able to nominate people who will be able to take into consideration those military circumstances which are so necessary.

#### COMMUNAL SQUABBLES.

SIR SAMUEL HOARE did not deny the military reasons altogether, but put it as usual to the communal squabbles of Indians why it is necessary for the Governor-General to nominate some of the members. He said:

It is as impossible to generalise for India as for anywhere else in the world. The variety of conditions is so great that you want exceptional steps taken for dealing with them and we have passed over and over again, not only at this point but at many other points in the Bill, and there is a general agreement among Indians, that the Governor-General should have in the last resort a discretion for redressing balances and seeing that one community does not, either in the matter of appointments or in any other way, dominate other communities. That, in addition to the reason given by my hon. and gallant Friend the Member for Enfield (Lieut.-Colonel Applin), is one of the two main reasons why it is essential that the Governor-General should have in his discretion a certain number of these appointments.

As a matter of fact if there was one matter on which the members of the Round Table Conference did not leave any excuse for the British Government to introduce a nominated element it was this. For all the Indian members of the Railway Authority Committee who were drawn from the Central Legislature agreed, with the exception of one member, that the Railway Authority should be composed exclusively of men appointed by the Governor-General on the advice of the Federal Ministry, and yet the Secretary of State had the temerity to say in the House of Commons Committee that nomination must be resorted to because of communal differences and that Indians agreed to nomination !!

#### NO POWER TO CHANGE.

ON Mr. Charles Brown's amendment giving to the Federal Legislature power to change provisions regarding the Railway Authority without the Governor-General's previous assent, the Secretary of State said:

The Committee will see that we have put into the body of the Bill the basic conditions respecting the railway board, the chief provision being that the railway board shall be managed on business lines. Those basic conditions are a part of the Act, and can only be altered by an amending Act of Parliament. We then have the Eighth Schedule, and we include in it a number of conditions which are very important, but which are not so basic as the various Clauses in Part XVIII of the Bill. In a secondary capacity we allow the Indian Federal Legislature to introduce amending legislation, providing that that legislation receives the Governor-General's previous assent. In view of the very grave issues at stake, and in view particularly of the fact that as long as defence is a reserved department, the Governor-General has a very direct and very important interest in the

management of the railways, it is essential that even for this secondary category of conditions there should be no change without the Governor-General's previous assent. I fear, therefore, that I cannot accept the Amendment. I regard the provisions as they are now as quite essential to the independent and effective working of the board in future.

#### WORKING THE DEVICE TOO HARD!

MAJOR ATTLEE replied to Sir Samuel Hoare's arguments as follows:

I do not think the right hon. Gentleman has made out a case for the proviso. He is overworking this device of previous assent. There are already wide powers, which we have already passed, where, if it is necessary for the discharge of a special responsibility, the Governor-General can prevent the discussion of subjects, the introduction of Bills or the introduction of amendments. At every point we seem to be hedging about the actual passing of legislation, the introduction of legislation, the introduction of amending legislation and discussion in any tangible form of provisions, with the condition that there must be the Governor-General's previous assent.

It is no good the right hon. Gentleman merely saying in a vague way that the railways are vital to strategy, and so forth. We all know that. The point is, what is the evil that is aimed at in this proviso? Why is it wrong that these matters should be discussed? There is power for the Governor-General to reject legislation. If someone—it may be a Labour representative or a business man—has some matter to bring up and thinks that certain things require alteration, and he wants to amend or it may be to supplement something, why on earth should it be necessary to have the Governor-General's prior assent?

If the right hon. Gentleman will think a moment, he will realise that the more we make such a requisition a matter of habit, the less important it becomes. The whole idea of the provisions for requiring the Governor-General's prior assent is to separate certain matters and to say, "These matters are to some extent taken away from the general rights of members because they are so important that there must be the Governor-General's prior assent in regard to them."

When you apply that almost to everything, and make it a mere matter of regulation of the railway board, you actually reduce the Governor-General's prior assent to a nullity. If you do that, it will come down eventually to being that sort of consent that we see given here on the introduction of Bills, when a Minister merely gets up and nods. I suggest that universalising or generalising the requirement of the Governor-General's prior assent has the effect of nullifying it altogether. There is no reason why prior assent should be necessary merely to introduce some provisions altering the Schedule.

#### POLICY OF THE GOMBEEN MAN.

"If you leave the Federal Legislature alone it will continue to purchase 75 per cent. of the railway materials from England, but if you will try to coerce it the effect will be that British goods will of set purpose be boycotted. Therefore depend upon India's good-will; don't provoke her into a boycott by introducing provisions into the Bill which will affront her self-respect." Such was the advice given to the Committee by Sir Samuel Hoare and Mr. Amery. The former said:

My own view is that it is so vague in its phraseology that nobody will be able to carry it into effect, and that the certain reaction which it will have upon opinion in India will be to excite suspicions in the mind of almost every

Indian, both in British India and in the Indian States, and make this authority much less likely to give orders to British firms than they would otherwise be. I am sure the immediate effect in India will be to stimulate a movement that has made progress now for many years—to make Indian opinion mobilise itself in favour of restricting these orders to Indian firms and Indian firms alone.

"Very good advice, this," said die-hard members, "but then why do you affront India by forcing on her such a constitution? Why not withdraw the Bill altogether?" For instance, Capt. Harold Balfour said: "The weakness of the argument of the right hon. Gentleman is that he is basing himself on something in rejecting the Amendment which he has not allowed for in the main principles of the Bill."

Major Attlee approached the question from an entirely different angle. He said:

I have always understood that the idea in the case of the Empire was to get mutual trade, but we appear to have given that up for the policy of the "gombeen man," trying to get people into your power by acting as a moneylender and then making them buy at your shop. I think that is a peculiarly low view to take of things, and I am surprised to note that the very people who take that line are those who are always protesting that we went to India for her good, and that we are so disinterested, while all the time they wish to tie India down, so far as they can, to buy in this or that shop. A further point is that while this Amendment endeavours to secure certain advantages to the whole Empire there is nothing mutual about it, because everybody knows that there are parts of the Empire which do not treat India fairly. Why should hon. Members try to impose one condition on India such as they do not impose on the rest of the Empire, unless they do not really recognise India as part of the Empire? But that is the trouble with regard to the attitude taken up by hon. Members associated with this Amendment—they do not really treat Indians as part of the Empire, but as a subject race.

#### STANDING UP TO THE EXECUTIVE.

CLAUSE 190 of the Bill makes it possible for the Governor-General to appoint an I. C. S. official to the Chief Justiceship of the Federal Court. Mr. Galbraith said how it would be opposed to the practice in force in all high courts for the last 150 years, and how it would be detrimental to the cause of justice if men who had received no special training in law were to be at the head of a court which would be dealing almost exclusively "with pure points of law of great difficulty." Mr. Spens raised another objection. He said:

In all federations the federal court has sooner or later to stand up to encroachments on the part of the executive. I do not know a single instance on this side of the Atlantic or within the Empire where the federal court has not had to make a stand against the executive. The possibility that the executive in this country, in sympathy with the executive in India, may be in a position in which they can appoint someone other than a lawyer to these important offices is bound to end in the protection for the subject, which the establishment of these federal courts is intended to give, becoming perfectly worthless to the subject. I submit that in the interests of the liberty of the subject it should be utterly impossible at any future time for the executive, either in this country or in India, to be able to put the subject in that position.

Finally, the Solicitor-General offered to meet the objection. "I say, on behalf of my right hon. Friend the Secretary of State," he said, "that he will

consider introducing words which will make it clear that the Chief Justice of this Court should be a person who was either a barrister, an advocate or a pleader."

#### PRINCES ABOVE THE LAW!

CLAUSE 200 provides, in the case of the Indian States, that the courts in the States will give aid in enforcing the orders of the Federal Court for "securing the attendance of any person, the discovery or production of any documents, or the investigation or punishment of any contempt of court." Viscount Wolmer asked if the rulers of Indian States would in their own persons be subject to the jurisdiction of the Federal Court. Could a ruler be summoned, for instance, as a witness to attend the Federal Court and would he be guilty of contempt of court if he declined? Or would he be exempt from the jurisdiction of the Court as an independent sovereign? The answer given by the Solicitor-General, of course, was, "Certainly, he will not be amenable to the control of the Federal Court." On this the sarcastic comment of Mr. Churchill was:

Although these Princes are to put themselves under this Federal Court which we are to set up above themselves, yet they, after they have done this act, after they have conceded a part of their sovereign rights, those sovereign rights are to remain intact and they are completely above the law, as much above the law as a sovereign in a constitutional country. All you can do is to proceed against the Home Secretary or the Vizier or whoever is the Prime Minister of the State. Is that the position? They are inviolable in all circumstances, whether before the English Court or before the Federal Court in India.

After a great deal of difficulty which might easily have been avoided the Attorney-General has at last afforded us a full comprehension of the purpose of the Government in this Clause. I thank him for that, but he could have said straight away without any of these hesitations and consultations, these to-ings and fro-ings, that this Clause had no effect upon the princely status of the Rulers, every one of whom will be in a position, though they have subscribed to the Federation, to defy the law and flout the Federal Court.

#### LETTERS OF REQUEST.

CLAUSE 201 runs as follows:

"Where in any case the Federal Court require a special case to be stated or re-stated by, or remit a case to, a High Court in a Federated State, or require the aid of the civil or judicial authorities in a Federated State, the Federal Court shall cause letters of request in that behalf to be sent to the Ruler of the State, and the Ruler shall cause such communication to be made to the High Court or to any judicial or civil authority as the circumstances may require."

On this Viscount Wolmer asked: What would happen if the Ruler of a State refused to obey that Clause? if the request is not complied with? The Attorney-General replied:

This Clause is framed in this way in order that the appropriate phrase, "letters of request", may be used in regard to a Sovereign Ruler instead of the expression of a direct order to, or something of that sort. Any lawyer is familiar with the expression "letters of request," which is a phrase used when one Sovereign Ruler has to make a communication to another with regard to the perfor-

mance of some act necessary for the administration of justice in the first of the two countries. In this Clause it is merely an enactment to show proper respect to a Sovereign Ruler, without the necessity of an order being directed to him to state a case, that letters of request shall be addressed to him. Then I am asked what is to happen if a Ruler does not comply with the request contained in the last two or three lines of the Clause. I entirely decline to contemplate that a Ruler will not comply with the request. It is found in practice between Sovereign States that when letters of request are addressed it is not customary to decline to act upon them, and I do not think that that situation will arise.

Viscount Wolmer still persevered with his question. He asked :

What is the outward sanction here? What is going to happen if a Ruler refuses to carry out his instructions? The importance of this point is that from the beginning there has been confusion of thought as to whether this is to be a Federation of independent sovereign States or whether all the members of the Federation are members of one political entity. That difficulty will crop up at various points, and we are certainly bound to examine them wherever they do crop up. If you slur over them in discussing them in this Bill, you will not remove the difficulty, which will crop up directly you try to put the Federation into being or directly the Princes have been able to examine the matter further with the aid of their legal advisers, to know how sanction is to be given to this Clause. Is the Ruler of the State a functionary of the Federation or an independent sovereign?

Mr. Bailey advised the Attorney-General to give a reply since it was an important point, but the Attorney-General chose to hold his peace, and the Clause was put to the vote without an answer from the Government being available!

#### HIGH COURTS IN STATES

A QUESTION arose, while dealing with Clause 207, under which courts in the Indian States can be treated as of the status of High Courts for the purposes of this Act. Sir Reginald Craddock said on this point:

As the right hon. Gentleman is well aware, there are very few States which have anything that can possibly be called a high court. In fact, there are cases in which there are magistracies which are not qualified in any way to have the status of a high court or to have appeals considered by the Federal Court. It is possible that certain States, if they federate, might combine by agreement to have a common court for those States which might be considered qualified to be a high court. In the absence of anything of that nature in this Clause, it is very difficult to know by what principle and what method a court qualified to be a high court.

The Solicitor-General could lay down no criteria. He merely said :

Under this Clause, it will be for the Crown to say what courts should be determined to be high courts for the purposes of this part of the Act. Such decisions will be by the Crown after communication with the Ruler of a State, but the decision will rest with the Crown.

#### AN INDEPENDENT BENCH.

RENEWED attacks were made on the proposed appointment of civil servants not only as judges (under the Bill all judges may possibly be civil servants), but also as Chief Justice. Sir Gerald Hurst said :

I do not dream of reflecting on the ability or the conduct or the experience of members of the Civil Service.

They possess many qualities which a judge or a chief justice is less likely to possess to the same degree; they have local knowledge, and know a great deal about local customs; but the work of a chief justice requires something more than a knowledge of local customs and races. He has to deal with questions of equity, of constitutional law and of commercial law of first rate importance, for which legal knowledge and legal training are essential requisites, and in the nature of things a judge who has acted as a civil servant, although on many sides of his work he enjoys great advantages, and has very great experience, cannot compete with a trained and experienced barrister on those points of law with which he has to deal as a chief justice and with which a local judge is much less likely to come into contact. That is one reason why it is desirable that the chief justice should be a barrister.

The second is that we are dealing here with what will be an Indianised Bench and Bar, and I suggest that it is an advantage for a judge never to have been a civil servant, never to have acted as an employee of the Executive Government and never to have acquired the mentality which, consciously or unconsciously, a civil servant may easily acquire in matters which come before him in a court of law. I am not in the least reflecting upon India in saying this. It is our English principle which I am supporting in moving this Amendment.

In England, as distinguished from the Continent of Europe, the Bar supplies the Bench with its personnel. The Bench is not a branch of the Civil Service. In my submission the English principle is better than the Continental principle. It certainly makes for a more independent Bench, more independent in action and more independent in mind. Where we have, as on the Continent, judges who are civil servants we are much more likely to get that disciplined and docile type of judge who is perfectly willing, as we have seen recently in one great country, to see a purge made of persons whom the Government for the time being consider undesirable persons to act as judges. I cannot conceive that our English judicature would tolerate the things done with the judicature in other countries where judges are simply civil servants. The English principle makes for independence of judges and stimulates also the view, which I was always taught to regard as a good one, that in England our constitutional law has been beaten out by decided cases. It is a curious thing that at a time when we in England are more and more in favour of having the judicature well separated from the Civil Service—not out of any disrespect for or dislike of the Civil Service as such, but because we consider the separation of the functions a good thing, and that is the burden of the report of the Committee which dealt with the question—it is a curious thing that at a time when the Lord Chief Justice of England is denouncing the new despotism of the Civil Service we should be introducing into India a system under which the Chief Justice in India need not have been a practising barrister at all and may simply be a civil servant who may not even have been called to the Bar.

Mr. Mallalieu said :

These Indian Civil Service judges do, of course, have very wide judicial experience, going through a magistrate's court and becoming district judges, but 90 per cent. of their work is criminal, and the remaining 10 per cent. deals with such matters as insolvency. When they come to deal with vast matters of constitutional importance, it may be that they may not be the right men to have in that position—excellent men, no doubt, but not trained as legal men should be. The most important thing, to my mind, is that having been brought up in the Indian Civil Service, they must unconsciously become executive-minded. Unconsciously, there must be with them a considerable bias in favour of the executive. When the judge knows of the difficulties that the



executive have to cope with, and what effect his judgment will have on the difficulties of his friends, he will be thinking all the time of that position, rather than in accordance with the law.

#### THE ENGLISH BAR AND THE INDIAN BAR.

ON this the Solicitor-General said :

We do not feel that it is right that there should be this statutory bar. It may be that the appointing authority will not be likely at any rate to select a Civil Service candidate to a chief justiceship, but both as a recognition of the work which they are being asked to do and also in order that the field may be open, so that if the best man really is a Civil Service judge he can be named, we think it is right to make this change.

But he added :

On the other hand, of course, we do not contemplate that a Civil Service judge would be considered for a chief justiceship. My right hon. Friend (the Secretary of State) is certainly prepared to consider putting in a provision of this kind, that those described in paragraph (b) as members of the Civil Service should not be eligible for a chief justiceship until after some period, say, three or four years, of service as judges of the High Court.

To the request for restoring the percentage rule in regard to judges (a third barristers, a third Indian civil servants &c.), the Solicitor-General expressed opposition on the ground that Indian advocates were as good as barristers from England, and the protection given to the latter could not be denied to the former. He said (on an earlier occasion) : "It would be quite wrong to draw the suggested distinction between those Indians who came over to this country and were called to the Bar here, and those who were called in their own country. Indeed I think it is the experience of those who are familiar with these matters, that without attempting to draw invidious distinctions at any rate many of those called in India show just as much capacity as, and in individual cases may show more capacity than, those who happen to come over to this country and are called here." Sir Reginald Craddock said : "The examinations for pleaders are extremely stiff. We have all heard of the man who has sat for those examinations and has failed, and has then come straight away home and then passed all the examinations for the English Bar."

#### JOBBERY IN INDIA AND—IN ENGLAND!

ON the charges of nepotism freely flung at Indians, Major Attlee had something very caustic to say :

I wonder whether hon. Members who constantly make these allegations about nepotism and jobbery pause to think how they may be regarded from the other side. Such jobbery is not confined to India. While sitting here I like, sometimes, to take up "Dod's Parliamentary Companion" and to work out relationships. Of course I know that every appointment here is made on its merits and that it is merely an accident that there are cousins, second cousins and grandsons in this list. It is rather unfortunate that so many allegations are made that everything is done by jobbery on the other side. The Indians may see high appointments going to political friends of people in this country, and of course they do not understand that everybody a Conservative Government appoint is always on merit but that whenever an Indian is appointed it is always a job. That kind of assumption is going too far. We have had it alleged several times in

this Committee by Members of the party opposite. This country was stiff with jobbery about 100 years ago, and the fortunes of many families in this country were made by nepotism; yet they are throwing stones at the Indians all the time and wanting extra precautions. If we had an examination into some of the aristocratic families of England and Scotland only 100 years ago it would be found that the kind of thing they did was far worse than anything done in the East.

#### ANGLO-INDIANS, A LOYAL COMMUNITY!

THE Anglo-Indian community has been guaranteed, with the consent of Indian politicians like Mr. Jayakar, the same amount, or at any rate the same proportion, of educational expenditure as at present. It has also been guaranteed the same number and proportion of posts as at present in the railway service, viz. 8 per cent. in the subordinate ranks and 9 per cent. in the higher. Yet, the champions of this community are not satisfied with this consolidation of the present position. They want the present position to be improved, so much so that the members of the community may hold 40 per cent. of the posts as they did some time ago, when there was hardly any education among any other community. The ground for such partiality was, in addition to their British descent on the male side, their loyalty and dependability for maintaining military communications. Sir Reginald Craddock said :

Everyone must know of a certainty that you want auxiliary forces in India, and that the main source of recruitment for the auxiliary forces is the Anglo-Indian community. In a number of instances the existence of the Anglo-Indians on the railways, and the fact that they are enlisted in railway battalions, has been a source of strength in troublous times. Why cannot you enact in this Bill that the Governor-General, in his reserved powers of defence, shall decide how many men of this class shall be recruited on the railways for the purposes of the protection of the railways and the safety of the country in troublous times? That is the reasonable way of doing it, instead of trying to satisfy this person and that, and the aspirations of Hindus or Mohammedans.

Why should we be always looking, he asked, to the 'Saprus and Jayyakirs' to find out what they will say? This contemptuous reference to Mr. Jayakar is particularly undeserved in view of his support for the proposal to keep the Anglo-Indian community perpetually in a privileged position in respect to educational grants.

#### "OUR OWN CREATION."

SIR AUSTEN CHAMBERLAIN argued that for the Anglo-Indian community the British Government had "a more direct, a deeper moral responsibility than for any other section of the Indian people." "Other races and communities," he said, "we found. This community is the creation of British rule." To this Major Attlee made a good reply. He said :

I am opposed to the Amendment, because if this obligation is on anybody, it is on the British people, and you are trying to put it on to the Indian people. You are saying that certain posts must be reserved for these people, who are a small community while there are a very large number of other communities among them. You say that this community shall be given a privileged position as against other Indian communities. I say that if there is a moral obligation—and I think there is—it

should be shouldered by this country and not put upon the people in India. By taking this kind of line in respect of this community vis-a-vis the rest of the inhabitants of India, you would make the position far worse than it is now. By all means let us meet this obligation, but let us meet it ourselves, and not put it upon someone else.

Col. Amery followed in the same strain. He remarked :

There I come to a point raised just now by the hon. Member for Limehouse (Mr. Attlee). That initial start must cost money, and if it is not put into this Bill, the moral obligation remains upon this country all the same. I would make a plea, most earnestly, to the Government that when their scheme is initiated, they should, out of British funds, apply a substantial endowment, whether it be for a technical, an agricultural, or an engineering college, for something which will not only be an indication of our moral obligation to that community, but of our good will, and which would be the most practical way of giving them a new start under conditions which will hold out hope for the future.

Let us in this Bill do everything that we possibly can to ensure their position. Over and above all let us as a nation, as a Parliament doing what we believe to be a great and generous thing towards India, do something which is not merely generous, but also just for those who have sprung from our own blood and who have served us so loyally in India.

Finally, Sir Samuel Hoare promised to look into the matter again. "I own," he said, "that looking at the words in the Instruments of Instructions, they do appear to me to be too general. I think we might well tie the phraseology in the Instruments of Instructions much more definitely to the resolution of the Government of India, under which the percentages of the various communities are set out. I will certainly look into the Instruments of Instructions from that angle, and also into the body of the Bill from that angle, to see if we could not make it more explicit."

#### POOR MR. FOOT !

It is a piteous sight to see how mercilessly Mr. Isaac Foot is badgered by Conservative and Labour members in turn. On one occasion Mr. Churchill said : "Indeed, it is remarkable how the Secretary of State and the hon. Member for Bodmin (Mr. Foot) think alike. It is a case of two hearts that beat as one. They might have collaborated for a lifetime in the same Government, so harmonious and sympathetic are their views." On another occasion he said : "It astounds me that an hon. Member with such warm-hearted sympathies in some directions should have the knack of putting up certain shutters in his moral and mental house and thereupon excluding all rays of light which might reach him from those quarters." This is very true. The Liberal Party, when it formulated its policy on the India Bill, came to the conclusion that the Bill contained too many safeguards. But the Party's representative in the Commons has yet found no safeguard that is unreasonable, and except for indirect election to the Assembly—on which matter he spoke for a longer time in committee than anyone would speak even on the Second Reading—he has not yet risen in committee to oppose or even mildly to disapprove any provision of the India Bill and to widen out the puny measure of

self-government contained in it. His contact with Sir Samuel Hoare has made him if not more royal than, at least as royal as, the King. The Great Liberal !

#### FURTHER CONCESSIONS TO THE SERVICES.

IN the case of the Irrigation Department the Joint Select Committee recommended that the Provincial Governments should recruit officers to the service, but that the Secretary of State should have the power to resume control of recruitment when he thought necessary. As Sir Samuel Hoare said, provincial recruitment was regarded by the Committee as in the nature of an experiment. But some of the important members of the Conservative Party have grown apprehensive whether the power of resumption left in the hands of the Secretary of State could really be exercised in case of need, and they therefore are urging a change in this matter. They realise that to leave recruitment and control of the services entirely in the hands of the Secretary of State would be practically to make irrigation a reserved department and, as Sir Samuel Hoare said, "to reserve the department in the Punjab would be really to reserve nine-tenths of the life of the Province." They therefore proposed a compromise in Committee such as was put forward by Sir Raymond Hadow before the J. S. Committee, under which recruitment would be done by the Secretary of State, but control over all the subsequent service of the recruits would be exerted by the Provincial Governments. Lord Eustace Percy pressed this proposal on the Committee, and, as always happens with proposals emanating from him or from Sir Austen Chamberlain, Sir Samuel Hoare, while expressing some little doubt about the practicability of the compromise, promised to look further into it. If the compromise is adopted, as very likely it will be, it will make the position much worse from the Indian point of view than it is. In regard to the forest service Sir Samuel Hoare said : "We might wisely, at an appropriate place in the Bill, emphasise the recommendation of the Joint Select Committee that in an expert service such as the forestry service central recruitment by the Public Service Commission has many advantages, and I think we might emphasise what was in the minds of the Joint Select Committee, that we might stimulate and should encourage the provincial administration to make use of the Central Public Service Commission for that type of recruitment."

#### VIRTUAL RESERVATION.

LORD EUSTACE PERCY described what would be the effect of letting the Secretary of State recruit and control officers in the Irrigation Department. He said :

This Amendment would place the irrigation officers recruited by the Secretary of State in precisely the same position as the police officer or the Indian Civil Servant ; that is to say, the Secretary of State would really control, not only the pay and pensions and general conditions of service, but every post, every appointment, and every promotion in the service ; and it would be fair and reasonable for Indian Ministers, or indeed English administrators, in a Province like the Punjab, to feel that the intrusion of that continuous

control over all the administrative machinery of a service like irrigation was an almost intolerable interference with the administrative freedom of action of the Minister. The Minister responsible to the Legislature for the welfare of irrigation, for the welfare of a certain irrigated tract, would not be able to send there the officer whom he considered to be the most efficient officer, because there would be this control from London.

If the Secretary of State's control practically neutralises the effect of transferring the Irrigation Department to Ministers, is it not equally true of the Police Department? Law and order may be formally transferred, but it will in fact remain reserved.

#### IN A MINORITY OF ONE.

SIR SAMUEL HOARE happened to describe Col. Wedgwood as *Athanasius contra mundum* because of the peculiar views which he holds on many questions. Col. Wedgwood thereupon related how his views on

the federal scheme which at one time sounded so strange had come to be shared by practically everybody. He said:

I wish that the right hon. Gentleman's knowledge of Church history was as adequate as is his knowledge of India. It will be remembered that although there was a time Athanasius was *contra mundum* there came a time when the *mundum* was with Athanasius, and only a year ago I was called Athanasius on the ground that I was the only person who was opposed to the Federation of the Indian States whereas now the entire *mundum* of British India has come round to my point of view.

*Sir H. Croft*: I hope that the right hon. and gallant Gentleman will withdraw that because I have never been led back again. I have always held the same views.

*Mr. Churchill*: And me too.

*Sir H. Croft*: I am part of the *mundum*.

*Col. Wedgwood*: Good, but at the time of the Round Table Conference I was in a very small minority and I am glad that at that time I had such good company. But India has become the *mundum*.

## NOT CONSENT, BUT COERCION.

*Mr. Churchill, speaking on Mr. Herbert Williams's amendment requiring the Railway Authority to purchase all railway materials as far as possible in the British Empire, made a powerful speech showing how the whole constitution was based upon coercion instead of on consent. The Secretary of State, while opposing the amendment, said that, even without such a specific obligation being placed upon the Railway Authority, 75 per cent. of the materials were being purchased in Great Britain, and that under a statutory obligation perhaps one or two more contracts would be secured but on the whole great injury would be done to British trade by reason of the ill-will it would create among members of the Federal Legislature, who would deliberately buy anywhere else but in England. Mr. Amery reinforced these arguments saying that "there is nothing to prevent the Indian Legislature fixing its tariff on railway materials so high that practically no railway material would be bought outside India." Mr. Churchill applied the arguments of Sir Samuel Hoare and Mr. Amery concerning this amendment to the whole constitution and said:*

**B**UT let us look at this question of good will on which everything is to depend. Where is your good will? We are told to look at the past, and that in the past, since the Montagu-Chelmsford reforms 75 per cent. of the orders have been placed in the British Empire and only 25 per cent. elsewhere. But, as my hon. Friend the Member for Barnstaple (Sir B. Peto) pointed out, this is entirely a new situation. This is a new deal. Here we are to have an entirely fresh Constitution, involving a transfer of sovereignty such as did not exist before. Very often, after the sun has gone down, there is a glow in the sky, but even in that case 25 per cent. of the orders went elsewhere, even in those periods, when we are told that we have had good will, 25 per cent. went elsewhere, to our very great disadvantage. But now you are not going to have good will. This Bill is regarded as an affront by every section of Indian opinion, and I must point out that it is these orders which will be used as counters of warfare, not necessarily for trading purposes or on economic grounds, but for counters of political warfare.

Of course they will be used. The tariff is one of the great levers by which the Indian Assemblies will set to work to extort diminutions of the safeguards and to wrest away from the Government those powers that are withheld from them. The right hon. Member for Sparkbrook (Mr. Amery) told us how terribly effective the tariff could be, how by a stroke of the pen, with no discrimination, they could shut out the entire produce of this country and confine purchases entirely to India.

What will you have when this Bill is in operation? We have been told that it will bring the

greatest resentment among all classes in India, and you will have a great political struggle continuing year after year. The Viceroy will be forced to use his powers, and that use of his powers will be resented. What is the remedy? The remedy is to place a large order, unreasonably, irrationally, in a foreign country, and to pick out the foreign country, no doubt, with which it would be most offensive to the people of Great Britain to see this large order placed. I remember very well, when the Irish Free State were given their plenary powers, when there was supposed to be a settlement between us, that the first thing they did when they came to build their great electric plant was to place the order in Germany. Where did they go to buy coal? They went to Poland, to anywhere but Great Britain. That was not because of economic considerations or of any commercial balancing of pros and cons, or profit and loss, but because of political malice. Here also you will have political malice, and the way in which the British Government in India, the Secretary of State, and under him, the Viceroy will be subjected to pressure will be by the invidious, unreasonable, and hostile placing of orders—orders which could quite well come here, which possibly ought to come here, on economic grounds—abroad. I think that shows how very serious this situation is.

The right hon. Gentleman assumes himself to possess the good-will of India. On the contrary, these are the actual counters of political warfare, and I think we must consider it from a new point of view. You cannot predicate good-will. You dare not even attempt to obtain the assent of any section of Indian opinion for your measure. You are forced

ing this upon them, and, of course, they will resent it. Here in their hands is an indefinite series of means of irrigation, of means of retaliation and pin pricks, which can be exercised at the expense of British trade and to the annoyance of the British people. Then no doubt, we shall hear the hon. Member for Bodmin coming forward and saying, "Ah, well, it is true there is not that good-will for which he had hoped; now you must remove those political checks which you have hitherto introduced, and then the full flow of sweetness and sympathy will once again be passing between India and Great Britain." I can hear the speech which the hon. Member would make about that. It seems to me that when we are transferring sovereignty, as we are doing, and when we are confronting ourselves with a decade of strife, tumult and irritation such as India has never seen for several generations, we are entitled to take a new view and to make reasonable provision in accordance with modern opinion.

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He (the Secretary of State) says that we must not put anything in about trade because it would upset the Indian four-sevenths of the railway authority (appointed on the recommendation of the Ministry); it would upset them terribly and confront their ideas of autonomy and sovereignty and so forth. When, however, you stick in safeguards of every kind which they repudiate and against which they are going to war, that, of course, is not to be considered in any way.

This is only one of many points at which the evils and absurdities of this Bill can be plainly viewed by the British public. There are many such, and as we move along through this long labyrinth of clauses and arguments, we reach a point from which we can turn round and survey the scene. Here is one such point from which you can see that you are creating a political system, a consequence of which will be that the irritation in India will be worked off in striking at British trade by the placing of orders in foreign countries. That is the course upon which the Secretary of State has launched himself and it will have an undoubted result, at the end of all his labours, which will be to our extreme misfortune and suffering.

## FAMINE RELIEF WORK.

### AN APPEAL.

*The following appeal has been issued by the Madras branch of the Servants of India Society:*

**F**OR some time past the seasonal conditions in the Ceded Districts, especially in the districts of Bellary and Anantapur, have been causing anxiety, necessitating the opening of relief works by Government. At present there are seven relief works in Anantapur District and four works in Bellary District. Very soon the number of works in both districts is certain to increase as distress is increasing and the labouring classes are badly in need of employment. Besides providing work for those who need it, the Government have been distributing gratuitous relief in the form of cash doles in villages within the famine zone.

While actual workers on the relief works receive wages for the task performed according to the provisions of the Famine Code, the dependants of these workers are fed at the kitchens started for the purpose at each work. There is a class of depen-

dants, viz., children up to one year who are relieved by cash doles given to mothers in addition to their wages. At present it is only three pies per child, the dole as in the case of wages being dependent on the rate at which grain is sold in the nearest market. The dole given to children up to one year is too small to enable the mothers to buy milk for the children. The wages received by mothers are not what they are during ordinary times and naturally many mothers may not be able to maintain their health and to feed the infants. The ideal method of helping the infants is to feed their mothers. But it is beyond the resources of any non-official organisation.

It is suggested, therefore, that one form of supplemental relief which may usefully be rendered is the distribution of milk to infants. A note on the subject was prepared and sent to the Indian Red Cross Society, Madras Provincial Branch, and they were pleased to sanction a grant of Rs. 250 per mensem for two months in the first instance. With the help of this grant, milk distribution has been started at the Brahmanapalli work in Anantapur District, and arrangements have been made for distribution of milk at the Budli work, also in Anantapur, and at Kokkarachedu in Bellary District. But the grant given by the Indian Red Cross Society can by no means be considered sufficient for the purpose as the number of children at the works is daily increasing in proportion to the increase in the number of women workers. At Brahmanapalli, during the week ending March 25, on an average 250 children were given milk each day, the cost being Rs. 8 per day or Rs. 240 per month. The cost of establishment for distributing milk etc., comes to about Rs. 25 per month. Besides giving milk to children of eight months and below, ragee conjee, mixed with milk and sugar, is being given to other children up to one year and to others for whom it is prescribed by the medical officer in charge of the work.

A welfare worker is appointed in each Centre and his duty is to see to the proper distribution of milk, and the instructions of the medical officer are strictly followed. He sees also that children coming to the kitchen bathe, where enough water is available. It is proposed to arrange some games for these children and also provide for their schooling. Every effort is being made to encourage habits of cleanliness.

It is also one of the duties of the welfare worker to provide some amusements to workers and children. The provision of clothing, especially for women and children, is another urgent form of relief required.

The Madras Branch of the Indian Red Cross Society has also kindly undertaken to provide comforts in the field hospitals attached to each work.

It is needless to point out that these and other items of welfare work require large funds. The contribution of the Madras Branch of the Indian Red Cross Society can only be a nucleus of a fund required for the purpose.

May we appeal to the generous public to come forward with contributions and enable the Servants of India Society to extend its activities to other centres? Contributions either in cash or kind, including old clothes, will be quite welcome. All contributions may be sent to Mr. V. Venkatasubbaiya, Servants of India Society, Royapettah, Madras, and they will be duly acknowledged.