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TOPICS OF THE WEEK.

THE Government of India Bill was discussed in committee on 3rd, 4th, and 5th inst. and passed the House of Commons in precisely the same form in which it had emerged from the Joint Committee. Mr. Montagu availed himself of an opportunity to declare at the commencement of the debate that "if, as was hoped, the Bill received royal assent before Christmas, the rule under the Bill, after being published in India and after receiving opinions of all concerned, including local Governments, would be brought home in time to hold new elections in November, 1920, and that the new Legislative Assembly would sit in India in January, 1921. That was what the Government of India and the India Office were aiming at."

THERE were both reactionary and progressive amendments proposed and, as was expected, they cancelled each other and left the Bill just as it was. The most noteworthy amendment in the progressive direction was for the transfer of all departments but those of law, justice and police to popular control in all the provinces. It is not in the least surprising that even the Labour party, which was represented as being pledged to support the Delhi resolution, did not feel itself able to press for full autonomy in the provinces, for dyarchy being interwoven in the texture of the bill, it could not be eliminated without destroying its very groundwork. It was then suggested that the Bombay presidency should be accorded differential treatment and that land revenue and irrigation should be transferred to Indian ministers in that province. The committee seemed to recognise the favourable position in which Bombay stood in this respect, but the

amendment was negatived as it was feared that such discrimination would open the door to endless jealousy between province and province.

WE are, however, greatly surprised that no one should have pressed for the introduction of a measure of responsibility into the Government of India, as no one seems to have moved an amendment to that effect. It is the one modification of vital importance on which all Indian parties were agreed, and it is not inconsistent with the declaration of August 20, 1917, as the grant of full provincial autonomy might be well thought to be. The introduction of dyarchy in the central Government is, on the contrary, necessitated by that declaration, if it is properly interpreted, and the greatest stress should have been laid by friends of India on this amendment, though, even so, the net result of their labours might not have been any the better. The grant of fiscal autonomy was the subject of another amendment, which was however eventually withdrawn, in view of the Secretary of State's declaration that "India should have the opportunity of revising her tariffs in what she considered to be her interests." "Any tariff," he said "proposed in India must be in the shape of a bill which may be carried by the votes of the Legislative Assembly."

AS to the proposal for sending out men from England to be the first Presidents of the provincial legislatures, even so cautious a member as Mr. Bennett warned the committee that it would create some disappointment in India. It would hardly be possible to obtain the services of really first class men from England to discharge the duties of the Speaker for eight Indian councils. On the contrary, a good selection can easily be made in this country from those who have served in the capacity of High Court judges, etc. They can be depended upon to regulate the procedure in the legislatures with propriety and impartiality; and, as Mr. Bennett said, the first Indian speaker should learn the business in a similar way to the first speaker of the House of Commons. To the appointment of an Englishman as the first speaker of the Legislative Assembly, no exception need be taken, provided that he is a man of recognised competence.

MR. BEN SPOOR'S amendment for the appointment of a statutory commission within less than ten years led to a discussion as to the utility of

immediate agitation for securing further reforms, Mr. Montagu declaring that "agitation would not hasten the transference of power, but might delay it." It is not difficult to imagine circumstances in which agitation would have such a result. Should it distract public attention from the working of reforms in actual practice, agitation would have a prejudicial effect upon India's future political growth. The test that British statesmen in future is the use we make of our present power; and the best means to obtain the residue of reforms and to attain the goal of self-government is to outgrow the revised constitution as rapidly as may be possible. There is no doubt that the immediate task before Indian politicians is to extract from the present reforms all the advantage they are capable of yielding and thus to demonstrate the practical necessity of still further liberalising the administration of the country. This is the best and the most useful mode of agitation open to us. After all, constitutional reforms are to be won for the purpose of securing the moral and material well-being of the people, and surely, all our gifts of constructive statemanship will be taxed to the uttermost in utilising the measure of reforms now granted to us. To say this is not to surrender our right to full self-government, or to wait placidly till the time for again revising the constitution comes round, but only to enter a caution that agitation for further reforms must not be allowed to absorb the energy that must be devoted to the working of the reforms now conceded.

THE Hunter Committee's enquiry at Kasur is over. Taking the evidence as a whole, we think that the statements of Mr. Mitter, the acting S. D. O., were much nearer the truth than the wild exaggerations of most of the other witnesses. We have only to remember that Mr. Mitter was the officer in charge of the police force which opened fire on the mob and that, therefore, he is not at all likely to underestimate the gravity of the situation. He said: "The people at Kasur were law-abiding and loyal and had not manifested any anti-Government or anti-British feeling. The discontent due to economic causes was already there. The industrial needs of the country had been neglected for a long time and the people were beginning to realise the effects. High prices were also responsible for dissatisfaction; and on the top of this came the Rowlatt Act agitation. . . . People felt that, instead of getting rewards for war services, the measure had been thrust upon them. Crowds collected with no previous design and did things at the spur of the moment. It was his view that there was no design of conspiracy at Kasur."

THE evidence of the military officers, on the other hand, bore a striking "family likeness" to that of their brother officers elsewhere. The same type of mentality, the same unwarranted assumptions, the same disregard for the sufferings of even the inno-

cent, the same perverted ingenuity in devising novel punishments characterise, though in a slightly diluted form, the actions of the officers at Kasur as of those at Lahore and Amritsar. Some features however, peculiar to Kasur are not wanting. Mention, for instance, may be made of the touching solicitude of the Punjab Government for good government at Kasur. It was this, no doubt, that induced the Government to erect a public gallows in the place, without any reference to the local administrators there.

CAPTAIN DOVETON, one of the witnesses examined, was evidently not a whit less resourceful than his brother officials at Lahore and Amritsar in devising fantastic punishments. He made all people brought before him touch the ground with their foreheads. Questioned by Sir C. Setalvad, he explained that "it was necessary in order to impress on them the necessity of conforming to law and order" and added that "there was no humiliation in their being subjected to such a punishment." Captain Doveton is rather weak in his logic; if these unfortunate victims did not feel the humiliation and in that way make a vicarious recognition of the "might of martial law," where was the utility of this form of punishment? When, to go on with the story, a man of loose character was to be flogged, the Captain, animated, no doubt, by a praiseworthy desire to demonstrate to the world to what end loose characters come, ordered his sub-inspector to "get hold of local bad characters" to witness the flogging. The sub-inspector, with an Aristotlean precision of definition, returned with a gathering of all the prostitutes of the place. The Captain's plea was that, as there was no escort to be sent with them, they could not be sent back and had, therefore, perforce to see the highly edifying spectacle of inhuman flogging. One is tempted to ask why he could not have postponed the flogging and so spared the women such a brutal sight. But we forget: the "might of martial law" could not be allowed to suffer in that way.

THEN, there was a proclamation that all absentees from Kasur should return by a certain date. Some did not so return. The gallant Captain did not pause to know why: he did not even trouble himself to make sure whether those people had been informed of this proclamation. "He had no evidence that the people concerned deliberately kept away. It was enough for him they were not there on the day fixed by him." He made raids on these villagers' houses and "removed *charpoys*, destroyed vessels, burned the clothes"—in short, left the families completely destitute. He admitted that the people were in rags and, therefore, clearly very poor; but, all the same, he thought that his wanton destruction of their property was "justified." Sir C. Setalvad plaintively suggested that it "might be their all." But what is it to the Captain? He was out for

demonstrating the advantages of martial law. Of his detaining bona fide railway passengers "for a day or two, under no particular regulation," compelling sadhus to do heavy work in lime sheds, if not white-washing them, as alleged, making middle aged people "skip twenty times without mistake," forcing a man to compose an ode in his honour, and of a host of other inspired cruelties, we need not speak: they explain themselves and show the kind of men to whose tender mercies hundreds of people were consigned in the Punjab.

COLONEL MACRAE was another of the witnesses examined. He thought fit to resort to vulgar insolence and an attitude of bravado. He is a devoted follower of the Johnsonian school of cane-cure. Having a notion that some school boys were concerned in the disturbances, "he took action regarding all schools. Mr. Marsden suggested that certain boys should be picked out and flogged. He (the Colonel) agreed and, as the school-master's selection was not proper, he thought they themselves should make selection. *If wrong boys were flogged, it was certainly their misfortune.*" One can simply wonder at the incredible stupidity and inhumanity of this novel doctrine. To Justice Rankin's sense of humour this seems to have appealed and he pointed out the obvious individual hardship of these arbitrary proceedings and asked the Colonel whether he had heard of such things in English public schools. No; but then, it was England and this is only India; and Colonel Macrae, therefore, feels safe.

"AS there was a lack of accommodation for prisoners, (so active was the Colonel,) a cage was constructed. It had no covering overhead and was open on all sides. It was about 40 by 30 yards. The latrines were inside the cage. It had a thatched room and was kept locked and guarded." In this nice little cage were huddled together about 150 people of all sorts and conditions. The bare statement of such atrocities is sufficient to condemn them: no comment is needed. Referring to the firing by the police under Mr. Mitter of a volley in the air, preparatory to firing on the crowd, the Colonel, with an unmistakably Dyerian touch, gave it as his opinion that, instead of firing overhead they should have fired straight at the crowd. As a result of firing a warning volley and ceasing as soon as the crowd began to disperse, the casualty figures were low—one killed and four wounded. Such poor results apparently do not satisfy the redoubtable Colonel. Nothing short of a miniature Jallianwalla would win his approval.

BUT, of course, the great achievement of the Colonel was his studied insolence to the members of the Committee. Time and again he refused to answer questions, referred Sir C. Setalvad to the dictionary, put counter-questions to him and distinguished himself in various other signs of ill-breeding. But this is not the first instance of an insolent attitude on the part of witnesses to the

members of the Committee, especially the Indian members. We cannot but be sorry that Lord Hunter does not think it fit to teach these witnesses their places. The ill-concealed racial prejudice and the vulgar air of bravado of some witnesses have as yet met with no reproof from the chairman of the Committee. We thought that it was one of the duties of a chairman to resent insults offered to the members of the Committee and to make refractory witnesses realise that the Committee is not to be trifled with. Lord Hunter does not seem to think so. So far as we can see, he does not seem even to notice these lapses at all but, on the other hand, appears to plead with his colleagues to drop obnoxious questions which witnesses refuse to answer. We sincerely regret such a weak attitude on the part of Lord Hunter, of whom more independence of action and greater solicitude for the dignity of the Committee were certainly expected.

COMMENTING on the Government of Bombay's bill for a more effective control of brothels, we suggested that the keeping of a brothel must in itself be made an offence, and that the letting of a house for the purpose of prostitution must be made subject to the penal provisions of the law. It is, therefore, interesting to read in this connection that an important Christian body recently passed a resolution requesting Dr. Sapru to introduce a bill into the Indian legislative council, with the following two provisions: "First, that the trade of prostitution be made illegal, equally to the man who buys a woman, either for money or kind, for immoral purpose, and to the woman who sells herself for that purpose. Second, that the man or woman who trades in women or keeps a disorderly house or has vested interests in such brothels shall be penalised." We understand that Dr. Sapru has consented to prepare a bill on these lines.

IN view of the fear that the concession of power to Indians contemplated in the Reform Bill would prejudice the interests of the civil service or the European merchants, the following observations of Sir Stanley Reed at Bristol will be found interesting. He remarked: "They had heard some of the men who were drawing the best out of India saying that the position of Englishmen in India would be impossible once Indians had a share in the government of their country. That idea had no relation whatever to the facts." Sir Stanley spoke of the excellent openings in connection with the Indian Civil Service, and mentioned "an instance of one Indian firm that was crying out for five or six good Englishmen at about £6,000 per year to each man. "What nonsense, therefore, (he asked) to talk of any sudden change in the demand for English brains and technical knowledge? On the contrary, every rise in the standard of living in India, every economic improvement and every political development would lead to still greater demand for English brains and character and experience."

THE HOUSING PROBLEM IN ENGLAND.

V.—LEGISLATION.

IT may be premised at the outset that anything like a full summary or even analysis of the various legislative measures relating to the subject is quite beside our scope here. Nor is it certain that such a summary will be useful in proportion to the effort involved in placing it before our readers. There has been such an enormous mass of legislation on housing and that, too, of so much unevenness and complexity that the utmost which could be done is to indicate, in outline, the historical trend of the numerous legislative enactments.

It is well-known that the necessity for some kind of municipal control over buildings in cities was felt even in the earliest days. It is, if we may say so, a very old institution. The City of London, for instance, has, from time immemorial, had always ordinances designed to prevent the spread of fire; and there is certainly no reason to think that London was in any way an exception. Without doubt, other corporations also must have had some such provision for the same, or similar, purposes. But the recognition of the importance of housing, in the sense of a systematic study of public health and general sanitation, dates only from the first half of the nineteenth century. It was in the closing decades of the first half of the last century that most of the progressive municipal corporations obtained from Parliament special provisions of various kinds in local Acts "designed to secure the safe and sanitary development of their towns," many of which were growing by leaps and bounds as a result of the 'Industrial Revolution.' The active movement might be said to have commenced definitely about the year 1841 when the organisation of voluntary effort was begun by Lord Shaftsbury. It was the outcome of a generous and eager desire to improve the condition of the working classes. Like so many other far-reaching tendencies, the activities of the philanthropic leaders of the movement first took the form of 'societies'. In 1841 was founded the 'Metropolitan Association for Improving the Dwellings of the Industrial Classes', but it was incorporated only four years later, in 1845. Another society soon followed: the Labourers' Friend Society, with the high distinction of having the Royal Prince Consort as the President. That fact alone might be taken as an unequivocal proof of the interest which the problem had begun to evoke in the minds of thoughtful people and of the recognition of its importance to the nation. That the pioneers of the work quite understood what they were about is also evident from the quaint but significant statement of the Labourers' Friend Society that the moral effects of improved housing were almost equal to the physical—a shrewdness of perception which has not since been shown often. Once the interests of the nation were thus realised, legislation was not slow in following. The year 1847 saw the birth of a number of codifying statutes of which, as one of the

most important, the Towns Improvement Classes Act may be mentioned; and in the next year the Public Health Act of 1848 inaugurated that chain of general public health legislation with which we are all familiar. It is neither necessary nor desirable for our purpose to enumerate all the Housing and Public Health Acts passed since then in tolerably quick succession. The curious student will find in Mr. Dewsnup's *Housing Problem in England* a list of 23 of the most important of such Acts passed between 1850 and 1900. We shall name only a few such as would serve to indicate the general nature of early legislation. The Shaftsbury Act of 1851 was for the establishment of lodging houses for the working classes, and had in view the provision of such lodging houses for the better-class artisans, especially unmarried working men and women. A companion Act was passed in the next year by Lord Shaftsbury with the object of regulating and controlling common lodging houses. From this Mr. Dewsnup draws the reasonable inference that the particular aim of Shaftsbury in this, his second Act, was to "separate the casual and disorderly class frequenting common lodging houses from the more regularly employed and respectable workers who were sometimes driven to use them for lack of other accommodation." Whatever might have been its immediate purpose or results, in setting up the principle of 'differential treatment,' the Act showed an intelligent grasp of the problem which has often since been missed and never excelled. The next important Acts were those of 1855 and 1856, both wisely intended to encourage private enterprise in the construction of dwellings for the working classes. Then after the passing of the Torrens Act (1868) and the Cross Act (1875) designed for the improvement of slums, came the Public Health Act of 1875. The Royal Commission on the housing of the working classes, of which King Edward, then Prince of Wales, was a member, was appointed to report on the whole question of public and private building. Its labours crystallised in the Housing of the Working Classes Act of 1885, followed by that of 1890. Last came the Public Health Act of 1891. It may be remarked, in passing, that the Acts of 1875, 1890 and 1891 are still in force.

We may stop here with the Act of 1891 and see whether we can distinguish any common ground between these various Acts—the fruit of half a century of legislation, from 1841 to 1890. Two such clearly defined objects are observable. One was the improvement of existing housing by renovation, repairs, etc., and, whenever any house was so bad as to threaten the good condition of the neighbouring ones, by its demolition. The second was the creation of new houses and the provision of accommodation for the increasingly large number of working men who were being massed in some of the big industrial centres. All the enactments were directed to one or the other of these ends; but, as will be explained below, there was very little of method in them. The only direction in

which a steady advance is traceable is the rapidly increasing recognition of the importance of public health and the relation of the housing problem to it. The Nuisances Removal Act of 1855, for instance, made stringent provisions for severely warning owners of premises kept in such a state as to be a nuisance or injurious to health and, in the last resort, for prohibiting such premises from being used as human habitations. It was this Act, it is interesting to observe, that first took cognizance of overcrowding as a condition prejudicial to health and provided measures for its abatement.

In looking back upon the mass of legislation that there has been since 1850, one is struck with the curious absence of system either in the conception or the working of the numerous early enactments. It is best described as a huge patchwork. Sometimes we find the control of local authorities on building within their area restricted to specified topics or confined to particular purposes. In other cases we observe many gaps, with a corresponding plethora of provisions on similar subjects which, however, fit ill together. The reason for these peculiarities is, of course, not far to seek. The provisions relating to public streets, buildings, etc. in the Public Health Acts had their origin, as already observed, in local Acts passed expressly for the regulation of particular cities or corporations. And, naturally, each city or corporation asked for, and obtained from Parliament, such powers as it thought were best suited for its own case. At the same time, this led to a co-ordinating tendency on the part of other similar bodies, inasmuch as they found it easier to secure the assent of the Local Legislation Committee to provisions which had been already granted than to entirely new provisions. The result is only to be expected. A clause or clauses originally drawn to meet the circumstances of one district came to be repeated in local Acts obtained for other districts, with the result that ultimately they became a common form and that these were collected by Parliamentary agents and inserted in the Bills they wished to promote, without any close examination of their applicability or suitability to new districts. Even the provisions of the famous Public Health Act of 1875 had their origin in this way and were taken from the Local Government Act, 1858, which, in its turn, was based on earlier local legislation. It was, we may add, with a view to removing these provincial accretions and devising a legal framework of bye-laws which, with the necessary modifications, would enable any area in England to set about the housing of the working classes, that the committees with Messrs. Stephen Walsh and Tudor Walters, respectively, as chairmen were appointed. The reports submitted by them in 1918 are, as is only to be expected, full, informing and of great help to all students of the practical bearings of the problem.

The most important Acts, for our immediate purpose, are the Public Health Acts of 1875 and

1891, and the Housing of the Working Classes Act 1890, later on amended by those of 1894, 1900 and 1903. The effect of the two Public Health Acts (amended by a few minor measures which it is unnecessary to mention) is to make the local sanitary authority responsible for ensuring the proper construction of houses, the thorough draining and cleaning of streets, removal of house refuse (which by the way, has been exercising the mind of the Bombay Corporation for ever so long). It has also to look to an adequate water supply and to the provision of sufficient sanitary conveniences. On the same authority rests the burden of carefully looking into, and removing, nuisances among which, as already stated, is the demolition of houses proving dangerous to its neighbours and the abatement of dangerous over-crowding. The sanitary authorities are invested with powers for inspecting premises, declaring particular buildings unfit for human occupation and, as observed above, for issuing a closing order.

The important Housing Act of 1890, which, indeed, forms a landmark in the history of housing legislation contains provisions for encouraging private enterprise in the erection of dwellings for the working classes; but this was only a minor issue for which, however, the legislature had been wise enough from the very beginning to provide. The outstanding feature of the Act is the provisions it made for the clearing of slum areas and for the erection of new houses. As this Act is in fact the basis of all modern legislation on housing, our readers may find a brief outline of its provisions interesting. The Act is divided into three parts: The first two parts prescribe the procedure for dealing with slum areas. The procedure under the first part is somewhat elaborate but may be stated thus. On receiving formal complaint as to the insanitary character of a particular area, the local authority makes an inspection of the area through their medical officers; and, if they report the property to be in a really bad condition, it prepares a 'scheme for improvement' which is submitted to the Local Board. The Board, in its turn, holds an inquiry and, on the insanitary condition of the buildings being made out to its satisfaction, issues a provisional order under which the local authority can pull down the buildings. The procedure prescribed under the second part of the Act is far less complex. The medical officer brings to the notice of the local authority any house or houses which he has found, in the course of his inspectional tours, to be unfit for human habitation. The local authority then serves a notice on the owner of the house or houses to repair it forthwith. If no heed is paid to this notice, an order to close the house will be obtained and served on him; and, if he allows three months to elapse without setting about the repairs, the house will be forcibly pulled down. Part iii. of the Act concerns itself mainly with building schemes. Necessary powers for the compulsory acquisition of land and for the raising of loans are given to the authorities.

The Housing, Town Planning, etc. Act of 1909 was based entirely on this important Act of 1890, but introduced considerable modifications which the experience of over fifteen years' administration of the Act had proved to be necessary. Under part three of the earlier Act the authorities were left free to adopt or not, at their pleasure, the provisions made therein for the erection of new houses. It only provided certain conditions with which the authorities had to comply, if they chose to take advantage of their powers under it. But the Act of 1909 changed all this and rendered it obligatory on the part of the local authorities to adopt the housing provisions of the Act of 1890. The procedure for acquiring land for erecting workmen's houses was greatly simplified, and facilities for obtaining loans were extended. In addition, the Local Government was entrusted with powers to compel apathetic local authorities to enforce the provisions of the Act of 1890, both as regards slum-clearing and the erection of new houses. And it was under this Act of 1909 also that County Councils obtained powers to act, if rural district councils were to neglect the provision of new houses. "The general intention of the new Act," says Mr. Shadwell, "was partly to facilitate the administration of the previous one by local authorities and partly to provide means of compelling supine authorities to take action."

The net result, in general terms, of all this legislation has been admirably summarised as follows: "In the aggregate they (the Housing and Health laws) have effected very great improvement. Public action has chiefly taken effect in sanitary reform, which includes the removal of the worst housing, through demolition or alteration and general sanitary improvements of various kinds. In some large towns the worst parts have been transformed, masses of old, narrow, crowded, dilapidated and filthy streets and courts have been swept away at one blow or by degrees; other parts have been reconstructed or improved. The extent to which this has been accomplished is not generally recognised. It is not easily demonstrated, and to realise it local knowledge, observation and memory are needed. The details of the story are hidden away in local annals and official reports; and writers on the subject are usually more concerned with what has not been done than with what has been done. . . . The influence of Public Health Acts in improving the conditions of home life cannot be estimated or summarised, but it is reflected in the general death rate, which fell steadily in the United Kingdom from 21.1 per 1000 in 1878 to 15.4 per 1000 in 1907."

REFORM AND RECONSTRUCTION.

AT the present moment the people of India have got before them only a summary of the Parliamentary Committee's Report and various comments thereon. Any judgment that is pronounced on the scope and effect of the contemplated changes must, of necessity, be tentative. Nevertheless, two pro-

positions undoubtedly emerge as beyond controversy from out of the situation. In the first place, there can no longer be any doubt honestly entertained about the *bona fides* of British statesmen in relation to matters Indian. Nothing is needed to enforce this position beyond the fate of the amendments and reservations proposed by the Government of India and a survey of the list of transferred subjects in the Provinces. Whilst I am personally of opinion that land revenue is one of the topics which satisfies all the tests laid down for transfer to popular control in the Montagu-Chelmsford Report, yet I cannot help recognising that the powers now granted over the field of education, industries, co-operation, endowments, agriculture, public works and local self-government betokens a faith in the time-spirit and a robust and reasoned optimism in the success of a democratic experiment. In the Provincial Government, the main points as to which objections may be taken are with reference to the non-transference of land revenue and the imperfect manner in which the joint purse system seems to have been envisaged. Barring these two matters, the suggestions regarding provincial administration are such as will inevitably devolve a very considerable amount of responsibility on popularly elected representatives and will effectually place the destiny of many progressive departments of activity in the hands of the Ministers. One cannot but be convinced, moreover, that the attempt has been deliberately made to overcome the difficulties inherent in a diarchical system. It has been stated by critics who are by no means unfriendly to Indian aspirations, that the Minister is placed in a very difficult position *vis a vis* his colleagues, on the one hand and the Legislative Council, on the other. The difficulty is there, of course; but it arises from the postulate that the responsibility of the Indian Minister to the legislature and to the world must be open, avowed and undivided. Granting this postulate as flowing from the accepted interpretation of the famous announcement, it is difficult to propound any alternative scheme satisfying the essential requirements. When the new franchise proposals and the discarding of the Grand Committee and of the recommendations of the Government of India, relative to the Minister's position, are all thrown into the balance, there is ample reason to congratulate the Joint Committee on the results of its labours. The conclusion is irresistible that the attainment of full provincial autonomy is inevitable and imminent, provided, of course, that the powers now vested in the legislatures and their accredited representatives are exercised, as I am confident they will be, with skill and with enthusiasm.

Turning to the Central Government, the disappointment will be widespread that the Joint Committee did not see its way logically to develop the theory underlying the announcement and to introduce an element of responsibility at the top. They have not even assented to the convention respect-

ing the division of functions adumbrated by Sir James Brunyate. Whilst this is undoubtedly an outstanding defect of the Report, it would be a want of perspective to shut one's eye to the large breach which has been made in the citadel. The altered position of the Council of State, the new budget procedure, the insistence on three Indian members in the Executive Council and the dictum that in fiscal matters there will be no outside interference in case of a concurrence between the Legislative Assembly and the Central Executive, and the further provision enabling alterations in the Central Government at the next stock-taking, are all calculated to give not only more influence but much power in a field where there is now very little influence and no power. Fiscal independence, though not conferred in the frankly straightforward manner indicated in Professor Keith's notable minute, is practically achieved, especially in view of the changed composition of the Central Executive.

The enlarging of the Indian element in the Secretary of State's Council cannot of itself render defensible a system which the Crewe Committee's Report has demonstrated to be increasingly illogical, in juxtaposition with the augmented responsibility devolving on the authorities in India. It will be remembered that, in answer to the objection raised in many quarters that the Secretary of State should have expert assistance during the transitional period, the plan was recommended of providing that his Council should automatically come to an end at the end of a fixed term. It is to be hoped that in the absence of such a provision the next Statutory Commission will find itself able to advocate the abolition of this institution.

The above paragraphs attempt merely to take a bird's-eye view of the Bill as modified by the Joint Committee's Report. There are numerous matters of detail in most of which the Committee has shown an anxious desire to conciliate instructed and progressive opinion, irrespective of the clamour of vested interests and narrow doctrinaires, and to solve the problems incidental to a great, though long overdue, experiment. In the result, to the question whether, if the amended Bill is enacted, it will set India on a path which will infallibly lead to complete self-government, the answer can be but one and in the affirmative; and from this point of view, it is to me a matter of amazement to hear the Report being described as a "colossal sham" and to see it gravely stated that the original objections are unaffected by the Committee's recommendations and to contemplate the alliance that has been established between Lord Sydenham, Mr. Welby and some of the advanced parties. Col. Wedgwood, whose falling away from grace was deplored the other day, has been joined by a goodly company comprising Mr. Henderson, Mr. Lansbury, Mr. Spoor, in addition to Mr. Asquith's Liberal Federation. All these politicians, by no means knob-kneed or timorous and also by no means under Mr. Montagu's spell, adopt an attitude which, when carefully considered, is not

very different from the one underlying the advice recently given by Mr. Tilak himself, but which is denounced by many who ought to know better and who are cognisant of the difficulties in our way and of the strength of our enemies.

A more difficult question, however, arises out of the welter of conflicting ideas and opinions concerning the Bill and the Committee's Report. If one thing is more clear than another, it is the certainty that the Reforms will not achieve their object and that we shall not be able to make them a stepping-stone to higher things, unless close, cordial and practical co-operation is achieved amongst the many communities and parties in India. Very much has been said about the reconstruction in Europe after the War; but the reconstruction political, economic and industrial of this country is a more tremendous problem, and will not be solved by men remaining at arms' length whose agreements are more numerous than their differences. From this point of view and as a piece of compulsory co-operation, it is a well-considered and wise decision of the Joint Committee that the Brahmanas and the Non-Brahmanas of Madras should arrive at a compromise by means of a conference of representatives. The Lucknow compact has stood the test of time and the amalgamation of ideas on which it was founded has conspicuously proved its utility. Not otherwise than by such friendly disputations can the policies of the future be settled, and only so can the tradition be brought into existence of that co-operation by a system of give and take which has been the distinguishing characteristic of English politics.

As I am never wearied of saying, the political parties of the future will be founded on differences of actual programmes in politics, in legal reform and in the social and economic renewal of Indian life. But for the healthy formation of such parties on first lines there are two requisites. Firstly, the frank recognition that at the present moment every one must cohere for the purpose of so working the Reforms, which have been now won, as to achieve unqualified success in democratic government and that all must reject a *non possumus* attitude. In the second place, the need to "educate our masters," to educate "anonymous India," in the language of Ivan Turgener, has become imperative and urgent. The awakening in the country of a lively consciousness as to the meaning and significance of these Reforms and their proximate and ultimate issues is a task not yet attempted, nor even envisaged by any propagandist. Books and pamphlets, lectures and informal talks, all over the country, with men of all communities and in all positions of life, are a part of the propaganda of the immediate future as well as the founding of fresh newspapers and journals in English and the vernaculars. How shall we embark on a scheme of primary and compulsory education, on schemes of national retrenchment or taxation, on the re-ordering of fiscal policy, on progressive departure in

sanitary affairs or as to-charitable endowments, unless the election is preserved alike from precipitate action and torpid apathy? Such parties as exist to-day will change and shift according to the new policies that come to the front and new ideas that dominate the legislatures. But the foundations of party and electoral organizations and the establishment of the traditions of representative government must be laid broad and deep before a really popular government emerges on the scene.

C. P. RAMASWAMI AIYAR.

THE GOVERNMENT OF INDIA BILL.

WE do not think there can be two opinions as regards the verdict to be pronounced on the report of the Joint Parliamentary Committee on the Government of India Bill. Its signal merit is that it constitutes a distinct and considerable advance on the original Bill, and, indeed, even on the proposals embodied in the Montagu-Chelmsford Report. But its great defect is that it has refused India's unanimous demand for responsibility in the Central Government. The defect is bound to evoke universal protest as the merit is entitled to universal recognition. All India was very keen about obtaining a measure of responsibility in the Central Government; the demand was pressed unanimously and strongly by all Indian political parties; even a weighty, though small, body of non-Indian opinion was in favour of it; hopes were held out that in all probability that demand would be granted and the principle of responsibility applied to the Central Government, *in however small a degree*. And yet what do we find? The Joint Committee has disregarded unanimous public opinion, and set its seal of approval on the so-called principle that, saving its responsibility to Parliament, the authority of the Government of India must remain indisputable. The essential merits and circumstances of the case are such that we should be failing in our duty if we did not protest against the rejection by the Committee of our demand for a measure of responsibility, *however small*, in the Central Government. As we have already said, we frankly recognise the many improvements proposed in the Bill and are grateful to the Committee for recommending them. But with equal frankness we must point out that the Committee has made a serious mistake in not recommending the introduction of responsibility in the Central Government. Here was a golden opportunity of satisfying unanimous Indian opinion without the least harm being thereby done to Imperial interests; but the opportunity has been lost, with the result that the amended Bill, in spite of its many merits, cannot satisfy any political party and will leave room for immediate agitation. If the demand had been granted, the effect would have been just the reverse. There would have been a wave of enthusiasm all over the country, and all parties seen the wisdom of doing responsible constructive work, instead of carrying on mere destructive agitation. Unless the Bill is still further amended by Parliament so as to provide for responsibility in the Central Government, all parties, including the Moderate, if they are to be true to their programme, will be in duty bound to agitate for such responsibility.

Turning to the recommendations made and the amendments proposed, the first reflection that occurs to us is that the Committee has shown great political wisdom in rejecting the proposals of the Government of India regarding separate purse and the division of the Executive, as it were, into two

water-tight compartments. No proposals could have been more unstatesmanlike and more fatal to the smooth working of dyarchy; and we have always wondered how Lord Chelmsford's Government could have made them. Their rejection has produced a universal sense of relief and would give the dual principle its only condition of success. The fact that they were seriously put forth by the Government of India shows how statesmanship is apt to suffer from the narrow, bureaucratic atmosphere in India.

With regard to transferred subjects also, the Committee has done well in rejecting the proposals of the Government of India and recommending the inclusion of the whole of education and the development of industries among the subjects to be transferred to the control of the people. We, however, cannot but regret that the Committee has not seen its way to recommend the transfer of Land Revenue Administration, though its attitude is quite natural, in view of the fact that even the Indian members of the Functions Committee did not press for such transfer.

To our mind, one of the greatest merits of the Joint Committee's report is that it has courageously faced the non-Brahman problem in Madras and the Mahratta problem in the Deccan. The solution it has proposed is eminently reasonable and it is to be sincerely hoped that both the Brahmans and the non-Brahmans will solve the problem by a mutual agreement without recourse to arbitration, as is suggested by the Committee in the event of no agreement being reached. As regards the question of femal suffrage, no objection can be taken to the Committee's recommendation in principle, though we confess we have some misgiving as to the *personnel* of the new Councils being so liberal as to agree to an immediate or early extension of the franchise to women. As social reformers, we wish the question had not been left in the hands of a body about the liberality of whose social views and proclivities it is so difficult to be confident just at present. However, the Committee's decision will have one indirect good result; it will give a distinct plank in the programme of a political party. We note with satisfaction that the Committee has recommended the broadening of the University franchise. The Franchise Committee's proposal on the matter was exceedingly illiberal and the Joint Committee has done well in rejecting it.

The rejection of the Grand Committee procedure is a matter of great satisfaction. It is a distinct gain to the cause of popular government. We do not view with disfavour the proposal to arm the Governor with the necessary power of emergency legislation. No Governor will be so foolish as to exercise the power without sufficient ground, and the proposed previous consultation with the standing Parliamentary Committee will be an effective check upon any unjustified or arbitrary exercise of the power. The effect of the elimination of the Grand Committee procedure would, we believe, be to invest provincial councils with control over practically the whole field of provincial legislation. This constitutes a very great advance on the original proposals.

The recommendations with regard to the provincial budget, taxation, the appointment of Standing Committees and of Council Secretaries, the election of the Deputy President, etc., are all very satisfactory and the Committee is entitled to credit for making them.

We fully realise the difficulties of the Joint Committee in considering the complex question of fiscal autonomy, and are not disposed to quarrel

over their recommendations in the matter. If it could not go beyond those recommendations, it is due to the fact that the question is an involved one, intimately connected with the fiscal relations of the Empire as a whole. The question will never be satisfactorily solved, unless Great Britain scrupulously refrains from undertaking such international obligations or making such fiscal arrangements within the Empire as will interfere with the legitimate fiscal interests of India. As things stand at present, India hardly counts when those obligations or arrangements are entered into. She is looked upon as a mere source of supply of raw produce for the benefit of England and her self-governing colonies, and her aspirations for industrial development are generally ignored. The result is a conflict between the interests of India and those of England and other members of the Empire. The time is, however, come when Parliament must consider the reasonable interests of the Empire as a whole and those of every one of its several parts, always bearing in mind that any differential treatment will be a constant source of friction and ill-will. India will be prepared to make sacrifices for the common interests of the Empire, but she is bound to resent any differential treatment that benefits other countries or other parts of the Empire at her expense. Taking the situation as it is, we think it must be admitted that the Joint Committee could hardly have recommended the grant of full fiscal autonomy, though it could have expressed the view that in principle India is entitled to such autonomy as much as Canada, South Africa or Australia.

The Joint Committee has not recommended the introduction of responsibility in the Central Government. It is, however, due to it to acknowledge that its proposals, though they fall short of responsibility, are calculated to liberalise the Government of India to a considerable extent. We have advocated a bi-cameral legislature from the very beginning, and, therefore, heartily welcome the proposal to constitute the Council of State as a true revising chamber from the start. We strongly urge that the principle of direct election should be applied to the Legislative Assembly and, at least partially, to the Council of State also. The recommendation that three Indians should be appointed as members of the Viceroy's Executive Council is very satisfactory. But we attach the greatest importance to the proposal that the Indian budget should be voted upon, though it is expressly stated that the voting is not introduced as establishing any measure of responsible government in the Central Administration, and the Governor-General given the power of disregarding adverse votes.

We were never in favour of the abolition of the India Council and are glad that it has been retained. The proposal to appoint a Standing Committee of Parliament is welcome; we expect great good from the committee.

The Joint Committee has, on the whole, improved the Bill so much that our only regret is that it has not seen its way to report in favour of the introduction of responsibility in the Central Government. But such responsibility is absolutely essential, and we must now appeal to Parliament. Even now public meetings should be held in every district and Parliament flooded with telegrams urging that responsibility in the Central Administration should be granted. We still hope that the only serious defect of the amended Bill will be removed by Parliament, so that the new constitution may be inaugurated under the best auspices

with the hearty support and co-operation of all parties.

R. G. PRADHAN.

THE PROVINCIAL CIVIL SERVICE UNDER THE REFORM BILL.

THE recognition of the principle that the will of the popularly elected representatives should prevail in the transferred sphere implies not only that legislation on transferred subjects should be under the control of the provincial councils, but also that they should be free in their choice of the agents who are to give effect to their policy. It is obvious that they cannot be given a controlling voice in this respect in so far as their decisions are to be carried out by members of the all-India services or the provincial services, which discharge functions relating mostly to the reserved departments. But there is no reason why this power to regulate the appointment of the officers of the services connected solely or mainly with transferred departments should be withheld from them. The Government of India themselves admit the force of this argument, though they are unwilling to accept the logical conclusion to which it leads. They say in their despatch dated March 5, 1919:

"We recognise that a time must come, and may come soon, when ministers will wish to take the provincial service of their departments entirely into their own hands and to regulate their recruitment, pay, pension, and the like; but we think that they should not do so until they have put these matters on a legal basis by legislation. It seems to us that such legislation may reasonably be required to secure selection over the widest possible field on a basis of merits and qualifications, and to minimise the risks of nepotism. . . . The aim should be steadily to eliminate the element of patronage and to establish a system of appointments by examination before or after selection, or, where appointments are made direct, to set up some exterior authority for the purpose of advising."

The Government of India oppose the transfer of the power of making appointments of the services to the administrative departments that will be under popular control because they are afraid lest the efficiency and the interests of the services concerned should suffer. They are apprehensive that the exercise of such a power by ministers may lead to jobbery and undermine the integrity and discipline of the services. Their solicitude in this regard may lead, one thinks, to the idea that they have been the resolute champions of competitive examinations in face of a hostile public opinion which clamoured for the substitution of nomination for examination, and that but for their firm stand not merit, but favouritism, would have guided the selection of the higher officials of the State. I shall not refer to the Indian demand for simultaneous examinations for the Indian Civil Service to prove how untenable this claim is, because, howsoever strongly the Government of India may have condemned the principle of open competition when applied to Indians, who were skilful in passing examinations but were lacking in character, the I. C. S. is not a provincial service. But in order to show how completely devoid of foundation the charge brought by implication by the Government of India against educated Indians is, I may cite the instance of the provincial executive services, although their work will be mainly in the reserved sphere. For more than thirty years Indian opinion has been strongly in favour of recruiting them mainly by means of competitive examinations. The records of the Congress and the evidence received by the Public Service Commissions of 1886 and 1912 testify to the importance attached by Indians to the replacement of patronage by making appointment to these services

dependent on success in competitive examinations so designed as to form a thorough test of the capacity of the successful candidates. The Public Service Commission of 1886 expressed itself, in guarded language, in favour of the system of open competition. It had been in force in Bengal and the Punjab for some years before 1886. It was adopted in Madras in 1893 and in the United Provinces in 1898. The local Governments admitted before the Public Service Commission in 1913 that it had produced some very capable men, and that it had given men with a high reputation for honesty. Nevertheless, it was put a stop to in Bengal and Madras in 1905 and in the United Provinces in 1903. "In 1901," said the Chief Secretary to the Government of the United Provinces before the Commission of 1912:

"An educational conference was held at Simla, which recommended the abolition of competitive examinations as the qualifying test for higher appointments. The view taken by the Government of India was that the principle of competition for Government posts was unknown in India till a few years before and did not spring from the traditions of the people; and that the exercise of legitimate patronage was an important function of Government which ought not to be committed to the chances of the examination room."

It is clear from this that not the people but the Government of India have stood in the way of the adoption of tests which would make entry into the public services dependent solely on the possession of the requisite qualifications, and that as soon as the councils obtain the power to regulate recruitment they will introduce the reforms that the educated community has been demanding for more than a quarter of a century.

The local Governments of the United Provinces and of Bihar and Orissa recommend that control over the provincial services employed in transferred departments should be exercised by ministers. They have no fear that the interests either of the State or of the services will suffer thereby. Professor Keith also takes the same view, but he suggests that legislation dealing with the provincial services should be passed by the local councils before the Reform Scheme comes into operation. It might be thought that such a course was necessary to secure the rights of the existing members of the Services and to guard against hasty legislation by councils, which will consist mostly of inexperienced men. But as Prof. Keith recommends that the reformed councils should be free to repeal or vary measures passed by the existing councils, the security which his proposal seems to provide against injustice or ill-advised action on the part of the popularly elected councils is wholly illusory. It would be wiser to trust the men who will come into power under the new régime and allow those with whom will rest ultimately the power of regulating the conditions of recruitment, service, etc., to exercise it in the first instance also. (From "United India.")

H. N. KUNZRU.

SELECTION.

AN ADDRESS TO MR. TILAK.

DISREPUTABLE TACTICS.

New India publishes the following message from Poona:— "A movement is on foot here to present a public address to Mr. Tilak in the name of all the citizens of Poona. The Liberal Party and non-Brahmana communities being opposed to the movement felt it necessary to lodge a strong protest against such an address being presented to him on behalf of the citizens of Poona as a whole. A large meeting representative of all castes and creeds was consequently held here

last night (Dec. 4) at which a manifesto setting forth the grounds of their opposition to Mr. Tilak's social and political activities and delineating the Liberal Party's future programme of work was adopted. Those who were for honouring Mr. Tilak were requested to confine the affair to his friends and admirers, failing which, it was resolved that those who did not favour the movement would be constrained to take such constitutional means to oppose it as they thought fit. The Hon. Mr. Paranjpye presided and Professors Kale, Kanitkar and Jog, Messrs. Devadhar and Gupte and a number of others took part in the meeting. The President in his opening remarks said, they had no objection to Mr. Tilak's admirers giving him any number of addresses they pleased or deifying him and thus debasing themselves as they were doing, but no one had a right to saddle such sentiments upon those who had consistently held that Mr. Tilak's obscurantism in social matters and his extremism in politics and, above all, his unclean methods of dealing with his adversaries, whether official or non-official, were fraught with harm to the country's future. He had especially done all he could to retard the progress of social reform and persecute social reformers like Ranade, Agarkar and Gokhale. The result was that all the progressive parties in the Deccan and the backward classes in general were ranged in a body against him. In these circumstances, he said, it would be absurd to present him with an address in the name of the citizens of Poona."

This meeting had the desired effect upon the organisers of the address movement; they immediately decided to limit the address to Mr. Tilak's personal admirers and made an announcement to that effect in their newspapers next morning. Lest this announcement be considered unauthorised, the secretaries of the movement confirmed it in unambiguous language over their own signatures that very day. Before their decision became known, those whose desire it was to protest against an address being presented to Mr. Tilak on behalf of all the citizens of Poona had written to inquire if the proposed address would be confined, as desired by them, to Mr. Tilak's admirers. In view, however, of the authoritative public announcement that the attendance at the meeting would be confined to the admirers of Mr. Tilak, they naturally dropped their opposition and felt great relief at being absolved from a necessary, but a very unpleasant, duty. They thereupon asked their followers, by means of an announcement in their newspaper and otherwise, to abstain from the meeting to be held the next day to present an address Mr. Tilak. After their followers had been thus dispersed, Mr. Paranjpye and his colleagues were told, at the eleventh hour, in reply to their inquiry, two days after the inquiry was made, of another change in the intention of the organisers of the address movement and their decision to hold the meeting in the name of the general public. It was impossible for those who were opposed to this movement to be present in full force at the last moment after they had publicly exhorted their followers not to attend the meeting. They had, therefore, no alternative but to protest in writing against the holding of the meeting in the name of the citizens of Poona and particularly against the tactics adopted towards them, which were wholly mean and cowardly. The feeling, however, that was roused by Mr. Tilak's anti-social-reform propaganda and his disreputable methods was so great that, disregarding the injunction laid upon them, some of the opposers, especially from the backward and depressed classes, attended the meeting, but being denied a fair opportunity to have their say, had to withdraw in protest.

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