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TOPICS OF THE WEEK.

Political Prisoners. A non-co-operator, recently released from the Cuddalore jail in Madras Presidency, describes in *Swarajya* the manner in which six non-co-operator prisoners were conducted from Russel Konda to Berhampore, a distance of 52 miles. It seems they were made to cover the whole of that distance on foot though a motor service was running between the two stations. They took three days to finish the journey during which they had only two meals a day, one of beaten rice and sugar and the other of cooked rice. At half the distance three of them, were found medically unfit to continue the journey on foot and a country cart was engaged for them but it jolted so badly that they preferred to walk on. On reaching Berhampore one of them complained of chest pain but without any further medical examination they were all sent to the Cuddalore jail, on reaching which the one with chest pain was found to be suffering from fever and dilatation of the heart and the others had cough, dysentery and other complaints. It would be cruelty to require even hardened criminals to walk a distance of 52 miles on foot and non-co-operators are certainly not specialists in endurance. But if prisoners may travel by railway trains, we wonder why they should be denied the use of motor buses. Perhaps a bureaucrat will tell us that motor buses are not mentioned in jail rules!

* * *

Neither Humanity nor Statesmanship. THE same story of heartlessness and inhumanity, whether due to rules or persons, is told in many other places. We had the best of authority to believe that Mr. Gandhi was allowed newspapers,

but if the facts are as given out by Mr. Mathuradas who recently saw Mr. Gandhi in the Yeravda jail, he is not only denied newspapers but even a light at night! An ex-prisoner of the Bhagalpur jail has described in the *Motherland* the conditions prevailing in that jail, which we confess we as a rude shock, as from the information published by the Bihar and Orissa Government we had believed that that province was setting an enlightened example in the treatment of political prisoners. In the hottest part of the year, it seems, they were confined in cells and given the hard task of grinding 10 to 20 seers of wheat, irrespective of age and health, and as it was physically impossible for most of them to do it, they were given humiliating punishment for shortage of work with cross-bar or link fetters and standing in hand-cuffs. The ordinary criminals, even the worst of them, it seems, have been relieved of this grinding business which is now reserved for the exclusive benefit of non-co-operators. The Superintendent of the Bhagalpur jail has, we suppose, the same mentality as Colonel Yate who recently suggested in Parliament that political prisoners in India should be kept in the hottest jails, whereupon Col. Wedgwood neatly asked, "Why not burn them?" But is this policy dictated by either humanity or statesmanship?

* * *

Section 144. SECTION 144 of the Criminal Procedure Code is very frequently used nowadays to prohibit political meetings without due regard being paid to the requirements of that Section. It offers an easy temptation to the executive to deal with an inconvenient agitation and it is therefore all the more necessary that the public should challenge the orders issued under that and similar sections in all legitimate ways. This is not done in British India owing to the policy of non-co-operation adopted by the Congress and one is therefore particularly glad that the Mysore District Congress Committee did so in respect of an order of the Bangalore City Magistrate who, under Section 144 of C.P.C., prohibited a public meeting, at which some Congressmen were to speak, on a police report that it was likely to cause a breach of the peace. On appeal, the Judges of the Mysore Chief Court held that the Magistrate's order was bad and could not be upheld because it did not set out the material facts of the case as required by Section 144 of the C. P. C. :—

As we understand that Section, the material facts of

the case are facts which justify the apprehension of obstruction, annoyance or disturbance, etc., and it is not enough for the Magistrate to say 'I have received a police report, from that it appears to me that your act, if done, will create obstruction.' The mere receipt of a police report is not a material fact in the case—the 'case' being the question whether immediate prevention of some projected act is necessary—the ground for the apprehension of the police, rather than the fact of their apprehension is material.

* * *

THE Chief Presidency Magistrate of Bombay has awarded compensation of about Rs. 6,43,000 to 222

Compensation for
Bombay Riots.

claimants in respect of loss of life, grievous hurt and loss of property incurred during the riots that took place in Bombay at the time of the Prince of Wales' visit. Considering the nature and duration of the riots and the fact that the amount claimed was Rs. 23.69 lakhs, the award appears to be fair and moderate. The Municipal Commissioner is directed to collect the amount from the landlords of certain wards where the riots took place, by an addition to the general tax. It was represented on behalf of the landlords that neither they nor their tenants had taken part in the disturbances and therefore it was not fair to levy a tax on them. But the Magistrate held—and we think rightly—that

"citizens, including landlords who are a more influential portion of them, should do their best not only to put down disturbances but should also act in such a manner prior to the disturbances as to make them impossible, and they have to pay for failure to do so."

Once the liability of the citizen or the community at large is admitted, it is only a question of convenience whether the Municipal Commissioner or a Government officer should collect the amount and whether the imposition should take the form of an addition to the general tax or some other form. For the landlord is permitted to make a proportionate addition to the rents collected by him from the tenants and so eventually the whole population of the area pays. It is satisfactory to note that no particular community is either favoured or penalised. Exemption is made in respect of schools, hospitals, places of religious worship and charitable institutions and also Government and municipal servants, title-holders and justices of the peace.

* * *

The A.I.C.C.'s resolution at Delhi that the Bardoli resolutions "do not mean any abandonment of the

Interpretation by
Desire.

original Congress programme of non-co-operation" altogether rules out any such interpretation as the *I. S. Reformer* has been assiduously putting upon the Working Committee's resolutions of Bardoli. Though we are at one with our contemporary in wishing the Congress to give up the boycott of Councils, we have no sympathy with its attempt to read the meaning favoured by it into the Congress resolutions, any more than the *Reformer* would have with the attempt of some social reformers to read modern ideas into ancient scriptures and to represent the

caste system as being foreign to the Hindu conception of society. What the Congress did at Bardoli was that it suspended the aggressive parts of non-co-operation and adopted the so-called constructive programme instead, but it never abandoned the policy of non-co-operation and therefore meant that the constructive programme should be carried out by Congressmen by means not inconsistent with non-co-operation, while to those who do not accept the policy of the Congress other means were also open in carrying out that programme. But so long as the present policy stands, it is clearly not permissible for Congressmen, to enter into the Councils, even if it be for promoting the constructive programme.

* * *

THOUGH the Government of India Lord Lytton's Good Example.

Act has expressly invested the Governors of provinces with the power of restoring rejected budget grants, when such restoration is considered necessary, any free exercise of that power will inevitably create a good deal of friction between the Governors and the Legislatures. It has therefore to be exercised very sparingly and with great tact. His Excellency Lord Lytton has set a very good example in this respect. He felt constrained to restore two items, but in respect of both of them he restored only the amount that was necessary to keep things going until the Council should meet again, so that it may have an opportunity of reconsidering its former decision. One of these items was for strengthening the Calcutta Mounted Police and had been defeated by the narrowest possible majority of one. In announcing that this vote would be again submitted to the Council for reconsideration, Lord Lytton said, "I wish to make it clear that I shall not again exercise the power of restoration with regard to this item and shall abide by the decision of the Council whatever it may be." The other item related to the Calcutta High Court which is under the control of the Government of India, though the funds are supplied by the Bengal Government. The former instructed Lord Lytton to restore the item, but even then he preferred to give the Council another chance of voting upon it.

* * *

Fundamental Rights.

THE draft constitution of the Irish Free State contains one whole section—the first—dealing with the fundamental rights of Irish citizens. But in this constitution these rights are treated in a very different way from that in which they are treated in the American Constitution. Article 6 lays down that "the liberty of the person is inviolable and no person shall be deprived of his liberty except in accordance with law," and, then, provides for a grant of the writ of habeas corpus. It will be seen at once that this article does not contain any guarantee of personal freedom superior to that provided by law. The constitution does not impose any restrictions upon the legislature, while the essence of the American Constitution is that it disables the legislature from passing any laws

restrictive of individual liberty, and those who rate this constitution higher do so just because it confers no jurisdiction upon Congress to pass such laws. In Article 8 of the Irish constitution itself it is provided that "freedom of conscience and the free profession and practice of religion are inviolable rights of every citizen, and no law may be made either directly or indirectly to . . . prohibit or restrict the free exercise (of any religion)," etc., but no similar provision is made in regard to individual freedom. Article 9 says: "The right of free expression of opinion as well as the right to assemble peaceably and without arms, and to form associations or unions is guaranteed for purposes not opposed to public morality. Laws regulating the manner in which the right of forming associations and the right of free assembly may be exercised shall contain no political, religious, or class distinction."

Kenya Highlands. DURING the Colonial debate in the House of Commons, Major Wood,

Under Secretary of State for the Colonies, said, referring to the Kenya Highlands, that the hands of the Colonial Office were tied by past history and that throwing open the Highlands to universal colonisation would be inconsistent with the understanding on which the settlers were induced to settle there. That this is not the case has often been pointed out to the Colonial Office, by the Indians Overseas Association among others. Messrs. Polak and Andrews have clearly explained in their recent statement the true nature of the 'understanding' referred to by Major Wood:—

The so-called pledge referred to is that of Lord Elgin in 1908. Lord Elgin's despatch, however, needs to be read as a whole. The local officials are told to issue the original Crown grants of lands for reasons of administrative convenience, solely to Europeans. But he added that his Majesty's Government would not countenance legislation differentially affecting the Indian population. It will be seen at once that no bar was placed upon the open transfer of the original Crown grants at any future sale to any purchaser who had rights in the country. The Indians had the right of purchase. An Act of the Legislature would have been required to take these rights away. But his Majesty's Government had expressly stated that no such racial legislation would be countenanced.

As all the lands have been assigned already to the settlers there is nothing left of the 'pledge' for the Colonial Office to keep. On the other hand, as the British Government has accepted the resolution of the last Imperial Conference regarding equal status for Indians, Mr. Churchill is in honour bound to reject the proposal of the white settlers that seeks to impose a disability on Indians in acquiring property by transfer.

It gives us much pleasure to be able to give to our readers an authentic exposition of the Australian policy of a "White Australia". The writer is an Englishman who has settled in Australia and a journalist who represents Australian newspaper interests in India and who has written a number of books on economic and political questions. Mr. H. George Franks has kindly consented to write for us a series of five articles of which we publish the first to-day.

BURMA REFORMS IN PARLIAMENT.

THE debate which took place in the House of Commons on June 12 on the Burma reforms was conducted on a high level of ability and was informed for the most part by a genuine feeling for constitutional liberty. The most prominent part in these discussions was taken by that tried friend of India, Col. Josiah Wedgwood, whose one anxiety seemed to be so to enlarge the reforms as to persuade the Burmans who are now following a policy of non-co-operation with the Government to get into the Council. He did not conceal his opinion of that policy—he characterised it as a "stupid, very largely ignorant, struggle"—but he did not on that account underrate the urgent need that existed of conciliating the opposition offered by Burman leaders. With this end in view he moved a number of amendments, all of which were rejected, and which, if passed, would have carried the reforms still further in some particulars. But he expressed his opinion in unambiguous terms at the outset that "even if these amendments are not accepted this constitution which is before us to-day is an improvement on the constitutions given to Bombay, Madras, or Bengal and is deserving of acceptance by the Burmese people, not as the final goal, but as a step forward in constitutional, responsible, and representative government." The advance consists in three respects: "You have got greater powers, a much more democratic franchise, you have got an honest constitution so far as constituencies are concerned." We have already dwelt at length with the first two points. What Col. Wedgwood means by the third is that the residential qualification which obtains in Bombay, the Central Provinces and the Punjab, and the segregation of urban from rural interests which was carried out in the Punjab have been wiped out from the Burman constitution. All things considered, Col. Wedgwood said, this constitution, even unimproved, is a step forward that is worth taking.

It was but natural that, in discussing the application of diarchy to Burma, some amount of discussion should have taken place on the merits of diarchy in general. Die-hards were not wanting who denounced this system as altogether unheard of and "as a maggot bred out of the brain of some pedantic constitution mongerer." But their objection arose not so much because it was a novel system, but because it gave some real power to the people. Col. Yate pronounced diarchy to be dead and thought that all that remained for the Government to do now was to perform its obsequies. But Sir Thomas Bennett, who rendered very valuable services both on the Joint Standing Committee and in Parliament, reminded him that however much the Colonel and his friends might wish it dead, as a matter of fact it was not dead, but very much alive. He hit the nail on the head when he said that the degree of vitality which remained to diarchy in the various provinces depended principally "upon the co-operation of the executive

side and the Ministry." Presumably what he meant was that diarchy was most successful in those provinces where in practice no separation of interests was discernible in the two wings of government, and where the executive councillors and ministers worked with mutual good-will and in perfect harmony. Of course Indians themselves will not be sorry if diarchy is ended, but they do not want it ended in the sense which evidently Col. Yate, Major Glyn and Sir Henry Craik have in mind. It is of course the desire of Indian politicians that, as soon as things permit, diarchy will be replaced by full or nearly full self-government both in the provinces and at the centre. But the right view to take of diarchy is the one which was expressed by Mr. Ormsby-Gore: "After all, a diarchy is simply a stepping stone to something else—not a thing in itself to be preserved at all costs, but only a thing to be worked through in order to obtain some other thing." It is meant to be transitional, and the transition from diarchy to full responsible government need not be long or weary.

The topics that occupied the greatest amount of attention were the setting up of communal electorates and the transfer of forests to the control of ministers. Col. Wedgwood is known to be a most strenuous opponent of communal representation. He condemns it, first, as being unnecessary and futile and secondly, as altogether mischievous. It is unnecessary and futile inasmuch as the protection of minority interests, which it is intended to secure, is secured and better secured by other means, and is not secured by communal representation. It is mischievous in its effects in so far as it perpetuates class distinctions which every lover of democracy wishes to break down and is in fact intended "to preserve dissension through the division of subject races." On the first point Col. Wedgwood said:

"If you want to protect minorities, the best way is to give them a vote in every constituency on the general list of voters. The vote is the protection for the minority; representation by a member of a community in an assembly where that special community will be in a small minority is no protection comparable to having votes for every member."

"Every member in this House with a few hundred Roman Catholic voters in his constituency is bound to be more tender towards the views of the Roman Catholics than if he had none. We have to think of the views of Scotsmen because we have a few Scotsmen in our constituencies. We have to cease to be anti-Semite because there are a few Jews in our constituency. If we had no such constituents we could legislate for those minorities, and outvote their special representatives in the House with perfect ease and a good conscience. As it is, it is perfectly well known in this country that minorities are safe because all minorities have votes on the general list, and even though they cannot elect their own man, by using their votes they can turn the electoral balance between two candidates who are both asking for their suffrages."

Then Col. Wedgwood went on to relate how communal representation has failed in practice wherever it was tried:

"The only case in the British Empire up till now of communal representation is an example of how it fails to protect minorities in the case of New Zealand, where you have special communal representation for the Maoris. There are three Maori representatives in the New Zealand Parliament. No Maori has a vote for any white Member of Parliament. They have their special list of voters, and their special representatives, and the result is lamentable for the interests of the Maoris. Three Maori representatives are naturally a small minority, and are voted down each time. How much better would (it be) for them if they had been in the position of the Roman Catholics in having a few votes in each constituency."

In the new constitution for Trinidad it would appear that proposals were made for separate communal representation, but they were "turned down very decisively," because it was recognised that communal representation "has a tendency to stereotype racial and religious differences and prevents the cohesion of different classes of the community."

In regard to Burma the Government of India's scheme contained no provision for special electorates; they proposed, instead, reserved seats for Indians and Karens—a solution which has now been adopted in Madras and the Deccan. This decision was, however, reversed by the India Office, after the change that has taken place in its personnel, and Col. Wedgwood is quite right in holding that if Mr. Montagu had continued Indian Secretary, he would never have sanctioned separate electorates. It would seem that this proposal met with opposition in the Standing Joint Committee also—Lord Chelmsford and Sir T. Bennett voted against it—but it was carried in the end by a majority. Thus Indians come to have electorates of their own in Burma under the new constitution, but it is a mistake to think that this measure is taken, or that the proposal for reserving some seats for them in the general electorate was made, for the purpose of giving special protection to Indian interests. Indians are not in a minority in those towns in Burma where they are found in any numbers—three-quarters of the population of Rangoon are Indians, and they are a large element in Mandalay; altogether there are 1,000,000 Indians in Burma. They are also well organised. They, therefore, need no protection, and it was never intended to give them any protection. A grant of communal electorates is now being made to them, and a grant of reserved seats on a common register was proposed for them before, not with a view to give them any special measure of protection but only with a view to prevent them from winning more seats than their numbers were thought to justify. It was feared that, having greater political consciousness, Indians would prove carpet-baggers, and it was thought right to impose some restrictions upon them. The object of inserting a provision of communal representation in so far as the Indian settlers in Burma are concerned is openly avowed in the documents bearing on this subject, and the blame for it should be laid, not at the door of Indians, but at the door of those who have foisted such a provision upon them.

fundamental one in the minds of nearly all the adults who are capable of thinking. Some writers, however, make a little too much of this fundamental idea, and so we have one Australian saying this: "The 'White Australia' idea is not a political theory. It is a gospel. It counts for more than religion; for more than flag, because the flag waves over all kinds of races; for more than the Empire, for the Empire is mostly black or brown or yellow, is largely heathen, largely polygamous, partly cannibal. In fact, the 'White Australia' doctrine is based on the necessity for choosing between national existence and national suicide." Such declarations, however, are far too exaggerated in their language to represent the views of any but the agitators and extremists of Australia. The writer of this series admits, of course, that to the average Australian this "white" doctrine is an articulate article of faith; but this same average man is very amenable to reason. In fact he reasons for himself, and so he recognises that there can readily be exceptions to the general rule he has laid down for what he considers his country's welfare. Therefore the writer says with confidence, at the very outset of his series, that from conversations he has recently had with all classes of Australians—from Prime Ministers and Cabinet officials to landowners and farm labourers,—that any deep-seated feeling against Indians is entirely absent, except in the case, perhaps, of a few bigots and trouble-makers. And the visit of Mr. Sastri to Australia has certainly resulted in a loosening of any tension that might have been straining on the minds of a limited few.

But it must ever be borne in mind that the "White Australia" policy, whether it be as formulated by the statesman or the worker, is based solely on principles, and while it might be impossible to infuse into the eastern mind the fundamental ideas of the western civilisation, yet it is hoped that these articles will show that deep and well-grounded principles have, from its very inception, literally demanded some such movement as the "White Australia" policy. In general there is no racial hatred or colour antipathy towards the Indians by Australians; and with perhaps one exception, which is not India, no mere nationality enters into the question. To average Australians (which means, of course, the majority of Australians) the question is not a political one nor a social one, but an economic one, although doubtless, as will be shown in future articles, they will tell you off-hand that the policy is purely political. But an hour's chat with any ordinary person in that great Southern continent will reveal to any one with a knowledge of economics that while politics and sociology have a certain bearing on the subject, the crux of the whole situation is to be found in the Australian's extraordinarily jealous attitude towards his labour organisation and working conditions. In this series of articles it is proposed to examine carefully, from an Australian viewpoint, the principles on which the "White

Australia" policy has been founded; although here again it must be admitted that the "political" explanations of the nation's leaders differ very considerably from the views expressed by the ordinary man in the street. In other words, while the official "White Australia" has been laid down by law, there is a vastly different unwritten and very generalised law vaguely believed in by those outside the walls of government buildings. To put it still more boldly, hundreds of thousands of Australians could neither outline nor even describe the "White Australia" policy as defined by law. The principles out of which it has grown, however, seem to be born with the body, and thus in conversation the reasons for the immigration barriers are announced spontaneously, as it were, by every one to whom the subject is mentioned. Moreover, apart from an occasional editorial in the daily papers the ordinary person hears or sees nothing about the policy. Few people take the trouble to read the authoritative books on the subject, and fewer still study the very infrequent parliamentary debates upon the question, while the number who spend time in research for the original arguments used when the policy was adopted twenty years ago could be counted in the fingers of the two hands. All of which goes to show that to the Australian this closed door policy has become part of his daily existence; it is an individual characteristic, a national principle; and hence a very difficult thing to eradicate, even should it ever be proved that it should be abandoned.

Before commencing our investigation into the two generally admitted causes and the one predominant, but little thought of, cause, we must notice the constitutional obstacles with which any reforms are confronted. Although harbouring a bare 55,00,000 within its extensive borders, Australia is governed by 14 houses or assemblies, comprising the governments of the six States and the Commonwealth. Passing over the generally agreed fact that this is far too costly and cumbrous a method of governing a mere handful of people, it must also be noted that there is a sharp division of power between the Commonwealth and the State governments. The former has complete control of customs, defence, and immigration, while the several States control all other branches of national life. Moreover, each government is entirely independent of all the others, so that while that of the Commonwealth may be Nationalist, the other six may vary from Labour to Liberal, or even rule by the Farmer's Party. This variety, indeed, is just what is to be found at the present time, so that if the Commonwealth government should desire to alter the immigration laws to permit the entry of the people at present excluded under the "White Australia" policy, those State governments which are not Nationalistic in politics could—and would—make it impossible for the incomers to obtain land or to have any privileges whatsoever. Unfortunately for all concerned this question of the "open door" has become a party

issue instead of being regarded as a purely national question; and this fact alone is one of the greatest barriers to any alteration of the existing laws and regulations.

But, despite this apparent definiteness on the part of Australia (or perhaps, *because* of it), it is the duty of every thinking Indian to endeavour to see the principles that lie behind the problem. And, moreover, the fact that we cannot realise as much as another person that a certain set of conditions produces a corresponding set of principles, does not entitle us to declare that no such principles exist. It must ever be remembered that years and generations and millenniums of totally different civilisations and literature and art and philosophy lie behind the present-day belief of the East and the West, and it is just as difficult for the West to get the viewpoint of the East as it is for the East to catch the spirit of the West. But because a thing is difficult, we should endeavour the more to understand it, and nothing is more illuminating to our own minds than to see things as the other man sees them, even if we do not agree with his conclusions.

So let us in this first article realise at least this quartette of facts concerning the "White Australia" policy:

1. It is a national characteristic.
2. It is based on logic and principle.
3. It is more economic than political.
4. It is almost unmovably constitutional.

Therefore in the future studies into this complicated and important question the writer trusts that his readers will, with him, abandon prejudice, bias, and partiality, and seek to discover a possible friendly understanding between these two adjacent children of the one Great Empire. And above all, remember throughout the series that, as far as India is concerned, there is not a universal race hatred or colour antipathy in Australia. Principle, based on self-defence, self-preservation, and race pride, are the actuating causes of the policy,—the very causes, incidentally, of the efforts of the East to get these closed doors open to her millions!

The second article will reveal the answer of Australians to the query: "Is the 'White Australia' policy purely social or political?"

H. GEORGE FRANKS.

TAMIL LABOUR IN CEYLON & MALAYA.

SOME years ago I spent a considerable amount of time in investigating, by visits to both countries, the conditions under which Tamil labour from Southern India went over to Malaya and Ceylon.

Compared with what I had seen with my own eyes in Fiji and Natal, the conditions were certainly better and the prospects on the whole more reassuring. I found, for instance, no trace of the hideously immoral conditions which were quite common and even normal in Fiji. I never saw, either in Ceylon or in Malaya, such bad housing

conditions as I saw in Natal. The name 'prostitution house' was never given to the 'coolie lines', as it was actually given in Fiji. As far as I could gather, the men who came over along with their wives had but little solicitation from other men who would tempt them to share their wives with them—a custom which had received the name of 'Fiji dastur' under the indenture system in Fiji.

At the same time I *did* find very great and serious evils both in Malaya and in Ceylon. But these evils were of a totally different kind. In Ceylon the whole 'tundu' system of indebtedness was an abomination. By this system the Tamil labourers were handed on, under their gang-man or 'kangani', from one planter to another with their debt-sheet, called their 'tundu'.

Each planter, in turn, as he bought a gang of coolies, took possession of this debt-sheet which bound down the labourers to his estate far more successfully than any five years' indenture. If the Tamil labourers wished to leave the estate the planter would say,—

"Certainly, but first pay up to me in full your debt of 100 rupees."

This the Tamil labourer was never in a position to do, and in consequence he remained frequently indebted for life. It would be difficult to imagine a more subtle form of slavery than this, or a greater responsibility for a civilised Government to allow such a state of things to go on. In addition to this there were certain penal clauses in the Ceylon penal code which made it possible for employers of this form of labour to obtain convictions against the labourers for such labour offences as refusal to work or impertinence.

In 1919 it was my one duty to try to get both these evils abolished. The planters themselves were wavering and it was easy to point out to them that at any time the whole labour migration from India might be brought to an end. This argument had great weight with them and I also found that a large proportion of the planters thoroughly disliked both systems—the 'tundu' system, and the 'penal' system. When I left the Island in September 1919 I had every hope that both these evils would be very speedily abolished.

It has been a very great relief to know that the labour penal clauses have now been entirely abolished both in Ceylon and in Malaya. I think I am right in saying that the 'tundu' system has not yet been completely done away with, but I believe it has received its death-blow. A great victory for the rights and liberties of the poor has thus already been won. It only remains to drive the victory home.

In Malaya the most serious evils were of another kind. There was no system of indebtedness,—indeed this was forbidden by law. There was comparative freedom of contract and a constant passage to and fro of labourers from India to Malaya and Malaya to India.

But, on the other hand, the death rate in certain areas, for which the Tamil labourers had been

Little need be said here in regard to the transfer of forests. Forests are no doubt the "life-blood" of Burma, but it is just because the future of Burma depends upon how Burmans manage their forests that it must be the best policy to entrust their management to them. Mr. Ormsby-Gore put it well when he said:

The people who will suffer from any mismanagement of the forests are the Burmese people themselves through the revenue of Burma, and this will be brought home to them extremely soon if any unscientific management of the forests is undertaken. In view of the evidence which we have had before us, I am rather inclined to take the view that we should not anticipate that the Burmese Minister and the Burmese Council will act in a manner so contrary to the true and proper scientific interests of their country as has been indicated. On the whole, I should think that it is more likely to be exactly the other way and that a Burmese Minister, in dealing with scientific matters, will be inclined to lean even more than the ordinary European official to purely scientific advice. Therefore I do not think we need have any fear on that ground.

The enfranchisement of women also figured prominently in the debate. Of course no one breathed a whisper of opposition to the proposal, the position enjoyed by Burmese women being so entirely different from that enjoyed by Indian women. As Col. Wedgwood said, in Burma women are the politicians of the country. They are more politically conscious than the men. The Buddhist Educational Society is perhaps the most active body there and most of its members are women. It was thus quite impossible to withhold the franchise from the women, but the debate turned upon the number of women who would be enfranchised by the new reforms. An estimate of the number was supplied by the Government of India in a telegram which was read in the House. The telegram is not happily worded and gave rise to different interpretations. But the interpretation put upon it by the Attorney-General, Sir E. Pollock, is that the land revenue qualification alone will entitle 200,000 women to the vote; but in addition 12 per cent. of the heads of households assessed to thatamedata tax will be women in Upper Burma. Thus the net result will be that 22 per cent. of the total electors in Lower Burma and 26 per cent. in Upper Burma will be women. This will mean some six or seven lakhs, but this estimate requires to be verified by Government.

THE INDIAN ESTIMATES DEBATE.

A FULL account of the debate on the Indian Estimates is now to hand, but since we had an accurate summary, by cable, of Earl Winterton's speech, nothing remains to add to what we said before on that speech by way of comment. But several points were made in the course of the discussion that followed, and it may perhaps be useful to notice a few of them.

The representatives of the Labour party took a very honourable part in this debate. Col. Wedgwood and Mr. Spoor not only joined with others in criticising the present policy, but made some con-

structive suggestions as to how that policy should be modified. The suggestions were: (1) release of political prisoners, (2) early steps with a view to the widening of reforms, and (3) new elections to the Councils. Col. Wedgwood agreed that the Government's repressive policy had made the non-co-operation movement less vocal and actually less powerful, but urged that in the long run the gaol was no cure for anything and a policy which had sent some 20,000 persons to prison was a policy which must produce searchings of heart in the rulers and must at any rate be quickly replaced by a constructive policy. And the first step in the inauguration of this new policy must, evidently be the release of political prisoners, which would alleviate the existing bitterness and thus prepare a favourable atmosphere for the policy of conciliation. In regard to the enlargement of the present reforms, the Labour party desire that the Government "should give some indication that they are going to revise the whole question long before the period of ten years which is named in the (Government of India) Act." "We want as soon as possible an inquiry into the working of diarchy up to now. They have had two years. By the time that Commission gets to work they will have had 2½ years—four sessions of the Legislature—to go upon. We want to know how it is working in the Legislative Assembly and the Councils. We want that Commission to include in its terms of reference the power to make recommendations for modification of the rules and we want it to have power to recommend, if it thinks fit, new elections." The Labour party hold that "India should be granted Dominion Home Rule within, at all events, a comparatively short time." It is not the opinion of this party that diarchy has failed, but that it has created difficulties which it is best to end as soon as possible. Those who are now in control in India are not, according to Col. Wedgwood opposed to taking a step in advance. They "are all wanting to get through the transition stage and on to the next stage." Nor need the European commercial interest be deemed to be adverse. "I believe," said he, "British capitalists themselves would say that their capital was going to be more secure under a self-governing India than it is under an India in which race hatred is going on boiling up, in which the only policy of every Indian is to get rid of the English. As long as you have the struggle for independence, there is a risk to capital. When once India ceases to see that her principal business is to get rid of the English, they will be able to work with the English." The Labour party is in favour of holding fresh elections, but on one condition. "Any new election in India," says Col. Wedgwood, "should be dependent upon the consent of non-co-operators to drop non-co-operation so far as the Councils are concerned." The proviso "so far as the Councils are concerned" does not signify anything, for Col. Wedgwood himself says that once the non-co-operators go on the Councils "the rest of non-co-operation will

fall to the ground and be futile and stupid." He holds a very strong opinion of the boycott of Councils by the non-co-operators, whom he characterises as "the Indian die-hards." "I have always thought and said," he tells us, "it was insanity from the point of view of the non-co-operators themselves not to get themselves elected on to the Assembly (and the Provincial Councils)." He realises that the non-co-operators " would make themselves a nuisance on the Council. . . . They might make scenes in Parliament." But he does not mind it, because we "have to go through that stage." For " if you are ever going to turn poachers into gamekeepers you have to expect them to do a little kicking over the traces. You expect them to have a night out occasionally. I am certain that is the only way in which they will learn responsibility."

It will be remembered that Lord Winterton in his opening speech asserted that there was a great deal of antipathy to the services among the ranks of the Indian politicians. It is a pity that no member—not even of the Labour party—cared to put things right on this head. In fact, several members spoke in such a way as to give a point to the Under-Secretary's complaint. We are particularly grieved to find Mr. Acland in this company. Indeed, he seems to entertain curiously wrong notions about the services. He spoke strongly in favour of increasing "the very, very insufficient pay of the Indian civil servants" and recommended giving some further concessions than a proportionate pension to those who refuse to serve in India because of the altered conditions—"some compensation for loss of career." Of course he also had some sound advice to offer to the service. He said: "I think that our service has got to learn, as it is learning, no doubt, that India is to be Indianised, and that it can no longer be the happy play-ground for British officials." In India "you had the power of bossing other people, and that is what I think is the wrong spirit altogether. In regard to the civil service I feel this, that if they have gradually to drop out and to give way to other persons, let them at any rate have a chance of going down with their flag flying, and flying high." But we beg to assure him that, on the side of Indians, there is no disposition whatsoever to harass members of the service if the latter are really disposed, as a large portion of them are, to make a success of the reforms. Mr. Acland referred to "one or two examples... of how Provincial Ministers and others have realised that, although they cannot dismiss an Indian civil servant, they can make things extraordinarily unpleasant for him by withdrawing his staff and doing things of that kind." We have not heard of any such incidents and must refuse to believe that if any have happened, they are at all typical.

On the question of military charges Sir Thomas Bennett took a strong line. He adverted to the belief that prevails in India that "that total of 62 crores for military expenditure, which has

been put forward by the Military Department as the irreducible minimum, has not been arrived at entirely by the Government of India, but that the total has been imposed upon India through decisions come to in this country," and adduced the statement made by Sir Sankaran Nair before he left for England in corroboration of this belief. He emphasised a point which is apt to be ignored, viz. that the objection to this heavy military expenditure comes not only from Indians, but from the European mercantile community and the European Press also. As to the plea advanced by the military experts "that it is absolutely necessary to spend 62 crores on the Army this year, and that, if not, the country will be in a state of internal and external insecurity," he reminds the House that the price of this military defence for Indians is nothing less than bankruptcy. He asked: "We admit, everyone admits, the urgent need of security, but is it not a somewhat qualified benefit to afford security to a bankrupt State? If we, through our seeking after security, bring about the bankruptcy of India, what will be the effect upon all concerned?"

We need only refer in the end to the extraordinary statement made by Lord Winterton that a large proportion of the political prisoners in India are guilty of acts of violence and that therefore it is impossible to release them, as suggested by Col. Wedgwood. "I should have asked him," he remarked, "whether breaking a policeman's head in a street riot caused by an inflammatory speech constituted a man a political offender, and whether such a gentleman had gone to gaol for conscience' sake, because a great many of the people who have been arrested in India have been arrested for disturbances of that kind." We are perfectly certain that among the political offenders clapped into gaol there is a very small proportion indeed who have taken part in any such disturbances. At any rate no one has ever yet asked, in India, for the release, or even the differential treatment, of persons who have committed any act of violence, though such violence be inspired by a political motive. And if Lord Winterton is deterred from releasing political offenders only by the difficulty mentioned by him, then, we say, a very large proportion of the political prisoners may be let out at once.

THE TRUTH ABOUT THE "WHITE AUSTRALIA" POLICY.

I.—A NATIONAL PRINCIPLE.

IT surely is about time that a logical and truthful, but by no means apologetic, outline be given of the real causes and meaning of the much-talked-of "White Australia" policy. Unfortunately for Australia, India, Africa and the Empire as a whole this political doctrine or ideal—call it what you will—has been, in most cases, either entirely misunderstood or not understood at all. This is as true of the average Australian as it is of the average Englishman and Indian, although in Australia it must be admitted that the idea is a

recruited, was sometimes nothing less than appalling. No home Government ought ever to have allowed ignorant and illiterate labourers to go unawares into such death traps.

There were strenuous efforts being made by Dr. Watson, when I was there, to counteract malaria and brilliant preventive work had been done. But very much more remained unaccomplished and some estates had still an excessive mortality.

With regard to the housing arrangements all that I saw in Malaya appeared to me far better than anything I had seen elsewhere. The village life had been preserved.

But, in spite of much that was good and wholesome, the proportion of men to women in the different labourers' quarters still remained at a very low rate indeed. The average was that of 29 women to every 100 men. It was as clear as possible to me that a plague of vice might at any time set in, as it had already set in at Fiji.

Soon after my first visit to Malaya and the publication of the Report I had made, I received an invitation from the Planters' Association of Malaya to go over at their expense and as their guest in order to help them to solve this very problem of 'family colonisation'. At a later date I received a cable from the Chairman pressing urgently this original invitation. The impression that I got was that the Planters as a body were anxious to set their own house in order before the changes in the Indian Emigration laws were passed.

There were other evils which appeared to me to be highly critical. Every year the number of Chinese labourers was increasing and this labour was almost entirely male adult and highly paid. Often the barracks containing the Chinese labourers would be in close proximity to the Tamil labourers' barracks. There was a very alarming risk indeed of the solicitation of the Tamil women by the offers of jewellery and finery, for which the highly paid Chinese labourers could easily afford to pay. The number of these Chinese labourers has, in recent years, very largely increased, and the danger has thus become correspondingly greater.

Since the year 1920, strange events have been happening all over the rubber world. Quite suddenly there came a great drop in the price of rubber and as recovery by normal processes became impossible, abnormal processes have come into favour. It has now been clearly proved that the earlier higher price of rubber was artificial. Rubber, which sold previously at three shillings, now fetches only seven pence and eight pence.

The attempt is being made to obtain once more the higher price by a combined restriction of output. This means, of course, less labour.

As far as I can gather from the reports which have reached me, the Tamil labourers who have been the chief instruments in the production of this rubber, which brought such high prices in former times, have been dispensed with, on many estates at short notice, without any thought of

compensation. Very great hardship has ensued.

This is the fate of labour all the world over unless it is protected by Trades' Unions. The Tamil labour in Malaya was quite inarticulate and helpless and scarcely a rumour even of what was going on reached India till it was too late to intervene.

Under the new Emigration Act the Legislative Councils will have enormous powers of interference. If these are used with expert knowledge and with a careful consideration of all the problems involved, then great improvements may be made. But if they are used in a reactionary way in order to stop emigration altogether, the whole economic progress of the labourers in South India may be thrown back. For there can be no doubt that the marked advance in wages for agricultural work which has taken place in the Madras Presidency in recent years has been largely due to the power to emigrate either to Malaya or Ceylon which the labourer had at his disposal.

C. F. ANDREWS.

CONTINENTAL LETTER.

BRESLAU, JUNE 17.

JUST as public opinion in Europe for more than four years was being put off from one offensive to another, so does it now-a-days live in hopes from one Conference to another. And just as then the whole world was united against one sole, utterly deluded, Power which refused to see that morally, if not physically, its game had been lost long ago: so also now is there one single Power which fully believes to be able to shut out conclusions at which the rest of the whole world has arrived. If at Genoa truth was muzzled, it managed at the Bankers' Conference of Paris to open its lips. All the seductive charm of the Parisian atmosphere, which so often succeeds to draw within the magic circle of the French mentality even the most stolid of foreign visitors, failed this time to ban the spectre of Europe's economic collapse, which appeared to the terror-stricken guests. The Bankers' Conference left no doubt about the truth—a regular *secret de potichinelle* everywhere outside of France—that the reduction of the German reparation liabilities to the limit of their actual realizability is the premiss of Europe's recovery. By this very fact it was admitted that the Reparation provisions of the Versailles Treaty and the London decisions as to their practical fulfilment were so much nonsense. But the Bankers' Conference hinted further, that help must come quickly, since a German economic collapse threatened a political chaos which might well draw the whole of Europe into its maelstrom.

Outside of France there was of course nothing novel in these declarations: but their effect on the mentality of French governmental circles forms an interesting contribution to the study of the psychology of militarism. Although nobody could call pro-German this meeting of the world's lead-

ing bankers, amongst whom the American Morgan played a prominent part, the French discovered many reasons why these experts had looked upon the situation from wrong points of view, why their findings could but be neglected, and why it was still right to treat as a political question what the rest of the world could only regard as an economic one. Thus France, with that false consciousness of power which is based on the knowledge of possessing the most powerful army in Europe, regarded matters from an angle of vision perilously near to that of pre-war Prussia, where every gun was inscribed with a cynic sneer at the mere idea of Right: *Ultima Ratio Regis*.

Meanwhile conditions are getting worse and worse. A German Memorandum submits that up to date already the huge sum of six hundred crores of gold-marks has been spent on the armies of occupation—a sum which becomes understandable when one finds that for instance the furniture demanded by the higher grade officers is one to satisfy the demands of even the most spoilt daughters of American super-millionaires. Such things are of course much discussed in the papers and embitter greatly public opinion, especially since they contrast strangely with the constant exhortations to thrift addressed by the French to the German Government. And when a pacifist calls the attention of his countrymen to the fact that the German army in Belgium had behaved still worse, he is being answered that those were times of war. The fact is that the War does still continue, though under a different form, and it is for this very reason that a pacifist Government, such as the present Government of Germany, has got such a difficult task to counter the reactionary forces which manifest themselves in thousandfold ramifications. On the other hand it would be a great mistake, to take abroad too seriously the everlasting regimental celebrations and war reminiscences, in which certain circles delight so much, and to overlook the solid fact that the great mass of the people (on which the Government depends) is itself out and out pacifist.

Very sad too, consequent upon similar circumstances, is the development of things in Austria. Austria, still more the "Niobe of the Nations" than Byron's Rome, is in a perfectly hopeless state. The Peace Treaty has clothed her in a Nessus shirt, within which she is slowly burning herself out. Unable to feed herself, she finds nowhere the means of getting her food from abroad. Her obvious desire of joining up with Germany has been inhibited. The huge financial difficulties into which fully conscious she has been hurled, lead within her borders from time to time to spasms of a pessimism of increasing intensity which manifest themselves in sudden, feverish, abysmal plunges of her exchange. (Thus the price of a pound of meat rose early in June to 5000 crowns!)

Such developments have extraordinary political consequences. Thus there is now at the head of Austria a clerical dignitary, Seipel, who had

been Cabinet Minister during the last period of the Hapsburg regime, who is still blindly devoted to the House of Hapsburg and who openly admits that he is a republican entirely against his own will. This dangerous reactionary apparently enjoys to a high degree the confidence of the French Government, which warmly supports all the Austrian legitimist groups (mostly belonging to the former Court nobility), since it is they who in the interests of their anti-democratic privileges most hotly oppose union with a republican Germany. On the other hand, and not quite consistent with such policy, France encourages the idea of Austria joining the Little Entente. Thus M. Barthou, the French Minister, pointed at Genoa in his conversations with the Austrian Chancellor, M. Schober, again and again to this as the road of salvation. It is however more than doubtful whether the Pan-Germans and Socialists in Austria are prepared to sell their racial affinities for bread. But in making Austria the keystone of a new Danubian edifice over which the French tricolour is to be hoisted, France does not only think of securing herself against Germany, but also against Italy.

The policy of Italy has in these last years vacillated a good deal. At times, apparently under the influence of politicians like Count Sforza, Italy followed obediently in the wake of France. But recently, and especially since Genoa, the relations between Rome and Paris have become very much looser. The suicidal policy of the French Government, which under Poincaré threatens to drag down with it the rest of Europe, has helped to reaffirm the natural community of interests between Italy and England, which has of late more strongly come into the foreground. But of course Italy, as most other European countries, suffers within gravely from *post bellum* effects which impair her power for action without. Here as elsewhere the world war has extinguished the civilisatory development of centuries. As in Ireland and in Upper Silesia to-day political differences of opinion are no longer settled by way of discussion, but by gun and hand grenade, so also in Italy are settlements by way of civil war the order of the day.

Rabidly chauvinistic manual workers (a species unknown in Germany), the so-called Fascisti, are supported by the members of the upper classes and together oppose themselves to the Socialists. The old antagonism of Guelph and Ghibelline seems to have come to new life under new forms. Thus there was recently formed in the old university town of Bologna a regular encampment of many thousands of militarily carefully organised Fascisti, eager to fight the Reds, and the Government has apparently had the very greatest difficulty in mastering a most threatening situation.

But out of all these complications there promises to emerge an anything but unhappy result. The past events are making their impression on the tactics of the Socialists. Hitherto, though composed of great numbers, [the Italian, like the

German Socialists of the pre-war days, have contented themselves with an utterly sterile policy of negation and have therefore had only a very small influence on the national affairs. But it looks, as if there was going to be soon a change in this direction—a change which would not lack in importance in its consequences upon European politics, even if taken alone, but would be doubly important if that event was to come about which so many predict who know their Italy best: a rapprochement between the Socialists and the "Popolari," the Catholic Democratic party. It is confidently anticipated that by autumn a completely new parliamentary situation will have been created in this way, and the one man who would enjoy the confidence of such a parliamentary combination would be Sgr. Nitti. For Nitti, the out-and-out opponent of the Versailles Treaty and uncompromising adherent of the Keynes theses, is clearly indicated as the political leader of the future. The premiership of Nitti would no doubt presuppose the "breaking through" of the French front by the armies of commonsense: but so far there is little to expect in this respect in the near future.

The recently inaugurated Conference at the Hague, at all events, is not shaping so as to make anyone expect from its progress anything in the nature of a surprise.

LEVIN L. SCHÜCKING.

CORRESPONDENCE.

THE PRIVY COUNCIL ON THE LAW OF ADOPTION.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR.—I am glad to note that by publishing an article on "the Hindu Widow's Power of Adoption" you have opened discussion on a topic which touches Hindu society so vitally. Your contributor discloses a careful and critical study of the Privy Council's decision in the adoption case of *Yadav v. Namdev*. Undoubtedly, this decision has made the lot of a Hindu widow in the Mahratta country and in Gujarat bearable and has in this way removed a great hardship. Still, from the purely legal point of view, it can scarcely be said that the lengthy discussion of the previous case-law was called for by the finding in fact and in law on the question of separation. Though their Lordships' remarks on this question, it might be said, are not *obiter dicta* but form part of the grounds on which the case was decided, one cannot say that the lengthy discussion, which does not touch Hindu Law as interpreted by *Smriti* writers, was strictly necessary for the result arrived at. When the question will again go up to the Privy Council, it will no doubt be contended that on the authority of 43 All. 228 P. C. (Lord Dunedin) that the Privy Council is not bound by the reasons given by it in a previous case, and I shall not be surprised if a stronger and different Board refuses to stand by its former decision. The infallibility of the Privy Council decisions is much shaken by the Privy Council itself when it overruled the *Balnab Raj* case (*per Lord Cave*). Under these circumstances, the uncertainty in which this part of the law of adoption stands at present, cannot be said to have been removed entirely. When it is remembered that *Ramji v. Ghaman* stood uncriticised for nearly half a century, the fact that this further deviation from Hindu Law, logical though it may be, should have disturbed the peace of the Hindu community in Western India, will not at all be surprising.—Yours, etc.

S. A. APTE.

Jamkhandi, July 7.

A CORRECTION.

WE regret that in "Sitabaldi's" article published in last week's issue, some typographical errors have crept in at page 271. The corrections are mentioned below:—

- (1) Col. 1, line 11: "the reduction is not allowed to stand." The word "not" should have been "now."
- (2) Col. 1, line 35: "and, if necessary, to prevent a supplementary demand." "Prevent" is, obviously, a mistake for "present."
- (3) Col. 2, line 27: "agriculture was out by Rs. 18,000." The figure should properly be "Rs. 1,80,000."

WIDOW MARRIAGES IN THE PUNJAB.

THE Secretary of the Vidhya Vivah Sahaik Sabha, Lahore, supplies the following information to us:—

Reports of 25 widow marriages have been received from the different branches and co-workers of the Vidhya Vivah Sahaik Sabha, Lahore (Punjab), during the month of June, 1922. The total number of widow marriages held in the current year, i. e. from 1st January, 1922, to the end of June reaches 165, as detailed below:—

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