

# THE Servant of India

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## TOPICS OF THE WEEK.

ITALY is aglow with the white heat of violence. Mussolini has declared war on all anti-Fascists. The drastic nature of the measures he has adopted "for public safety" beats all previous records. The revision and cancellation of passports, forced detention of those who want to leave the country, suppression *sine die* of all publications opposed to the Government, dissolution of all anti-Fascist organisations, the restoration of the death-penalty for attempts against the person of the members of the Royal Family or the chief of the Government—the list puts behind all Prussian types of autocracy. And what is worse, Mussolini seems to have also let loose the mad Fascist mob on all those who do not favour his course. Not even ex-Ministers and venerable philosophers like Benedetto Croce are immune from their fury. According to a French report a price is put on their head if Fascism is in any way threatened. Alas for Italy, the home of Mazzini, the apostle of freedom and the rights of man! The madness is now confined to the limits of Italy. But there is no knowing when the infatuation of violence will break the bound of the nation and draw the neighbouring peoples also into the seething cauldron. Italy is evidently rushing toward a precipice. The tragedy of it is that the fall will not leave the rest of Europe unaffected.

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WE confess we are unable to share the holy horror with which some of our contemporaries view the action of the Swaraj Party in setting up a Swarajist candidate against Lala Lajpat Rai for a seat in the Assembly. *New India*, for instance, warns that "any attempt to exclude men like Lalaji from the Legislature is indeed a serious act of disservice to the Nation", and with unconscious humour straightaway proceeds in the very next paragraph to lament that "the personal equation plays a large part in Indian politics" and that "one cannot discern the operation of a clear-cut issue". There is no reason why the constituency of Lalaji should be deprived of its right and opportunity to make its choice between the politics of Lalaji and those of the Swarajists. It is such contests that declare more emphatically than others the mind of the electorate on the pre-eminent issue before the country, which is whether the Refoms should be worked or not, and not whether Lalaji or Raizada Hansraj should be in the Assembly. There is another advantage to a constituency from a contest, viz., that the electorate gets a chance of being educated on the merits of the rival policies: which advantage need not be denied to Lalaji's constituency. Both on public and personal grounds we are sure Lalaji himself would far rather owe his seat in the Assembly to the express choice of his electorate than to the charity and indulgence or even the chivalry of his opponents in politics. Our own sympathies can be easily guessed. All the same, we fail to see how the conduct of the Swaraj Party can be held either wrong or undesirable or unchivalrous. On the other hand, it indicates a better political sense.

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DELHI is the only constituency for the Assembly which has a mixed electorate of Hindus and Muhammadans. The Hindu votes, however, outnumber the Muhammadan by 4,600 to 1,800. After the fashion of Bombay, where the presidency of the Corporation goes in regular rotation to members of different communities, Delhi sent a Muhammadan to the first Assembly and a Hindu to the second. It was, therefore, the turn for a Muhammadan this time. With the intensification of com-

munal distrust during the last few months, the majority community had a special responsibility to see that the minority community, which has, rightly or wrongly, become apprehensive of its political prospects, had no reasonable ground to entertain a feeling of insecurity. The Congress has generally been generous and even tender to the susceptibilities of the minorities. The Swaraj Party has displayed a due appreciation of the demands of the situation. It set up a Muhammadan as its candidate in Delhi. In the Madras Presidency it set up a number of Non-Brahmans from its ranks against the candidates of the rival Justice Party, who are all, of course, Non-Brahmans. The Independent Congress Party would have shown equal political wisdom if it had also chosen a Muhammadan candidate in Delhi. But either because it had no Muhammadan members, which is a reflection on its national character, or because it is but a Hindu party, pure and simple, it set up a Hindu candidate. The Hindu Independent Congressman has now defeated the Muhammadan Swarajist. Though disfavour of the Swarajist policy had something to do with the result, it cannot be denied that polling went more on communal lines. It is very regrettable. Even more regrettable is the fact that it gave occasion for the Muhammadans of Delhi to demand separate communal electorate for themselves, which is no real solution of the problem. If what Pandit Nehru publicly claimed is true that he had offered to Pandit Malaviya and Lala Lajpat Rai to withdraw the candidature of Mr. Asaf Ali in favour of any other Muhammadan of their choice, waiving the right of the Swaraj party to strike a blow on behalf of its own politics, the conduct of the Independent Congress party becomes inexcusable.

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WE are not surprised that the Malabar Tenancy Bill as passed by the Madras Legislative Council was vetoed by the Governor. It was a foregone conclusion when the Government and the promoters of the Bill were diametrically opposed on the vital features of the Bill. So long as both the Government and the kanamdars stand where they now do and refuse to budge an inch we see no prospect of any bill, Government or private, finding its way to the statute book under normal procedure, and we would deplore Government carrying their bill by certification. The kanamdars will gain nothing if a bill not to their liking is certified and put into operation. They would do well to negotiate for a compromise. And in any such compromise the interests of the cultivating tenant must have precedence. As it is, Government would grant him fair rents but not occupancy rights; the kanamdars would grant him occupancy rights but not fair rents, while landowners, let it be admitted to their credit, would give him both, and ask for no compensation. As for kanamdars, they want occupancy rights and fair rents but without having to pay compensation, while the Government and the landowners would refuse such rights or insist on compensation.

In these circumstances we venture to suggest the following principles to form the basis of a compromise. Occupancy rights and fair rents should be secured to all cultivating tenants who should pay two and a half times the present Government assessment on their holding as compensation to the landowners. The kanamdars should be given the right to purchase the ownership of their holdings on payment of compensation which

will vary in inverse ratio to the length of time the holdings were in continuous possession of their families. Thus a kanamdar who came into the possession of his land during the current year shall pay the present market value of the land; another who had it for ten years shall pay 90 per cent. of the current price, and so on, until we come to the kanamdar who had his land for a hundred years in his family and he will have to pay nothing. Of course from this price the kanam amount shall be deducted. In any event there ought to be no difficulty to strengthen the position of the cultivators if the compensation is agreed upon; and we believe they will be agreeable to it provided the matter is put to them. The present agitation is mostly in the hands of the non-cultivating tenants and is carried on in their interest. Is there no noble soul in Malabar who will espouse the cause of the illiterate ignorant, down-trodden and voiceless cultivating tenants?

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THE Government of India have framed, and with the consent of the Secretary of State promulgated, rules in regard to certain minor matters, following in respect thereto generally the recommendations of the Majority of the Muddiman Reforms Committee. The rules relate mostly to the moving of motions other than resolutions like those expressing no confidence in the ministry, condolence on the death of a member, &c. These become necessary because under the existing Rules of Business, every resolution has to be "in the form of a specific recommendation addressed to the Governor" or Governor-General in Council as the case may be, and there is no provision at present for formal or ceremonial motions which cannot be addressed as recommendations to the Governor or for censure motions. In providing for them now, however, the new rules impose certain restrictions which are peculiar to India and are not to be found elsewhere. In other countries resolutions are not necessarily recommendations to Government and are not distinguished from other motions. To take but one illustration, the rule about resolutions in the Irish Free State is as follows:—

- (1) Any question for decision by the Dáil shall be brought before it by the introduction of a simple Resolution or the introduction of a Bill.
- (2) The matters that may be dealt with by Resolution shall include Standing Orders, adjournments, suspension of Teachtaí (member), appointment of Committees, appointment or removal of the Ceann Comhairle (Speaker), questions of procedure generally, expressions of condolence, censure, thanks, and opinion, and any other matter which, by law, the Dáil may decide by simple Resolutions.

In India, however, the moving of motions dealing with these matters is under the new rules hedged round with certain limitations which appear to be without justification. Censure motions, for instance, can be moved only if they have the support of not less than one-third of the total number of members of the Council. One-third is much too large a proportion, which will only tend to loosen the hold of the Council over the Ministers. So far at any rate frivolous use has not been made of the power of turning out Ministers; rather the Council is over-indulgent to them. The restriction now enacted is therefore warranted neither by the

existing facts nor by the practice of other countries. In regard to formal motions we are not sure that the rules now published provide for them at all, but if they do so, they require for the moving of these motions the prior consent of the Government member concerned, for which we see no valid reason. The best way to supply the existing gaps in rules is to amend the rule requiring resolutions to be in the form of recommendations to Government. As to explanations by a Minister on leaving office, the rule newly made follows the British practice, which, in the words of Erskine May, is as follows:—"Explanation by a member in the circumstances which have caused his resignation of an office in the government is usually made immediately before the commencement of public business. Though debate must not arise upon the explanation, statements pertinent thereto on behalf of the government have been permitted." What however has been allowed to Government in England as a privilege is allowed under these rules in this country as a right, and the distinction becomes the more invidious under a system of dyarchy and will work unjustly on the Ministers, who will probably have a number of grievances against the Government.

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THE public is not generally aware that every week

Overland mail a special train, 'the Overland Mail,'  
running at loss. runs over the Great Indian and the  
East Indian railways from Bombay

to Calcutta and another from Calcutta to Bombay in connection with the incoming and outgoing P. & O. mail steamers, for the exclusive purpose of conveying the English mails and a few first class passengers of the tourist class and their servants. The *Times of India* in its issue of Friday last announces the construction (in replacement of the existing Overland Mail trains) of two magnificent trains, called "the Imperial Indian Mail" trains consisting of coaches of a super-luxurious type. The actual, or even the booked, cost of building these two trains is likely to be close upon Rs. 10 lakhs. The commercial working of railways is so often and so insistently paraded by official spokesmen that it is worth while examining the paying character of the two trains. Based on the total expenditure of Rs. 27 lakhs incurred on revenue account by the two railways during the year 1924-25, the cost per passenger train per mile works out to Rs. 3.75. At this rate the total cost of making 104 trips over a distance of 1347 miles comes to no less than Rs. 5,25,408. Let us make the charitable assumption that the Postal Department pays as much as half this amount, leaving a balance of only Rs. 2,62,704 to be covered by earnings from the tourist traffic. Now, it is hardly likely that the number of these secular pilgrims travelling by the trains in question to Calcutta and back to Bombay in one year exceeds 600. The proposed fare for the journey both ways which is only Rs. 25-8-0 more than the ordinary first class fare of Rs. 131-15-6 is Rs. 157-7-6  $\times$  2 = Rs. 314-15-0 and including a servant's fare Rs. 185-10-0  $\times$  2 = Rs. 371-4-0. This gives a total earning from the tourist traffic of only Rs. 2,22,750, entailing an out-of-pocket loss per year of no less than Rs. 39,954 to be made good from the pockets of the long-suffering third class passengers, of whom, by the way, 29 passengers when forced to travel in wagons on non-secular pilgrimage are held, according to a writer in the *Bombay Chronicle* of September 8, to be equal to 10 horses or 12 ponies for purposes of ascertaining the carrying capacity!

## ELECTIONS AND PARTIES.

ON the eve of the General Election it would perhaps not be amiss to attempt a definition of the different platforms for which the existing political parties are supposed to stand. The task is none too easy, for it remains true that, in spite of numerous party labels, the rival programmes which are actually put forward before the electorate, are not so sharply contrasted as one would expect. The parties which seem to stand at first sight in the uttermost opposition to each other are the Swarajist party and the Constitutional groups (the party of virginal non-co-operation lying outside the domain of all politics at the present time), but the differences even between these parties are not so wide-reaching now as before. For the Swaraj party has now definitively abandoned the policy of indiscriminate opposition, the only remnant of obstructionism, which it had formerly nailed to its mast, now being the non-acceptance of office, to which its members remain pledged. Adherence even to this one item in the obstructionist policy is conditional upon the Gauhati Congress, which holds its session in the inside of a month after the elections and even before the new Legislatures assemble and members take their seats therein, reaffirming the resolutions of last year's session. And Responsivist leaders at any rate are busily circulating the story that Swarajists themselves are anxious to lift the present embargo on the acceptance of office at Gauhati. If this happens, as is confidently expected in Responsivist circles, the Swaraj party's politics will be undistinguishable from those of its fellows. As it is, however, serious-minded politicians cannot ignore the fact that the official platform of the Swaraj party at present is that of "non-co-operation from within", no doubt watered down for the moment to a single item of obstruction, but designed, according to the professions of its protagonists, to expand itself into one of full-blooded obstruction, which itself is to be but a jumping-off place for inaugurating a mass civil disobedience campaign. However little practical divergence there may be therefore at present between the policies, that are actually in force, of Swarajists and Constitutionalists, in theory at any rate the divergence is still great and there is no help for Constitutionalists but to take the Swarajist programme as it appears on paper and concentrate their whole strength in combating it.

On the other hand the programme of all Constitutionalists (excepting the communalists who fall into a different category altogether) is substantially the same, though they are divided in ever so many groups, each group trying however to maintain its integrity and refusing to coalesce with others. The last group to come into this party of Constitutionalists and range itself against Swarajists is that of Responsive Co-operationists. Being at one time adherents of both orthodox non-co-operation in the form of abstention from Councils and heterodox non-co-operation in the form of obstruction from within

the Councils, they have now forsworn both forms of it and are at present most active in carrying on a campaign against opinions to which formerly they gave in their nominal adhesion. They will not now mind openly supporting measures of Government which they consider to be unexceptionable. As to opposition of bad measures of Government, it is of course common ground to all constitutional groups, but Responsivists are sometimes found to claim that they will go farther in opposing Government than any other group, through this claim yet awaits substantiation by means of practical demonstration. The claim is also made that Responsivists will be readier to bring about crises in Government and join in a movement of civil disobedience when time is ripe than Independents, Liberals, or National Home Rulers will ever be. This also is a claim which, while never lacking iteration, still lacks proof. The only evidence at present adducible is the fact that not many months ago they swore allegiance to the doctrines of obstruction and mass civil disobedience in their most extravagant forms. This fact is however evidence, in the case of some of their leaders at any rate, of their pliability rather than proneness to heroics. As to the rest and to the extent that the claim can be made good, it only betokens the political immaturity of this party in comparison to the others.

The Independent Congress party, recently started, is next of kin to the Responsivists inasmuch as both claim to be parties within the Congress, though their membership is not confined to Congress members. Independent Congressmen too are perhaps apt to be too free with the use of words like civil disobedience, but in their case also the words are no more likely to be translated into action than in the case of Responsivists. They do not maintain, as Responsivists sometimes do, that the policy of utilising the reforms as they are depends for its execution on some response forthcoming from the bureaucracy; on the contrary they recognise that reforms must be worked in the country's own interest, irrespectively of whether Government's policy in other respects is worthy of support or not, and that, if in working the reforms popular representatives support Government on particular occasions or even undertake responsibilities of office, they do so not because Government merits this action but because the interests of the country demand it. Only this party is more susceptible of a communal bias than any other party with which it can be compared, the communal bias being the result of the general atmosphere in the provinces where it is strongest. After the Independent Congressmen come the Independents: these are not within the Congress, being excluded from it by the creed of non-co-operation. Untrammelled by membership of the Congress, they do not deem it necessary to mouth sentiments favourable to civil disobedience or obstruction in crude forms though, in the rare cases in which these extreme measures

will be necessary and indeed can be justified, they, like the Liberals and National Home Rulers, will not be found behindhand in resorting to them. In fact, they do not differ from the Liberals in any important respect. Only the Liberals, true to their innermost convictions, took the field against non-co-operation the moment it started, facing the fiercest obloquy it has been the lot of any party to face in recent times. The Independents, holding identical convictions, showed themselves more earthly-wise in not putting themselves into opposition with the popular fever but in marking time. They have had their reward: they are somewhat less unpopular than the Liberals, though their reputation for the courage of their convictions is not proportionate to their popularity. The Independents are also noted for having all the time shirked the responsibility of party organization. They remained, and though some have recently joined the Indian National Party, most still remain, quite independent of one another. The Liberals are convinced Constitutionalists and have fought all forms of unconstitutionality for all they were worth, regardless of consequences. The National Home Rule Leaguers were entirely at one with them in this respect and these two parties have long been in the wilderness together. In fact the National Home Rule Leaguers cannot be distinguished from the Liberals in any particular so far as general policy is concerned. The communal parties like the Justice party in Maras and the Muslim parties in Bengal put their respective communities first and politics afterwards—by a long interval; that being so, it is idle to consider their politics here.

All the political parties mentioned above are differentiated from each other (in so far as they can be differentiated) by reason of the attitude they take to Government. The difference in policy is not related to the constructive programmes which they would evolve and endeavour to put into effect when in office or impose on Government when in opposition. Constitutionalism itself being in jeopardy at the hands of the Swarajists, the constitutional parties have not found it possible to put forward rival programmes and take the voters' verdict on it. That development will come when Swarajism is out of the way. In the meanwhile certain individuals, with but a shadowy mandate from their party, are espousing the cause of the tenants or the landlords, the labourers or the employers, the masses or the classes, but, speaking generally, these issues at the present moment are emphatically not before the electorate. The mandate of the country is sought on the main question: shall the present constitution, imperfect as it is, be used as a stepping-stone to full autonomy? That being the only issue before the electorates, we for our part are not disposed to make any nice distinction between one Constitutional group and another, but would like these groups to be preferred in the mass to Swarajists, feeling sure that when the danger to consti-

tutionalism has passed, these groups will soon split among themselves on the lines of the constructive policies that they would promote. This is a consummation devoutly to be wished, but before that arrives the voters must declare decisively against the Swarajists at the polls.

## FINES IN FACTORIES.

### II.

WE drew attention last week to the need for a comprehensive enquiry into the evils connected with the imposition of fines and other deductions from the wages of labourers in this country. We concluded our article regretting the impatience of the Government of India in hastening to express their agreement with the majority view of the British Truck Committee before receiving the reports they have called for. Without obtaining necessary particulars regarding the exact nature and extent of the abuses sought to be remedied we cannot go into the details of the proposed legislation. Nevertheless, a brief survey of the steps taken by other countries to minimise the evil will be helpful to us at this stage in understanding the general principles behind such legislation. There is no denying the fact that the imposition of restrictions such as those recommended by the majority of the British Truck Committee, on the practice of levying fines will mark a great advance on the prevailing conditions in the world of Indian industry. There is at present no legal check whatsoever on the powers of the management to penalise their workers. The latter are absolutely at the mercy of their masters with nothing left but the strike-weapon to put a stop to any intolerable demands on their slender purse. It will, therefore, be no small relief to the labourers if a reasonable maximum limit is fixed to the ratio which fines should bear to their wages. But in this there is a danger to be reckoned with, viz. that a maximum generally tends to become the standard and to that extent to defeat the intentions of the legislature. Further, in fixing the maximum for a country such as ours, we have also to take into consideration the comparative low scale of wages paid to our labourers. We find the minority of the British Truck Committee complaining even against the 5% limit recommended by the majority on the ground that it would still be a heavy charge on a low wage. We need hardly point out that the wages in India are considerably lower than in England and that a maximum which will work hardships on the English labourer will prove doubly so to his poor Indian brother. The British Committee, we note, unanimously recommends that fines should be totally abolished in the case of young persons of 16 and under in all employments. This is a salutary provision which mitigates, so far as it goes, the manifold evils of child labour. We hope it will find a sure place in our proposed legislation.

In respect of deductions for bad and negligent work, or injury to materials or other property of

the employer, the British Committee recommend the repeal of the provisions of the Truck Act of 1896 and leaving the matter to be regulated under the provisions suggested in regard to disciplinary fines and the ordinary common law rights of the parties. To understand the full significance of this recommendation the reader must know the provisions of the Act of 1896. Section 2 of that Act requires, "first, that there should be a contract for the deduction or payment; secondly, that the deduction or payment under the contract should not exceed the loss or damage to the employer occasioned by the act or omission of the workman; thirdly, that the deduction or payment should be fair and reasonable; and, fourthly, that there should be particulars in writing of the act or omission and of the amount of the deduction or payment given to the worker on each occasion of deduction or payment." After taking a large volume of evidence on the working of this section of the Act, the Committee, we note, pronounces it as having failed to protect the labourers. We warn the Government against blindly borrowing the provisions of the English Act which already stand condemned. The effect of the recommendation for repeal, as described by the Committee, is "that the employer should be allowed to deal with cases of careless or negligent work in the same way and under the same conditions as he will be allowed to deal with breaches of discipline. The deductions will cease to be a method by which the employer recoups the loss he has sustained through the worker's act or default and become rather of the nature of a fine."

The minority of the Committee representing British labour interests, which is for the total abolition of fines, naturally does not accept this suggestion to deal with deductions as a form of disciplinary fine. Its point of view is equally important for the labour legislator in India, and is as follows: "The recognition of bad work as a subject for discipline and the consequent inclusion of its penalties among fines, does not diminish or indeed touch the dangers of the system. Those dangers have been clearly established by the evidence, and are acknowledged in the Report. We do not labour them; but we point out that an employer may as unjustly attribute to the carelessness of the worker (often powerless to bring rebutting proof) a fault in fact due to some defect in his own plant or materials, and may as successfully penalise him under one system as under the other. The deduction for bad work becomes the disciplinary fine for carelessness; a worker, helpless in the one case, is helpless in the other. Where the fault is in fact one of carelessness, and its repetition is continued, stronger measures, in our opinion, would serve best the lasting interest of both worker and employer."

An ideal solution for the settlement of disputes concerning the justice or reasonableness of fines and deductions would no doubt be the establishment of Factory Committees or Workers'

Tribunals, representing both the employer and the employee to deal with the question. Such tribunals are to be found satisfactorily working in some of the continental countries of Europe, where labour is well-organised and trade unions are capable of safeguarding the workers' interests. From the reports so kindly furnished to us by the International Federation of Trade Unions, Amsterdam, we learn that labour in many European countries is able to look after itself, in spite of the absence in those countries of any truck legislation or defects therein. Thus, in France, some years ago fining was very common in the case of slowness, clumsy work, singing or talking and such other petty breaches of discipline. Various bills, we are told, were introduced to check the system, but none passed. Trade Union action, however, has resulted in reducing the incidence of fining. In Switzerland, we learn, the resistance of Trade Unions to disciplinary fines has resulted in

their being abolished in many factories. The Austrian report says that Factories Councils and National Trade Unions working through collective agreements can deal with the matter without further legislation. It would indeed be a happy solution of the problem in India if we can also set up similar bodies here to safeguard the workers' interests. But the pity of it is that in India labour is not so well-organised as in Europe. Trade Unionism here is still in its infancy. It will, therefore, be a long long time before we can safely leave our labourers to look after themselves. Further the evils of excessive and arbitrary fines prevail as much in the unorganised industries as in the organised ones. Hence legislation is indispensable. It is to be hoped that it will proceed on right lines, taking into consideration not only the experience of other countries but the peculiar conditions in this, and provide adequate protection for all classes of labourers.

## THE PUNJAB LAND ALIENATION ACT.

By P. KODANDA RAO.

### \*VI.—EXPROPRIATION OF THE AGRICULTURISTS

THE second result anticipated by the Government of India Note as a consequence of the imposition of restrictions on alienation of land was "to minimise the worst consequences of debt," the expropriation of the agriculturist from his land and his reduction from the independent position of peasant proprietor to that of tenant or landless labourer. The inevitable consequence of expropriation is the accumulation of large properties in the hands of fewer landlords. On this aspect of the matter Sir Charles Rivaz said during the debate on the bill: "I am not prepared to say whether the accumulation of large landed properties in the Punjab is, from a political point of view, desirable or not; but I do say most distinctly that it is no part of our scheme to encourage the growth of large properties at the expense of the small proprietor. I repeat that our main object is the preservation, not the extinction, of the small proprietor" (19th Oct. 1900). The critics of the Bill argued at the time that it would not prevent the expropriation of the small agriculturists or the growth of large estates at the expense of the small owners; only these agriculturists would be expropriated by another set of agriculturists, particularly the money-lenders among them. On this question Sir James Lyall had observed that "even transfers from one agriculturist to another agriculturist, so far as they are due to unsuitability of our law and civil court procedure to the conditions and circumstances of the poorer agriculturists, are a serious reproach to our system, and tend to make our Government unpopular" (Govt.

of India Note, p. 94). And Sir Charles Rivaz himself said in his speech introducing the Bill: "Moreover, since even *bona fide* agriculturist is not infrequently also a money-lender, we think it desirable to retain power to prevent such men from buying up land in a village where they would come in as outsiders and constitute a foreign element in the village community." Thus though a concession was made in the case of the agriculturist money-lender of the same village, the general object was to prevent the expropriation of the agriculturist even by another agriculturist.

No comprehensive enquiry seems to have been made to find out how far the Act has been successful in these respects. One has to guess from indirect evidence, and the conclusions are at best unsatisfactory and inconclusive.

One of the results of expropriation should be an increase of tenants, tenancies, and landless labourers. The Census Report, however, says that "the number of farm servants and field labourers has actually decreased from 1,192,000 in 1911 to 1,134,000 in 1921, and quotes Mr. H. Calvert's opinion that "the decline in labourers and the increase in the number of tenants indicate a tendency to rent the land rather than cultivate through hired labour" (p. 354). Perhaps the decrease is to some extent explained by the fact that the extension of irrigation by canals has brought more land under cultivation and many landless labourers were drafted on there as tenants. Perhaps the Great War and the influenza epidemic of 1918 might have to some extent contributed to this effect. Increase in tenancy is however widely admitted. This also is partly due to new land being brought under cultivation and the more prosperous owners-cultivators

\* Previous articles in this series appeared in the issue of October 21st and following weeks.

letting their lands on rent. In part it must be due to the expropriation of the owners by sales and mortgages, which are steadily on the increase, as under :

The following table gives average sales and mortgages by agriculturists in thousands of acres :

		Sales	Mortgages
4 years ending	1906	150	190
5 do do	1911	170	240
5 do do	1916	188	264
5 do do	1921	160	260
4 do do	1925	173	288

The causes of sale and mortgage are many, some prudential and others not. When the consideration money is reinvested for productive purposes, the status of the landowner remains unchanged, but if it went to repay an old loan or ancestral debt or was otherwise spent away, the owner was reduced, ultimately if not immediately, to the position of the tenant. We have already quoted Mr. Darling's estimate that the productive debt is less than 5 per cent. of the whole debt. Sardar Balwant Singh's interesting study of the Kot Kapura Utar Assessment Circle discloses that over 64 per cent. of the debt was on account of previous debt, and less than 10 per cent. on what may be called productive (p. 20). The Rev. E. D. Lucas in his "Economic Life of a Punjab Village" estimates that the debt due to family ceremonies, inherited debt and interest amount to over 67 per cent. of the total debt. (p. 101). Not that the rest is all productive either. Under these circumstances, in a large majority of cases sale of land can only mean that the seller has lost land for ever and has become a tenant. The same may be said of mortgages also. As Mr. Ram Lall Bhalla points out in his very exhaustive "Economic Survey of Bairampur," it is only the large landowner who has a surplus to sell that has profited by the high prices of agricultural produce, while the small owner, who has no surplus to sell but who is obliged to pay higher prices for his wants, which he does not produce, has suffered heavily on account of the high prices (p. 86). It is only the large landowners, therefore, that are able to redeem their mortgaged lands, lend money, take land on mortgage, and ultimately buy it up, while the poorer small owners must be losing ground.

It must be remembered that most of the transactions by way of sale or mortgage are now as between agriculturists to whom the Land Alienation Act does not apply. The agriculturist moneylender is unfettered by the Act and has besides a virtual monopoly of money-lending. Even as early as 1903 the Report on the Land Alienation Act noted that "one of the dangers foreseen in passing the Act, viz., the rich zamindar turning money-lender with the sole object of enriching himself has begun to appear" (para. 15) and that "the Jat zamindar money-lender was reported to be more exacting than the ordinary bania (paras. 15 and 29). Mr. Darling considers that the agricul-

turist money-lender "is, if anything, worse than his professional rival" (p. 228), that because the Land Alienation Act does not apply to him, "he is, therefore, in the stronger position of the two; and ultimately he is the more formidable, for his object is the land, and to obtain it he will press a client till he is compelled to sell" (p. 230). Mr. Darling quotes a zamindar who said to him that "if the Land Alienation Act has rescued the sheep from the wolf, it has only been to hand him over to the butcher" (p. 230). We have thus all the elements necessary to stimulate the expropriation of the poorer agriculturists: the needy and improvident landholder is there; his credit with the agriculturist money-lender is unimpaired, and the large holders, with surplus to sell, have profited by the high prices and have money to lend and are as anxious as the most land-grabbing professional money-lender to lend money and grab the land, and the Land Alienation Act gives no protection to the poorer agriculturist as against the more rich and powerful ones. Under these circumstances it would be very surprising if, contrary to the anticipations of Sir Charles Rivaz, the Act did not "encourage the growth of large properties at the expense of the small proprietor." As Mr. Calvert remarks, the repugnance of Muhammadans to invest money in interest-bearing securities is an additional force driving them into the purchase of land. The result of this is best seen in the Western Punjab, where the big landlords, according to Mr. Darling, have in the last twenty years, since the Land Alienation Act gave the chance, sometimes doubled their acres (p. 113). Mr. Ram Lall Bhalla in his "Survey of Bairampur" says of the Act that "it has failed to save and protect the poor and helpless zamindars; land is still passing out of the hands of the poor into those of the rich, the bigger fish have eaten and are eating up the smaller ones, though the period of their struggle for existence has been prolonged."

Mr. Calvert contests this view. In his most valuable book, "Wealth and Welfare of the Punjab", he says that the increase in sales—and the same applies to mortgages—does "not indicate that there is any tendency for agriculturists to part more freely with their land" (pp. 136-7), and gives some figures, of which more anon, to show that "these tribes are now actually regaining land" (p. 137). These two do not mean the same thing; it does not follow that because agriculturists are not parting with their land in favour of non-agriculturists, therefore they are not parting with land at all; they may be doing so quite freely in favour of other agriculturists. And we have seen that there is reason to believe that the process is going on unchecked by the Act. Mr. Calvert justifies his view that the agriculturists are regaining land by comparing the acreage sold by them with that sold to them; by adding up the area redeemed by and mortgaged to agricultural tribes and comparing it with the mortgages by them, and attributes the result to the Land Alienation Act.

In support of his contention he gives the figures of sales and mortgages which, as brought up to date, are extracted below:—

Average sales by and to agriculturists in thousands of acres and the gain or loss

Average for	Sale by	Sale to	Balance
4 years ending 1906	150	149	— 1
5 do 1911	170	178	+ 8
5 do 1916	188	217	+ 29
5 do 1921	160	185	+ 25
4 do 1925	173	186	+ 13

Average redemptions and mortgages in thousands of acres.

Average for	Redemptions by	Mortgages to	by
4 years ending 1906	178	162	190
5 do 1911	296	219	240
5 do 1916	270	238	264
5 do 1921	280	239	260
4 do 1925	222	266	288

Assuming for the moment the correctness of this method of calculation, these figures certainly justify Mr. Calvert's view that the agricultural tribes as a whole are gaining at the expense of the non-agricultural tribes. It is noteworthy however that during the last four years there has been a remarkable change in the tendency. While the sales to agriculturists during the period have remained practically the same as in the previous period, the sales by agriculturists have gone up, thereby reducing the balance in favour of them. Similarly, in the matter of mortgages, the redemptions, which have always exceeded either of the other two transactions, have now fallen below either of them. Apparently there are other causes than the Land Alienation Act controlling the fluctuations.

It is, however, difficult to understand why, in taking together redemptions and mortgages, Mr. Calvert takes into account only the area redeemed by the agricultural tribes but omits the area redeemed from them. If redemptions by agriculturists are adding to the land under their control, redemptions from them are reducing it. If, therefore, Mr. Calvert adds the redemptions by agriculturists to mortgages to them, he must also add redemptions from them to mortgages by them. Statement XXVII of the Land Revenue Report gives redemptions by agriculturists from 1902 to date, but it does not give redemptions from them. The latter are given in Statement XXV, but they are only for the year under report. However taking the figures for mortgages and redemptions for thousands of acres from the Reports for the years 1921 to 1925 which are at hand we have the following:—

Year	Mortgages		Redemptions		Loss.
	by	to	by	from	
1921	311	289	382	423	63
1922	288	268	272	307	55
1923	287	269	224	257	51
1924	281	257	196	222	50
1925	297	269	199	226	55

It will be noticed from these figures that mortgages by agriculturists have been more than mortgages to them, while redemptions by them have been less than those from them, with the result that, far from gaining, agriculturists are losing over 50 thousand acres annually by mortgage and redemption, in spite of Mr. Calvert's opinion to the contrary. ("Wealth and Welfare," p. 137.)

These considerations tend to the conclusion that the Act has not checked the expropriation of the agriculturists, though it limited it in favour of other agriculturists; and that it has even stimulated the growth of large properties at the expense of the smaller.

## REACTIONARY BARODA.

### IV.—LOCAL SELF-GOVERNMENT.

FROM this we pass on to the subject of local self-government. Baroda has got (1) Village Panchayats, (2) Town Panchayats, (3) Municipalities, (4) Taluk Boards, and (5) District Boards. There were 2104 Village Panchayats in 1924-25 and they may safely be declared to be useless and quite inefficient. A few exceptional Panchayats may be working tolerably well, but that does not mean success of the institution. The villages are generally torn into factions, and either bullies or cunning men manage to get in by election. The votes are alleged to be obtained not on the basis of merit but through undue pressure, threats or coercion of the poor villagers and untouchables. The threats to burn crops or huts or to give a sound beating, etc., are said to be some familiar devices. Many powers have been delegated to these Boards but the villagers who formerly had to satisfy only the Headman or Accountant by illegal gratification for a building permission have now in many cases to pay all the Panchas and so they are mulcted more. Personal animosities have full play and the factious spirit has ruined the villages. The very laudable object of the Maharaja in reviving the Village Panchayats on an elective basis has thus been frustrated. The spirit of service must replace the spirit of profit and personal gain and ambition before any success can be expected. As Mr. B. M. Malabari used to say, "want of character is the bane of our public life and unless it is built up in the villages no good will come out of such artificially created Village Boards. The Town Panchayats are working better and showing tolerably good results, but as the elective element is not more than half the local officials have everything their own way, and when a Town Panchayat tries to be more independent the local officer seriously proposes its suspension or abolition or the dismissal of his opponents as in the case of the Vijapur Town Panchayat very recently, where the Sar-Suba had to disallow such a proposal of the Vahivatdar. Now the State has allowed 2/3rds elected members in the Town Panchayats. There are 33 such Panchayats with a total income of Rs. 2,96,979.

### MUNICIPALITIES.

There are 11 Municipalities in the State, the most pre-eminent among them being the Baroda City Corporation. The Government has been good enough to confer the right of elected presidents on the Amreli and Navsari Municipalities temporarily, while they have resolutely refused the right to



the Baroda City where a more educated electorate and members are available. This strange phenomenon of refusing the right of elected president to the premier Municipality of the State is explained by the fact that it alone has been allowed  $\frac{2}{3}$ ds elected members while the rest of the Municipalities have only half the number of members who are elected. As there is no popular majority in other Municipalities the Government can manage to get elected a president of their choice from the members, while in Baroda a two-thirds majority can upset all the calculations of the State and elect a President not to its liking. The constitution of the District Municipalities of the State with only  $\frac{1}{2}$  elected members will be news to many people who may be thinking that progressive Baroda must be ahead of British India in this respect. Another anomaly in Baroda is that of a President-Municipal Commissioner, who is a State servant of the Assistant Collector's or Collector's grade, forced upon the Municipality, paid by it, and while he is the head of the Municipal executive he is also the President of the Municipal Corporation which is the body expected to control him. He is both a master and servant of the Municipality by this combination of conflicting functions in one person and in the result the Corporation exists only in name with very little power.

Apart from the principles of taxation, political expediency requires that no tax or cess should be levied in a form which raises a storm of opposition, and when the popular imagination unanimously opposes a tax like the house-cess, it is not good policy for Government to enforce its will on the Municipality and impose a Municipal cess against the wishes of the Municipal Corporation and the people. The very autonomy of the Corporation is thus destroyed and as the Municipal cess sanctioned by Government by *vis major* is levied without going through any of the forms of the District Municipal Act as to inviting objections, etc., it is a highly unconstitutional act which is destructive of the very principles of local self-government. But this is what has happened in Baroda and it led to a constitutional agitation for the repeal of cesses so levied, but the Baroda Government has turned a deaf ear to the people's protest. Baroda with a population of 91,000 souls is paying more than 7 lacs of rupees in municipal taxation, with its trade destroyed by the terminal tax and rents of shops and houses raised by the new house-cess. The State makes a grant of Rs. 1,50,000, which is not included in the above amount. For this the State gets exemption from octroi on the products of local mills and its imports of machinery etc., which causes a loss of Rs. 90,000, according to an official report of the Municipal Taxation Committee; it also gets exemption from octroi on all goods required for State or Palace purposes, and as the Railway Department and Palace are giving big orders, the loss of octroi revenue to the Municipality must be considerable. As the house-cess is not levied on the Palaces and State Buildings, and as Baroda is chiefly made up of such buildings, the municipal loss on this account must be not less than Rs. 60,000 per year.

The City has roads 80 to 100 feet wide with very little traffic; and the Municipal limits are extended two to three miles all round beyond the City proper to suit the convenience of the Palace and the exigencies of its being the Capital. The Municipality is burdened with the responsibility for the conservancy, watering and lighting of nearly 132 miles of roads. When His Highness is here the Municipality has to spend much on

roads which are more useful to the Palace than to the public. The present condition of Baroda roads is such that if people want to take walks and breathe fresh air, they will instead get volumes of dust raised by passing motors, transport busses, carriages, cavalry etc., into their lungs and get ill. The state of the roads is at present disgraceful, as there is no watering or proper repair. The Municipal Commissioner is invested with most of the powers of the Municipality leaving very little to the Corporation. The Baroda Municipalities Act together with its Chapter on the City Corporation requires to be brought into line with the law in British India if local self-government is really to advance. Full autonomy should be guaranteed with a fully elected House, and no nominated members should have a place in the Municipality except a few ex-officio members with expert knowledge. The president should be elective and the Municipal Commissioner or Chief Officer should be a mere servant owing his appointment to the Corporation alone, and his powers should be much more limited than at present.

#### LOCAL BOARDS.

The Baroda Taluka Local Boards and District Local Boards are quite antiquated affairs and as they are generally dominated by local officials, by their very constitution they cannot freely exercise even the restricted powers they possess. The Local Boards Act should therefore be revised and brought into line with the Local Boards law in force in British India at present and the bodies must be made more democratic with elected presidents throughout, and their sphere of work must be very much enlarged. As Baroda State gets more than Rs. 11 per head of population in taxation and as the ryot has to pay another Rs. 3-4 per head in Imperial taxation on account of imperial customs, railways, salt, posts, telegraphs, mint, etc., there is very little margin for local taxation as compared with the Bombay Presidency, and so the State ought to assign certain good heads of revenue to the local self-governing bodies as sources of income for the development of their work. The last Local Self-Government Conference in Bombay Presidency requested the Government to assign land revenue to these bodies, and I think the demand was quite reasonable and proper, which Baroda ought to grant. Sir Manubhai cannot point out any appreciable progress in local self-government during his *régime*; on the contrary his treatment of the Baroda Municipality and the high-handed manner in which municipal cesses have been increased or new cesses imposed by his Government in contravention of the Municipal Act shows the reactionary tendency of his policy. "Autocracy" is the one word that best describes the reaction that reigns supreme in Baroda in all departments.

J. B.

#### REVIEWS.

HOW A CAPITALIST LOOKS AT LABOUR.  
IF I WERE A LABOUR LEADER. By ERNEST J.  
P. BENN. (ERNEST BENN, Ltd., London.) 1923.  
8½ × 5½. pp. 150. 3s. 6d.

THIS is an attractive, challenging and rather intriguing book. It has the novelty of being written by one who is avowedly on the side of the capitalistic régime. Sir Ernest Benn is a wealthy baronet who generally votes Liberal when, as he himself says, "there is a Liberal to vote for", and who

rather prides himself on being a brainy, broad-minded, humanitarian economist and capitalist, as both this book and a previous one "The Confession of a Capitalist" clearly show. "If I were a Labour Leader" has that about it which arrests and retains the attention from start to finish of its 150 well-printed bold-typed pages, even though the ideas, fearlessly set forth, are not always as palatable or as satisfying as some would desire. Indeed, some of the ideas are, from a labour point of view, erroneous and even dangerous. This is but natural, for the writer, although he assumes the temporary guise and rôle of a labour leader, and as such analyses with a refreshing candour what he considers to be the weaknesses, dangers, opportunities and responsibilities of labour, is by birth, choice and conviction a confirmed believer in the system known as "Capitalism" which he himself affirms "is the only system that will provide the people with the means to be civilised". He is out unblushingly to "perfect that system, to remove its blemishes, to make it more efficient and not to talk nonsense about abolishing it". He does this pretty thoroughly, particularly in the chapters headed, "The General Strike," "How the strike came," "Our attitude to employers", "A fair deal all round" "Our development work," and "A new start".

The whole of his thesis is an attempt to show how Labour, once it can be freed from the incubus of socialism, communism and politics, and organised on a purely industrial basis *a la* the Whitley Report and with Joint Standing Industrial Councils composed of an equal number of representatives of employers' associations and Trade Unions for each industry, how Labour can be got to work harmoniously with Capital, to the great advantage of both, and of the consumer generally. If these facts are kept in mind the book will prove useful, especially to employers, inasmuch as it goes considerably further in some respects than many employers are yet prepared to go, or even to think of going.

Much of what the author says about the need there is for increasing production, "delivering the goods" to the greater satisfaction of the consumer, thus increasing demand, the destruction of class consciousness and the necessity for securing complete political and social equality, will commend itself to most Trade Unionists. They will also be in agreement with his declared policy, as a Labour leader, to "increase wages and shorten hours", "to establish in every Trade Union a research department to discover how to secure maximum wages out of maximum output", his recognition of "the right to strike against the grasping employer who is not fair to labour" and his desire to eliminate from the approach to the problem all malice, envy and hatred.

According to Sir Ernest Benn, if we could only succeed in speeding up production and giving a better service, we should have advanced a long way towards the solution of the economic problem. On page 89 he says: "If we could all get back to the rate of output that was our standard before the War, we could retain our present money wages and enjoy the advantage of very much lower prices than exist to-day". To emphasise this he assumes that a certain chair costs £3, the cost being made up of material, £1, overhead charges—rent, rates taxes, carriage, machinery, selling costs and profit—, £1, and labour, going slow and with a restricted output, £1. Then, as a matter of illustration, he asks us to double that output, which then gives cost of material £2, overhead charges, £1, and labour, £1, or two chairs for £4 instead of, as

before, one chair for £3. "It is a solid fact", he argues, "that the market for chairs at £2 is five times as large as the market for chairs at £3".

A little further on, as a contrast to the above, he does another interesting little calculation. He goes back in imagination to the bad old days when the worker worked 54 hours a week at 6d. an hour and presumes a production, in this case, of one article per hour, the labour cost of which of course is 6d. per article. As a result, possibly of some labour agitation, the workers' hours are then reduced to 44. This, assuming that he draws the same pay and works at the same rate, raises the labour cost per article to 7½d. The next process in his table is brought about by the War which has the effect of doubling the workers' wages, with the result that the labour cost of each article now works out at 1s. 3d. Then comes in the "ca 'canny" policy which considerably reduces output so that the worker now produces only thirty articles a week. The net result now is that though the wages have doubled, the articles produced per week have dropped from 54 to 30 and the labour cost for each article has gone up from 6d. to 1s. 9½d.

On the surface these figures are no doubt striking but one would like to know, in the case of the chair illustration for instance, what percentage of overhead charges goes to "profits" and big salaries and how these are affected by the doubling of output. Further, there would, one imagines, be little complaint among workers if one-third of the total cost went to labour. In the textile industry it is, I believe, somewhere round about 12% of the whole; while the profits made out of the jute industry in Bengal are stated to be *eight times* that of the wages bill. However it must be remembered that the author proposes, as the result of increased production, to raise wages, shorten hours, reduce unemployment and prices.

With respect to some of the more fundamental theories and convictions of Sir Ernest Benn he is certainly under a great delusion if he imagines for one moment that the working classes, much less the foremost thinkers, seers and youthful intelligentsia of the world are with him. They are not. Take as an example the idea he gives expression to on page 19, at least so far as it concerns men of vision. There he says: "The nineteenth century was occupied by us in teaching the world how to do things, in founding modern trade and commerce, and in lifting the complete human race from a condition bordering upon barbarism to the condition represented by modern civilization. This view seems to me to colour so much the whole of the author's outlook regarding industrialism and civilization, that I should like, for purposes of comparison at least, to match it with the views of three gentlemen of international repute. Speaking in Japan to Japanese students on the occasion of his visit to that country Sir Rabindranath Tagore, referring to Western commercialism and how it had invaded and affected Japan adversely said: "This commercialism with its barbarity of ugly decorations is a terrible menace to all humanity, because it is setting up the idea of power over perfection. It is making the cult of self-seeking exult in its naked shamelessness. Its movements are violent, its noise is discordantly loud. It is carrying its own damnation because it is trampling into distortion this humanity upon which it stands. It is strenuously turning out money at the cost of happiness."

Mr. Gandhi gave utterance to the same idea in different words the other day in "Young India"

"To make India like England and America is to find some other races and places of the earth for exploitation... India's destiny lies not along the bloody way of the west of which she shows signs of tiredness, but along the bloodless way of peace that comes from a simple and godly life".

The Archbishop of York in one of his recent sermons pronounced the following significant Christian verdict on the subject: "It (western civilization) was admirably contrived for the production of wealth and power. It created and satisfied a thousand new demands of comfort and convenience... But its motives governing individuals and classes and states were non-Christian self-interest, competition, the struggle of rival forces. Now these motives have overreached themselves. They are breaking the fabric which they have built."

With the idea that western civilization, based as it is on profit making, is in any way unsound or diseased the author will have nothing to do. Like labour he has a firm belief that there is wealth for all if we would only go the right way about it. His way is indicated on page 103. "Here is a rich man. He has some brains, but not too many. He is on the whole a very ordinary creature: there are many more just as good, but he is rich. Let us imitate him. Let us teach the people to do as he does; let us adopt his methods and all become rich like him." This is, he assures us, the attitude of America which he instances as the country that is showing the world how to do things.

According to Sir Ernest Benn the chief cause of the present unrest in labour circles and in particular the recent General Strike, which he describes as "useless and futile," "illegal and revolutionary" is the teachings of the socialists and communists which he dubs a "snare and a delusion." He does not sufficiently distinguish between the socialism of the Evolutionary type that dominates the British Labour Party and the socialism of the Revolutionary class that dominates the Communist party and that emanates from Moscow. Both must go. For are not both seeking to encompass, by different methods, the destruction of the capitalist system, the very system that he is out to work for all it is worth? "Socialism," he says, "has been tried to greater or lesser degree in every country in the world, and we now know from practical experience that the standard of living is lowest where there is most socialism, and highest where there is least." How he squares such a statement with a country like India in which there is infinitely more capitalism than socialism, and where the standard of living is perhaps the lowest in the world, or with Belgium which is very socialistic but where unemployment is less than in America or with Australia where no one is allowed to work, according to law, more than eight hours a day, is a little problem which the reader must be left to puzzle out for himself. Further, when one remembers that the British Labour Party consists very largely of right wing socialists, that practically every Trade Union and socialist society in Great Britain, excepting the communist party, is affiliated to it, that the party is His Majesty's Opposition with a fair chance, at the next Election, of being His Majesty's Government, when one remembers these things, is it not rather late in the day for a would-be labour leader to talk of socialism as "a fraud and a sham which can only ruin the genuine labour movement"?

If however Sir Ernest's little book succeeds in making Labour and Capital understand their

problem and each other a little better—and we venture to think it will—a useful purpose will have been served. This is a very vital and growing problem and the more light that can be focussed upon it and the more we can get together over it the better. The ignorance of the British capitalist profit-maker as to the strength of the case that can be made out against the continuance of his exploitations, as well as the blind resentment which drives the harassed and under-paid worker to seek a remedy in direct action and sometimes even in violence are both very serious dangers to society. Anything that tends to lessen these dangers must be welcomed.

ERNEST KIRK.

### A MANUAL OF CONSTITUTIONS.

THE CHIEF CONSTITUTIONS OF EUROPE AND THE BRITISH COMMONWEALTH.  
By N. R. SUBBA AIYER. (M. Ramanathan, Kumbakonam.) 1926. 7¼ × 4½. pp. 139. Rs. 2.

THE need of a text-book dealing with the chief constitutions of modern Europe has long been felt by students of politics. Mr. N. R. Subba Aiyer, M.A., L.T., of the Kumbakonam College supplies the long felt need by publishing this work, to which a foreword has been written by the Rt. Hon. V. S. Srinivasa Sastri. In his introductory chapter the author begins with a definition of the constitution of a State and proceeds to point out the unsuitability of the Aristotelian classification to modern constitutions. He then points out how the modern constitutions can be classified according as they are unitary or federal, rigid and flexible, written or unwritten, and parliamentary or unparliamentary.

Taking the unitary constitutions first, the author mentions the characteristics of a unitary constitution. The English government, being the best type of a unitary constitution, demands the author's attention first. The history of the Crown, its present legal and actual powers, the formation and powers of the ministry, the composition and functions of the Houses of Parliament, the Judiciary and its relationship with the Executive and the Legislature, and Party Government—these are the most important features that have been touched upon by the author in his chapters on the English Constitution.

The next unitary constitution that is dealt with in the book is that of France. After giving a brief account of the origin of the Republican Constitution, the author proceeds to describe the various organs of state such as the President, the Ministry, the Legislature and the Judiciary. The account of the Italian constitution, which comes next, has been brought up to date as shown by the references of the author to the Electoral Law of November, 1923 (vide p. 69), the Royal Edict of March, 1923 (p. 71) and the Fascist Government Bill of November 30, 1925 (p. 67).

In treating of the Federal Constitutions, the author gives the place of honour to Switzerland. The author points out the excellence of the Swiss Government, but one misses the real reasons for its excellence, namely, the smallness of the territory and the consequent absence of complex economic problems. It is strange that the author should have ignored the deliberate judgment of that profound student of comparative politics, Lord Bryce, who said that "the social nature of man functions best in small communities".

The German constitution before 1918 and the Weimar constitution are next treated in the book. The interesting features of the Republican constitution—the fundamental rights and duties of the citizens and the National Economic Council—have not received adequate attention they are given only a passing mention. One would have wished that the author had devoted some pages to them.

Part III of the book consists of sketches of the component units of the British Empire. The chief fields of Imperial control, namely, foreign affairs, defence, and constitutional change, and the problem of imperial co-operation are dealt with in the concluding chapters of the volume.

With these few words, we part from the general summary of the book. We are unable to understand why the Russian Soviet government has been left out in a book entitled "The Chief Constitutions of Europe." Russia is one of the chief countries of Europe and apart from its size, the novelty of its constitution should have influenced the author to treat it in the pages of his book.

The author has given a bibliography at the end of the volume, but one misses therein such standard modern works as Brunet's 'German Constitution' and Malbone Graham's 'New Governments of Central Europe.' It is therefore our opinion that the author has not chosen to bring his bibliography up to date.

In spite of a few shortcomings the book will be found useful by students of politics. Though the description of the constitutions is very brief, the author has taken pains to point out almost all the important features of the constitutions. The style is eminently readable and the subject matter has been analytically treated. We therefore believe that the book will be found useful by students of politics and by all those who wish to have an idea of the chief constitutions of modern Europe.

M. V. SUBRAHMANYAM.

### MISCELLANEOUS.

#### MINIMUM RIGHTS FOR PRISONERS.

*We are indebted for the following suggested draft to The Friend of October 8th, which publishes a valuable article by Gertrude Eaton, Vice-Chairman of the Howard League for Penal Reform, who is attempting to get the League of Nations to take up the question of a charter of Minimum Rights for Prisoners in all civilised countries.*

1. Every prisoner should be entitled :

(1) To a public trial within six months of arrest.

(2) To be defended by a lawyer if he so desires. If necessary this should be at the public expense in all cases where the penalty is death or prolonged imprisonment. The accused should have the right to private interviews with his lawyer before the trial, and to call witnesses for the defence.

2. Prisons should have good light and ventilation, and be kept in a sanitary state.

Prisoners should be given food sufficient for health, and an ample supply of water both for drinking and washing. Prisoners should be classi-

fied as far as possible. Children and young persons should be kept altogether apart from older criminals.

Women prisoners should be attended by women-warders and not by men.

3. Every prisoner should be allowed a visit from a relation or friend at least twice a year.

Representatives of authorised societies working solely for the welfare of prisoners should be allowed to visit every prisoner in custody.

4. All forms of Torture should be forbidden. No corporal punishment of a severity liable to result in permanent injury should be allowed. If corporal punishment is permitted by the law of the country, it should not be inflicted at the discretion of the police or prison officials nor upon unconvicted prisoners, but only upon prisoners after conviction and sentence by legal tribunal.

5. No child or young person should suffer the death penalty nor should they be liable to imprisonment for a purely political offence not involving acts in their nature criminal.

6. (a) Prisoners awaiting trial for political offences should be treated not less favourably than those awaiting trial on ordinary criminal charges.

(b) Adults undergoing a sentence of imprisonment for political offences should be treated not less favourably than criminal prisoners in the most leniently treated category. When the political offence has involved acts in themselves of a criminal nature, the punishment should be that prescribed for such criminal offence.

7. The names of all prisoners sentenced to death, with particulars of the offence for which, and the tribunal by which, the sentence has been passed, should be officially published before the sentence is carried out. Before the death sentence is carried out, the condemned person should be allowed to see relations and friends. The fact that the sentence has been carried out, with the date, should also be officially published immediately.

## Government Soap Factory, Bangalore.

### Manufacturers of High Class Toilet and Household Soaps.

*Revised Prices from October 1st, 1926.*

Toilet Soap—Sandal, Jasmine, Gulab and New Lavender Rs. 3-8-0 per dozen tablets.

Household Soaps—8 oz. bars (twin tablets) Rs. 28/- per gross; 7 oz. (four tablets) Rs. 26/- per gross; 4 oz. (four tablets) Rs. 16/- per gross, or Rs. 31/- per case of two gross.

Fine Carbolic Soaps—4 oz. tablets Rs. 2-4-0 per dozen tablets.

The prices are *nett* and *ex-Factory*. An advance of 25 per cent. of the order is necessary. The balance will be recovered by V. P. P. or through a Bank.

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