

Dhananjayrao Gadgil Library



GIPE-PUNE-018821

DIRECT LEGISLATION

BY

THE CITIZENSHIP

THROUGH

THE INITIATIVE AND REFERENDUM

BY

J. W. SULLIVAN

CONTENTS.

AS TO THIS BOOK	- - - - -	i.
THE INITIATIVE AND REFERENDUM IN SWITZERLAND	- - - - -	5
THE PUBLIC STEWARDSHIP OF SWITZERLAND	- - - - -	25
THE COMMON WEALTH OF SWITZERLAND	- - - - -	47
DIRECT LEGISLATION IN THE UNITED STATES	- - - - -	72
THE WAY OPEN TO PEACEFUL REVOLUTION	- - - - -	95

[*Copyright, 1892, by J. W. Sullivan.*]

NEW YORK
TRUE NATIONALIST PUBLISHING COMPANY
1893

Rare

W, 3: 20K5

C3

18821

AS TO THIS BOOK.

This is the second in a series of sociological works, each a small volume, I have in course of publication. The first, "A Concept of Political Justice," gave in outline the major positions which seem to me logically to accord in practical life with the political principle of equal freedom. In the present work, certain of the positions taken in the first are amplified. In each of the volumes to come, which will be issued as I find time to complete them, similar amplification in the case of other positions will be made. Naturally, the order of publication of the proposed works may be influenced by the general trend in the discussion of public questions.

The small-book plan I have adopted for several reasons. One is, that the writer who embodies his thought on any large subject in a single weighty volume commonly finds difficulty in selling the work or having it read; the price alone restricts its market, and the volume, by its very size, usually repels the ordinary reader. Another, that the radical world, which I especially address, is nowadays assailed with so much printed matter that in it big books have slight show of favor. Another, that the reader of any volume in the series subsequent to the first may on reference to the first ascertain the train of connection and entire scope of the thought I would present. And, finally, that such persons as have been won to the support of the principles taught may interest themselves, and perhaps others, in spreading knowledge of these principles, as developed in the successive works.

On the last-mentioned point, a word. Having during the past decade closely observed, and in some measure shared in, the discussion of advanced sociological thought, I maintain with confidence the principles of equal freedom, not only in their essential truth, but in the leading applications I have made of them. At least, I

may trust that, thus far in either work, in coming to my more important conclusions, I have not fallen into error through blind devotion to an "ism" nor halted at faulty judgment because of limited investigation. I therefore hope to have others join with me, some to work quite in the lines I follow, and some to move at least in the direction of those lines. ■

The present volume I have prepared with care. My attention being attracted about eight years ago to the direct legislation of Switzerland, I then set about collecting what notes in regard to that institution I could glean from periodicals and other publications. But at that time very little of value had been printed in English. Later, as exchange editor of a social reform weekly journal, I gathered such facts bearing on the subject as were passing about in the American newspaper world, and through the magazine indexes for the past twenty years I gained access to whatever pertaining to Switzerland had gone on record in the monthlies and quarterlies; while at the three larger libraries of New York—the Astor, the Mercantile, and the Columbia College—I found the principal descriptive and historical works on Switzerland. But from all these sources only a slender stock of information with regard to the influence of the Initiative and Referendum on the later political and economic development of Switzerland was to be obtained. So, when, three years ago, with inquiry on this point in mind, I spent some months in Switzerland, about all I had at first on which to base investigations was a collection of commonplace or beclouded fact from the newspapers, a few statistics and opinions from an English magazine or two, and some excerpts from volumes by De Laveleye and Freeman which contained chapters treating of Swiss institutions. Soon after, as a result of my observations in the country, I contributed, under the caption "Republican Switzerland," a series of articles to the New York "Times" on the Swiss government of today, and, last April, an essay to the "Chautauquan" magazine on "The Referendum in Switzerland." On the forms outlined in these articles I have constructed the first three chapters of the present work. The data, however, excepting in a few cases, are corrected

to 1892, and in many respects besides I have profited by the labors of other men in the same field.

The past two years and a half has seen much writing on Swiss institutions. Political investigators are awakening to the fact that in politics and economics the Swiss are doing what has never before been done in the world. In neighborhood, region, and nation, the entire citizenship in each case concerned is in details operating the government. In certain cantons it is done in every detail. Doing this, the Swiss are moving rapidly in practically grappling with social problems that elsewhere are hardly more than speculative topics with scholars and theorists. In other countries, consequently, interested lookers-on, having from different points of view taken notes of democratic Switzerland, are, through newspaper, magazine, and book, describing its unprecedented progress and suggesting to their own countrymen what in Swiss governmental experience may be found of value at home. Of the more solid writing of this character, four books may especially be recommended. I mention them in the order of their publication.

"The Swiss Confederation." By Sir Francis Ottiwell Adams and C. D. Cunningham. (London: Macmillan & Co.; 1889; 289 pages; \$1.75.) Sir Francis Ottiwell Adams was for some years British Minister at Berne.

"The Federal Government of Switzerland. An Essay on the Constitution." By Bernard Moses, Ph. D., professor of history and political economy, University of California. (Pacific Press Publishing Company: Oakland, Cal.; 1889; 256 pages; \$1.25.) This work is largely a comparative study of constitutions. It is meant chiefly for the use of students of law and of legal history. It abounds, however, in facts as to Switzerland which up to the time of its publication were quite inaccessible to American readers.

"State and Federal Government of Switzerland." By John Martin Vincent, Ph. D., librarian and instructor in the department of history and politics, Johns Hopkins University. (Baltimore: Johns Hopkins Press; 1891; 247 pages; \$1.50.) Professor Vincent had access, at the university, to the considerable collection of books and

papers relating to Switzerland made by Professor J. C. Bluntschli, an eminent Swiss historian who died in 1881, and also to a large number of government publications presented by the Swiss Federal Council to the university library.

"The Swiss Republic." By Boyd Winchester, late United States Minister at Berne. (Philadelphia · J. B. Lippincott & Co.; 1891; 487 pages; \$1.50.) Mr. Winchester was stationed four years at Berne, and hence had better opportunity than Professor Vincent or Professor Moses for obtaining a thorough acquaintance with Switzerland. Much of his book is taken up with descriptive writing, all good.

Were I asked which of these four works affords the fullest information as to new Switzerland and new Swiss political methods, I should be obliged to refer the inquirer to his own needs. Professor Moses's is best for one applying himself to law and constitutional history. Professor Vincent's is richest in systematized details and statistics, especially such as relate to the Referendum and taxation; and in it also is a bibliography of Swiss politics and history. For the general reader, desiring description of the country, stirring democratic sentiment, and an all-round view of the great little republic, Mr. Winchester's is preferable.

In expanding and rearranging my "Times" and "Chautauquan" articles, I have, to some extent, used these books.

Throughout this work, wherever possible, conservatives, rather than myself, have been made to speak; hence quotations are frequent. The first draft of the chapters on Switzerland have been read by Swiss radicals of different schools, and the final proofsheets have been revised by a Swiss writer of repute living in New York; therefore serious error is hardly probable. The one fault I myself have to find with the work is its baldness of statement, rendered necessary by space limits. I could, perhaps more easily, have prepared four or five hundred pages instead of the one hundred and twenty. I leave it rather to the reader to supply comparison and analysis and the eloquent comment of which, it seems to me, many of the statements of fact are worthy.

J. W. S.

THE INITIATIVE AND REFERENDUM IN SWITZERLAND.

Democratic versus Representative Government.

There is a radical difference between a democracy and a representative government. In a democracy, the citizens themselves make the law and superintend its administration ; in a representative government, the citizens empower legislators and executive officers to make the law and to carry it out. Under a democracy, sovereignty remains* uninterruptedly with the citizens, or rather a changing majority of the citizens ; under a representative government, sovereignty is surrendered by the citizens, for stated terms, to officials. In other words, democracy is direct rule by the majority, while representative government is rule by a succession of quasi-oligarchies, indirectly and remotely responsible to the majority.

Observe, now, first, the influences that chiefly contribute to make government in the United States what it is :—

The county, state, and federal governments are not democracies. In form, they are quasi-oligarchies composed of representatives and executives ; but in fact they are frequently complete oligarchies, composed in part of unending rings of politicians that directly control the law and the offices, and in part of the perma-

ment plutocracy, who purchase legislation through the politicians.

Observe, next, certain strong influences for the better that obtain in a pure democracy :—

An obvious influence is, in one respect, the same as that which enriches the plutocrat and prompts the politician to reach for power—self-interest. When all the members of any body of men find themselves in equal relation to a profitable end in which they solely are concerned, they will surely be inclined to assert their joint independence of other bodies in that respect, and, further, each member will claim his full share of whatever benefits arise. But, more than that; something like equality of benefits being achieved, perhaps through various agencies of force, a second influence will be brought powerfully to bear on those concerned. It is that of justice. Fair play to all the members will be generally demanded.

In a pure democracy, therefore, intelligently controlled self-interest and a consequent sentiment of justice are the sources in which the highest possible social benefits may be expected to begin.

The reader has now before him the political principle to be here maintained—pure democracy as distinguished from representative government. My argument, then, becomes this: To show that, by means of the one lawmaking method to which pure democracy is restricted,—that of direct legislation by the citizenship,—the political “ring,” “boss,” and “heeler” may be abolished, the American plutocracy destroyed, and

government simplified and reduced to the limits set by the conscience of the majority as affected by social necessities. My task involves proof that direct legislation is possible with large communities.

Direct Legislation in Switzerland.

Evidence as to the practicability and the effects of direct legislation is afforded by Switzerland, especially in its history during the past twenty-five years. To this evidence I turn at once.

There are in Switzerland twenty-two cantons (states), which are subdivided into 2,706 communes (townships). The commune is the political as well as territorial unit. Commonly, as nearly as consistent with cantonal and federal rights, in local affairs the commune governs itself. Its citizens regard it as their smaller state. It is jealous of interference by the greater state. It has its own property to look after. Until the interests of the canton or the Confederation manifestly replace those of the immediate locality, the commune declines to part with the administration of its lands, forests, police, roads, schools, churches, or taxes.

In German Switzerland the adult male inhabitants of the commune meet at least once annually, usually in the town market place or on a mountain plain, and carry out their functions as citizens. There they debate proposed laws, name officers, and discuss affairs of a public nature. On such occasions, every citizen is a legislator, his voice and vote influencing the questions at issue. The right of initiating a measure

belongs to each. Decision is ordinarily made by show of hands. In most cantons the youth becomes a voter at twenty, the legal age for acquiring a vote in federal affairs, though the range for cantonal matters is from eighteen to twenty-one.

Similar democratic legislative meetings govern two cantons as cantons and two other cantons divided into demi-cantons. In the demi-canton of Outer Appenzell, 13,500 voters are qualified thus to meet and legislate, and the number actually assembled is sometimes 10,000. But this is the highest extreme for such an assemblage—a Landsgemeinde (a land-community)—the lowest for a canton or a demi-canton comprising about 3,000. One other canton (Schwyz, 50,307 inhabitants) has Landsgemeinde meetings, there being six, with an average of 2,000 voters to each. In communal political assemblages, however, there are usually but a few hundred voters.

The yearly cantonal or demi-cantonal Landsgemeinde takes place on a Sunday in April or May. While the powers and duties of the body vary somewhat in different cantons, they usually cover the following subjects: Partial as well as total revision of the constitution; enactment of all laws; imposition of direct taxes; incurrence of state debts and alienation of public domains; the granting of public privileges; assumption of foreigners into state citizenship; establishment of new offices and the regulation of salaries; election of state, executive, and judicial officers.*

* J. M. Vincent: "State and Federal Government in Switzerland."

The programme for the meeting is arranged by the officials and published beforehand, the law in some cantons requiring publication four weeks before the meeting, and in others but ten days. "To give opportunities for individuals and authorities to make proposals and offer bills, the official gazette announces every January that for fourteen days after a given date petitions may be presented for that purpose. These must be written, the object plainly stated and accompanied by the reasons. All such motions are considered by what is called the Triple Council, or legislature, and are classified as 'expedient' and 'inexpedient.' A proposal receiving more than ten votes must be placed on the list of expedient, accompanied by the opinion of the council. The rejected are placed under a special rubric, familiarly called by the people the *Beiwagen*. The assembly may reverse the action of the council if it chooses and take a measure out of the 'extra coach,' but consideration of it is in that case deferred until the next year. In the larger assemblies debate is excluded, the vote being simply on rejection or adoption. In the smaller states the line is not so tightly drawn. . . . Votes are taken by show of hands, though secret ballot may be had if demanded, elections of officers following the same rule in this matter as legislation. Nominations for office, however, need not be sent in by petition, but may be offered by any one on the spot."*

* Vincent.

The Initiative and the Referendum.

It will be observed that the basic practical principles of both the communal meeting and the Landsgemeinde are these two :

(1) That every citizen shall have the right to propose a measure of law to his fellow-citizens—this principle being known as the Initiative.

(2) That the majority shall actually enact the law by voting the acceptance or the rejection of the measures proposed. This principle, when applied in non-Landsgemeinde cantons, through ballotings at polling places, on measures sent from legislative bodies to the people, is known as the Referendum.

The Initiative has been practiced in many of the communes and in the several Landsgemeinde cantons in one form or other from time immemorial. In the past score of years, however, it has been practiced by petition in an increasing number of the cantons not having the democratic assemblage of all the citizens.

The Referendum owes its origin to two sources. One source was in the vote taken at the communal meeting and the Landsgemeinde. The principle sometimes extended to cities, Berne, for instance, in the fifty-five years from 1469 to 1524, taking sixty referendary votings. The other source was in the vote taken by the ancient cantons on any action by their delegates to the federal Diet, or congress, these delegates undertaking no affair except on condition of referring it to the cantonal councils—*ad referendum*.

The principles of the Initiative and Referendum have of recent years been extended so as to apply, to a greater or lesser extent, not only to cantonal affairs in cantons far too large for the Landsgemeinde, but to certain affairs of the Swiss Confederation, comprising three million inhabitants. In other words, the Swiss nation today sees clearly, first, that the democratic system has manifold advantages over the representative; and, secondly, that no higher degree of political freedom and justice can be obtained than by granting to the least practicable minority the legal right to propose a law and to the majority the right to accept or reject it. In enlarging the field of these working principles, the Swiss have developed in the political world a factor which, so far as it is in operation, is creating a revolution to be compared only with that caused in the industrial world by the steam engine.

The cantonal Initiative exists in fourteen of the twenty-two cantons—in some of them, however, only in reference to constitutional amendments. Usually, the proposal of a measure of cantonal law by popular initiative must be made through petition by from one-twelfth to one-sixteenth of the voters of the canton. When the petition reaches the cantonal legislature, the latter body is obliged, within a brief period, specified by the constitution, to refer the proposal to a cantonal vote. If the decision of the citizens is then favorable, the measure is law, and the executive and judicial officials must proceed to carry it into effect.

The cantonal Referendum is in constant practice in all the cantons except Freiburg, which is governed by a representative legislature. The extent, however, to which the Referendum is applied varies considerably. In two cantons it is applicable only to financial measures; in others it is optional with the people, who sometimes demand it, but oftener do not; in others it is obligatory in connection with the passage of every law. More explicitly: In the canton of Vaud a mere pseudo-referendary right exists, under which the Grand Council (the legislature) may, if it so decides, propose a reference to the citizens. Valais takes a popular vote only on such propositions passed by the Grand Council as involve a one and a half per cent increase in taxation or a total expenditure of 60,000 francs. With increasing confidence in the people, the cantons of Lucerne, Zug, Bâle City, Schaffhausen, St. Gall, Ticino, Neuchâtel, and Geneva refer a proposed law, after it has passed the Grand Council, to the voters when a certain proportion of the citizens, usually one-sixth to one-fourth, demand it by formal petition. This form is called the optional Referendum. Employed to its utmost in Zurich, Schwyz, Berne, Soleure, Bâle Land, Aargau, Thurgau, and the Grisons, in these cantons the Referendum permits no law to be passed or expenditure beyond a stipulated sum to be made by the legislature without a vote of the people. This is known as the obligatory Referendum. Glarus, Uri, the half cantons of Nidwald and Obwald (Unterwald), and those of Outer and Inner

Appenzell, as cantons, or demi-cantons, still practice the democratic assemblage—the Landsgemeinde.

In the following statistics, the reader may see at a glance the progress of the Referendum to the present date, with the population of Switzerland by cantons, and the difficulties presented by differences of language in the introduction of reforms :—

Canton.	No. inhab. Dec., 1888.	Language.	Form of Pass- ing Laws.	Yr. of Entry
Zurich . . .	337,183	German.	Oblig. Ref.	1351
Berne . . .	536,679	Ger. and French.	"	1353
Lucerne. . .	135,360	German.	Optional Ref.	1332
Uri . . .	17,249	Ger. and Italian.	Landsgemeinde.	1291
Schwyz . . .	50,307	German.	Oblig. Ref.	"
Unterwald				
Obwald . . .	15,041	"	Landsgemeinde.	"
Niwald . . .	12,538	"	"	"
Glarus . . .	33,825	"	"	1352
Zug . . .	23,029	"	Optional Ref.	"
Freiburg . . .	119,155	French and Ger.	Legislature.	1481
Soleure . . .	85,621	German.	Oblig. Ref.	"
Bâle				1501
City . . .	73,749	"	Optional Ref.	"
Country . . .	61,941	"	Oblig. Ref.	"
Schaffhausen	37,783	"	Optional Ref.	"
Appenzell				1573
Outer . . .	54,109	"	Landsgemeinde.	"
Inner . . .	12,888	"	"	"
St. Gall . . .	228,160	"	Optional Ref.	1803
Grisons . . .	94,810	Ger., Ital., Rom.	Oblig. Ref.	"
Aargau . . .	193,580	German.	"	"
Thurgau . . .	104,678	"	"	"
Ticino . . .	126,751	Italian.	Optional Ref.	"
Vaud. . .	247,655	French and Ger.	"	"
Valais . . .	101,985	"	Finance Ref.	1814
Neuchâtel . . .	108,153	French.	Optional Ref.	"
Geneva . . .	105,509	"	"	"
	2,917,740			

In round numbers, 2,092,000 of the Swiss people speak German, 637,000 French, 156,000 Italian, and 30,000 Romansch. Of the principal cities, in 1887, Zu-

rich, with suburbs, had 92,685 inhabitants; Bâle, 73,963; Geneva, with suburbs, 73,504; Berne, 50,220; Lausanne, 32,954; and five others from 17,000 to 25,000. Fourteen per cent of the inhabitants (410,000) live in cities of more than 15,000. The factory workers number 161,000, representing about half a million inhabitants, and the peasant proprietors nearly 260,000, representing almost two millions. The area of Switzerland is 15,892 square miles,—slightly in excess of double that of New Jersey. The population is slightly less than that of Ohio.

Switzerland—The Youngest of Republics.

It is misleading to suppose, as is often done, that the Switzerland of today is the republic which has stood for six hundred years. In truth, it is the youngest of republics. Its chief governmental features, cantonal and federal, are the work of the present generation. Its unique executive council, its democratic army organization, its republican railway management, its federal post-office, its system of taxation, its two-chambered congress, the very Confederation itself—all were originated in the constitution of 1848, the first that was anything more than a federal compact. The federal Referendum began only in 1874. The federal Initiative has been just adopted (1891.)* The form of cantonal Referendum now practiced was but begun (in St. Gall) in 1830, and forty years ago only five cantons had any Referendum whatever, and these in the optional form. It is of very recent years that

* For constitutional amendments only.

the movement has become steady toward the general adoption of the cantonal Referendum. In 1860 but 34 per cent of the Swiss possessed it, 66 per cent delegating their sovereign rights to representatives. But in 1870 the referendarship had risen to 71 per cent, only 29 submitting to lawmaking officials; and today the proportions are more than 90 per cent to less than 10.

The thoughtful reader will ask: Why this continual progress toward a purer democracy? Wherein lie the inducements to this persistent revolution?

The answer is this: The masses of the citizens of Switzerland found it necessary to revolt against their plutocracy and the corrupt politicians who were exploiting the country through the representative system. For a peaceful revolution these masses found the means in the working principles of their communal meetings—the Initiative and Referendum,—and these principles they are applying throughout the republic as fast as circumstances admit.*

The great movement for democracy in Europe that culminated in the uprising of 1848 brought to the front many original men, who discussed innovations in government from every radical point of view. Among these thinkers were Martin Rittinghausen, Emile Girardin, and Louis Blanc. From September, 1850, to December, 1851, the date of the *coup d'état* of Louis Bonaparte, these reformers discussed, in the "Democratie

* While the reports of the Secretary of State and "The History of the Referendum," by Th. Curti, will bear out many of the statements here made as to how the change from representative to direct legislation came about, the story as I give it has been written me by Herr Carl Bürkli, of Zurich, known in his canton as the "Father of the Referendum."

pacifique," a weekly newspaper of Paris, the subject of direct legislation by the citizens. Their essays created a sensation in France, and more than thirty journals actively supported the proposed institution, when the *coup d'état* put an end to free speech. The articles were reprinted in book form in Brussels, and other works on the subject were afterward issued by Rittinghausen and his co-worker Victor Considérant. Among Considérant's works was "Solution, ou gouvernement direct du peuple," and this and companion works that fell into the hands of Carl Bürkli convinced the latter and other citizens of Zurich ("an unknown set of men," says Bürkli) of the practicability of the democratic methods advocated. The subject was widely agitated and studied in Switzerland, and the fact that the theory was already to some extent in practice there (and in ancient times had been much practiced) led to further experiments, and these, attaining success, to further, and thus the work has gone on. The cantonal Initiative was almost unknown outside the Landsgemeinde when it was established in Zurich in 1869. Soon, however, through it and the obligatory Referendum (to use Herr Bürkli's words): "The plutocratic government and the Grand Council of Zurich, which had connived with the private banks and railroads, were pulled down in one great voting swoop. The people had grown tired of being beheaded by the officeholders after every election." And politicians and the privileged classes have ever since been going down before these instruments in the hands of the

people. The doctrines of the French theorists needed but to be engrafted on ancient Swiss custom, the Frenchmen in fact having drawn upon Swiss experience.

The Optional and the Obligatory Referendum.

To-day the movement in the Swiss cantons is not only toward the Referendum, but toward its obligatory form. The practice of the optional form has revealed defects in it which are inherent.*

Geneva's management of the optional cantonal Referendum is typical. The constitution provides that, certain of the laws being excepted from the Referendum, and a prerequisite of its operation being the presentation to the Grand Council of a popular petition, the people may sanction or reject not only the bulk of the laws passed by the Grand Council but also the decrees issued by the legislative and executive powers. The exceptions are (1) "measures of urgency" and (2) the items of the annual budget, save such as establish a new tax, increase one in force, or necessitate an issue of bonds. The Referendum cannot be exercised against the budget as a whole, the Grand Council indicating the sections which are to go to public vote. In case of opposition to any measure, a petition for the Referendum is put in circulation. To prevent the measure from becoming law, the petition must receive the legally attested signatures of at least 3,500 citizens—about one in six of the cantonal vote—within thirty

* The facts relative to the operation of these two forms of the Referendum have been given me by Monsieur P. Jamin, of Geneva.

days after the publication of the proposed measure. After this period—known as “the first delay”—the referendary vote, if the petition has been successful, must take place within forty days—“the second delay.”

The power of declaring measures to be “of urgency” lies with the Grand Council, the body passing the measures. Small wonder, then, that in its eyes many bills are of too much and too immediate importance to go to the people. “The habit,” protested Grand Councilor M. Putet, on one occasion, “tends more and more to introduce itself here of decreeing urgency unnecessarily, thus taking away from the Referendum expenses which have nothing of urgency. This is contrary to the spirit of the constitutional law. Public necessity alone can authorize the Grand Council to take away any of its acts from the public control.”

Another defect in the optional Referendum is that it can be transformed into a partisan weapon—politicians being ready, in Geneva, as in San Francisco, to take advantage of the law for party purposes. For example, the representatives of a minority party, seeking a concession from a majority which has just passed a bill, will threaten, if their demands are not granted, to agitate for the Referendum on the bill; this, though the minority itself may favor the measure, some of its members, perhaps, having voted for it. As the majority may be uncertain of the outcome of a struggle at the polls, it will probably be inclined to make peace on the terms dictated by the minority.

But the most serious objections to the optional form arise in connection with the petitioning. Easy though it be for a rich and strong party to bear the expense of printing, mailing, and distributing petitions and circulars, in case of opposition from the poorer classes the cost may prove an insurmountable obstacle. Especially is it difficult to get up a petition after several successive appeals coming close together, the constant agitation growing tiresome as well as financially burdensome. Hence, measures have sometimes become law simply because the people have not had time to recover from the prolonged agitation in connection with preceding propositions. Besides, each measure submitted to the optional Referendum brings with it two separate waves of popular discussion—one on the petition and one on the subsequent vote. On this point ex-President Numa Droz has said: "The agitation which takes place while collecting the necessary signatures, nearly always attended with strong feeling, diverts the mind from the object of the law, perverts in advance public opinion, and, not permitting later the calm discussion of the measure proposed, establishes an almost irresistible current toward rejection." Finally, a fact as notorious in Switzerland as vote-buying in America, a large number of citizens who are hostile to a proposed law may fear to record an adverse opinion by signing a Referendum list. Their signatures may be seen and the unveiling of their sentiments imperil their means of livelihood.

Zurich furnishes the example of the cantons having

the obligatory Referendum. There the law provides: 1. That all laws, decrees, and changes in the constitution must be submitted to the people. 2. That all decisions of the Grand Council on existing law must be voted on. 3. That the Grand Council may submit decisions which it itself proposes to make, and that, besides the voting on the whole law, the Council may ask a vote on a special point. The Grand Council cannot put in force provisionally any law or decree. The propositions must be sent to the voters at least thirty days before voting. The regular referendary ballotings take place twice a year, spring and autumn, but in urgent cases the Grand Council may call for a special election. The law in this canton assists the lawmakers—the voters—in their task; when a citizen is casting his own vote he may also deposit that of one or two relatives and friends, upon presenting their electoral card or a certificate of authorization.

In effect, the obligatory Referendum makes of the entire citizenship a deliberative body in perpetual session—this end being accomplished in Zurich in the face of every form of opposing argument. Formerly, its adversaries made much of the fact that it was ever calling the voters to the urns; but this is now avoided by the semi-annual elections. It was once feared that party tickets would be voted without regard to the merits of the various measures submitted; but it has been proved beyond doubt that the fate of one proposition has no effect whatever on that of another decid-

ed at the same time. Zurich has pronounced on ninety-one laws in twenty-eight elections, the votes indicating surprising independence of judgment. When the obligatory form was proposed for Zurich, its supporters declared it a sure instrument, but that it might prove a costly one they were not prepared by experiment to deny. Now, however, they have the data to show that taxes—unfailing reflexes of public expenditure—are lower than ever, those for police, for example, being only about half those of optional Geneva, a less populous canton. To the prophets who foresaw endless partisan strife in case the Referendum was to be called in force on every measure, Zurich has replied by reducing partisanship to its feeblest point, the people indifferent to parties since an honest vote of the whole body of citizens must be the final issue of every question.

The people of Zurich have proved that the science of politics is simple. By refusing special legislation, they evade a flood of bills. By deeming appropriations once revised as in most part necessary, they pay attention chiefly to new items. By establishing principles in law, they forbid violations. Thus there remain no profound problems of state, no abstruse questions as to authorities, no conflict as to what is the law. Word fresh from the people is law.

The Federal Referendum.

The Federal Referendum, first established by the constitution of 1874, is optional. The demand for it

must be made by 30,000 citizens or by eight cantons. The petition for a vote under it must be made within ninety days after the publication of the proposed law. It is operative with respect either to a statute as passed by the Federal Assembly (congress), or a decree of the executive power. Of 149 Federal laws and decrees subject to the Referendum passed up to the close of 1891 under the constitution of 1874, twenty-seven were challenged by the necessary 30,000 petitioners, fifteen being rejected and twelve accepted. The Federal Initiative was established by a vote taken on Sunday, July 5, 1891. It requires 50,000 petitioners, whose proposal must be discussed by the Federal assembly and then sent within a prescribed delay to the whole citizenship for a vote. The Initiative is not a petition to the legislative body; it is a demand made on the entire citizenship.

Where the cantonal Referendum is optional, a successful petition for it frequently secures a rejection of the law called in question. In 1862 and again in 1878, the canton of Geneva rejected proposed changes in its constitution, on the latter occasion by a majority of 6,000 in a vote of 11,000. Twice since 1847 the same canton has decided against an increase of official salaries, and lately it has declined to reduce the number of its executive councilors from seven to five. The experience of the Confederation has been similar. Between 1874 and 1880 five measures recommended by the Federal Executive and passed by the Federal Assembly were vetoed by a national vote.

Revision of Constitutions.

Revision of a constitution through the popular vote is common. Since 1814, there have been sixty revisions by the people of cantonal constitutions alone. Geneva asks its citizens every fifteen years if they wish to revise their organic law, thus twice in a generation practically determining whether they are in this respect content. The Federal constitution may be revised at any time. Fifty thousand voters petitioning for it, or the Federal Assembly (congress) demanding it, the question is submitted to the country. If the vote is in the affirmative, the Council of States (the senate) and the National Council (the house) are both dissolved. An election of these bodies takes place at once; the Assembly, fresh from the people, then makes the required revision and submits the revised constitution to the country. To stand, it must be supported by a majority of the voters and a majority of the twenty-two cantons.

Summary.

To sum up: In Switzerland, in this generation, direct legislation has in many respects been established for the federal government, while in so large a canton as Zurich, with nearly 340,000 inhabitants, it has also been made applicable to every proposed cantonal law, decree, and order,—the citizens of that canton themselves disposing by vote of all questions of taxation, public finance, executive acts, state employment, corporation grants, public works, and similar opera-

tions of government commonly, even in republican states, left to legislators and other officials. In every canton having the Initiative and the obligatory Referendum, all power has been stripped from the officials except that of a stewardship which is continually and minutely supervised and controlled by the voters. Moreover, it is possible that yet a few years and the affairs not only of every canton of Switzerland but of the Confederation itself will thus be taken in hand at every step.

Here, then, is evidence incontrovertible that pure democracy, through direct legislation by the citizenship, is practicable—more, is now practiced—in large communities. Next as to its effects, proven and probable.

THE PUBLIC STEWARDSHIP OF SWITZERLAND.

If it be conceived that the fundamental principles of a free society are these: That the bond uniting the citizens should be that of contract; that rights, including those in natural resources, should be equal, and that each producer should retain the full product of his toil, it must be conceded on examination that toward this ideal Switzerland has made further advances than any other country, despite notable points in exception and the imperfect form of its federal Initiative and Referendum. Before particulars are entered into, some general observations on this head may be made.

The Political Status in Switzerland.

An impressive fact in Swiss politics to-day is its peace. Especially is this true of the contents and tone of the press. In Italy and Austria, on the south and east, the newspapers are comparatively few, mostly feeble, and in general subservient to party or government; in Germany, on the north, where State Socialism is strong, the radical press is at times turbulent and the government journals reflect the despotism they uphold; in France, on the west and southwest, the public writers are ever busy over the successive unstable cen-

tral administrations at Paris, which exercise a bureaucratic direction of every commune in the land. In all these countries, men rather than measures are the objects of discussion, an immediate important campaign question inevitably being whether, when once in office, candidates may make good their ante-election promises. Thus, on all sides, over the border from Switzerland, political turmoil, with its rancor, personalities, false reports, hatreds, and corruptions, is endless. But in Switzerland, debate uniformly bears not on men but on measures. The reasons are plain. Where the veto is possessed by the people, in vain may rogues go to the legislature. With few or no party spoils, attention to public business, and not to patronage or private privilege, is profitable to office holders as well as to the political press.

In the number of newspapers proportionate to population, Switzerland stands with the United States at the head of the statistical list for the world. In their general character, Swiss political journals are higher than American. They are little tempted to knife reputations, to start false campaign issues, to inflame partisan feeling; for every prospective cantonal measure undergoes sober popular discussion the year round, with the certain vote of the citizenship in view in the cantons having the Landsgemeinde or the obligatory Referendum, and a possible vote in most of the other cantons, while federal measures also may be met with the federal optional Referendum.

The purity and peacefulness of Swiss press and

politics are due to the national development of today as expressed in appropriate institutions. Of these institutions the most effective, the fundamental, is direct legislation, accompanied as it is with general education. In education the Swiss are preëminent among nations. Illiteracy is at a lower percentage than in any other country; primary instruction is free and compulsory in all the cantons; and that the higher education is general is shown in the four universities, employing three hundred instructors.

An enlightened people, employing the ballot freely, directly, and in consequence effectively—this is the true sovereign governing power in Switzerland. As to what, in general terms, have been the effects of this power on the public welfare, as to how the Swiss themselves feel toward their government, and as to what are the opinions of foreign observers on the recent changes through the Initiative and Referendum, some testimony may at this point be offered.

In the present year, Mr. W. D. McCrackan has published in the "Arena" of Boston his observations of Swiss politics. He found, he says, the effects of the Referendum to be admirable. Jobbery and extravagance are unknown, and politics, as there is no money in it, has ceased to be a trade. The men elected to office are taken from the ranks of the citizens, and are chosen because of their fitness for the work. The people take an intelligent interest in every kind of local and federal legislation, and have a full sense of their political responsibility. The mass of useless or evil

laws which legislatures in other countries are constantly passing with little consideration, and which have constantly to be repealed, are in Switzerland not passed at all.

In a study of the direct legislation of Switzerland, the "Westminster Review," February, 1888, passed this opinion: "The bulk of the people move more slowly than their representatives, are more cautious in adopting new and trying legislative experiments, and have a tendency to reject propositions submitted to them for the first time." Further: "The issue which is presented to the sovereign people is invariably and necessarily reduced to its simplest expression, and so placed before them as to be capable of an affirmative or negative answer. In practice, therefore, the discussion of details is left to the representative assemblies, while the people express approval or disapproval of the general principle or policy embraced in the proposed measure. Public attention being confined to the issue, leaders are nothing. The collective wisdom judges of merits."

A. V. Dicey, the critic of constitutions, writes in the "Nation," October 8, 1885: "The Referendum must be considered, on the whole, a conservative arrangement. It tends at once to hinder rapid change and also to get rid of that inflexibility or immutability which, in the eyes of Englishmen at least, is a defect in the constitution of the United States."

A Swiss radical has written me as follows: "The development given to education during the last quar-

ter of a century will have without doubt as a consequence an improved judgment on the part of a large number of electors. The press also has a rôle more preponderant than formerly. Everybody reads. Certainly the ruling classes profit largely by the power of the printing press, but with the electors who have received some instruction the capitalist newspapers are taken with due allowance for their sincerity. Their opinion is not accepted without inquiry. We see a rapid development of ideas, if not completely new, at least renewed and more widespread. More or less radical reviews and periodicals, in large number, are not without influence, and their appearance proves that great changes are imminent."

Professor Dicey has contrasted the Referendum with the *plébiscite*: "The Referendum looks at first sight like a French *plébiscite*, but no two institutions can be marked by more essential differences. The *plébiscite* is a revolutionary or at least abnormal proceeding. It is not preceded by debate. The form and nature of the questions to be submitted to the nation are chosen and settled by the men in power, and Frenchmen are asked whether they will or will not accept a given policy. Rarely, indeed, when it has been taken, has the voting itself been full or fair. Deliberation and discussion are the requisite conditions for rational decision. Where effective opposition is an impossibility, nominal assent is an unmeaning compliment. These essential characteristics, the lack of which deprives a French *plébiscite* of all moral significance, are the

undoubted properties of the Swiss Referendum."

In the "Revue des Deux Mondes," Paris, August, 1801, Louis Wuarin, an interested observer of Swiss politics for many years, writes: "A people may indicate its will, not from a distance, but near at hand, always superintending the work of its agents, watching them, stopping them if there is reason for so doing, constraining them, in a word, to carry out the people's will in both legislative and administrative affairs. In this form of government the representative system is reduced to a minimum. The deliberative bodies resemble simple committees charged with preparing work for an elected assembly, and here the elected assembly is replaced by the people. This sovereign action in person in the transaction of public business may extend more or less widely; it may be limited to the State, or it may be extended to the province also, and even to the town. To whatever extent this supervision of the people may go, one thing may certainly be expected, which is that the supervision will become closer and closer as time goes on. It never has been known that citizens gave up willingly and deliberately rights acquired, and the natural tendency of citizens is to increase their privileges. Switzerland is an example of this type of democratic government. . . . There is some reason for regarding parliamentary government—at least under its classic and orthodox form of rivalry between two parties, who watch each other closely, in order to profit by the faults of their adversaries, who dispute with each other for power

without the interests of the country, in the ardor of the encounter, being always considered—as a transitory form in the evolution of democracy.”

The spirit of the Swiss law and its relation to the liberty of the individual are shown in passages of the cantonal and federal constitutions. That of Uri declares: “Whatever the Landsgemeinde, within the limits of its competence, ordains, is law of the land, and as such shall be obeyed,” but: “The guiding principle of the Landsgemeinde shall be justice and the welfare of the fatherland, not willfulness nor the power of the strongest.” That of Zurich: “The people exercise the lawmaking power, with the assistance of the state legislature.” That of the Confederation: “All the Swiss people are equal before the law. There are in Switzerland no subjects, nor privileges of place, birth, persons, or families.”

In these general notes and quotations is sketched in broad lines the political environment of the Swiss citizen of to-day. The social mind with which he stands in contact is politically developed, is bent on justice, is accustomed to look for safe results from the people's laws, is at present more than ever inclined to trust direct legislation, and, on the whole, is in a state of calmness, soberness, tolerance, and political self-discipline.

The machinery of public stewardship, subject to popular guidance, may now be traced, beginning with the most simple form.

Organization of the Commune.

The common necessities of a Swiss neighborhood, such as establishing and maintaining local roads, police, and schools, and administering its common wealth, bring its citizens together in democratic assemblages. These are of different forms.

One form of such assemblage, the basis of the superstructure of government, is the political communal meeting. "In it take place the elections, federal, state, and local; it is the local unit of state government and the residuary legatee of all powers not granted to other authorities. Its procedure is ample and highly democratic. It meets either at the call of an executive council of its own election, or in pursuance of adjournment, and, as a rule, on a Sunday or holiday. Its presiding officer is sometimes the *maire*, sometimes a special chairman. Care is taken that only voters shall sit in the body of the assembly, it being a rule in Zurich that the register of citizens shall lie on the desk for inspection. Tellers are appointed by vote and must be persons who do not belong to the village council, since that is the local cabinet which proposes measures for consideration. Any member of the assembly may offer motions or amendments, but usually they are brought forward by the town council, or at least referred to that body before being voted upon."*

The officials of the commune chosen in the communal meeting, are one chief executive (who in French communes usually has two assistants), a communal coun-

* Vincent.

cil, which legislates on the lesser matters coming up between communal meetings, and such minor officials as are not left to the choice of the council.

A second form of neighborhood assemblage is one composed only of those citizens who have rights in the communal corporate domains and funds, these rights being either inherited or acquired (sometimes by purchase) after a term of purely political citizenship.

A third form is the parish meeting, at which gather the members of the same faith in the commune, or of even a smaller church district. The Protestant, the Catholic, and the Jewish are recognized as State religions—the Protestant alone in some cantons, the Catholic in others, both in several, and both with the Jewish in others.

A fourth form of local assembly is that of the school district, usually a subdivision of a commune. It elects a board of education, votes taxes to defray school expenses, supervises educational matters, and in some districts elects teachers.

Dividing the commune thus into voting groups, each with its appropriate purpose, makes for justice. He who has a share in the communal public wealth (forests, pastoral and agricultural lands, and perhaps funds), is not endangered in this property through the votes of non-participant newcomers. Nor are educational affairs mixed with general politics. And, though State and religion are not yet severed, each form of belief is largely left to itself; in some cantons provision is

made that a citizen's taxes shall not go toward the support of a religion to which he is opposed.

Organization of Canton and Confederation.

In no canton in Switzerland is there more than one legislative body: in none is there a senate. The cities of Switzerland have no mayor, the cantons have no governor, and, if the title be used in the American sense, the republic has no President. Instead of the usual single executive head, the Swiss employ an executive council. Hence, in every canton a deadlock in legislation is impossible, the way is open for all law demanded by a majority, and neither in canton nor Confederation is one-man power known.

The cantonal legislature is the Grand Council. In the Landsgemeinde cantons and those having the obligatory Referendum, it is little more than a supervisory committee, preparing measures for the vote of the citizens and acting as a check on the cantonal executive council. In the remaining cantons (those having the optional Referendum), the legislature has the power to spend money below a specified limit; to enact laws of specified kinds, usually not of general application; and to elect the more important officials, the amount of discretion [in the different cantons] rising gradually till the complete representative government is reached ** in Freiburg, which resembles one of our states. Though in several cantons the Grand Council meets every two months for a few days' ses-

* Vincent.

sion, in most of the cantons it meets twice a year. The pay of members ranges from sixty cents to \$1.20 per day. The legislative bodies are large; the ratio in five cantons is one legislator to every 1,000 inhabitants; in twelve it ranges from one to 187 up to one to 800, and in the remaining five from one to 1,000 to one to 2,000. The Landsgemeinde cantons usually have fifty to sixty members; Geneva, with 20,000 voters, has a hundred.

In six of the twenty-two cantons, if a certain number of voters petition for it, the question must be submitted to the people whether or not the legislature shall be recalled and a new one elected.

The formation of the Swiss Federal Assembly (congress), established in 1848, was influenced by the make-up of the American congress. The lower house is elected by districts, as in the United States, the basis of representation being one member to 20,000 inhabitants, and the number of members 147. The term for this house is three years; the pay, four dollars a day, during session, and mileage. The upper house, the Council of States (senate), the only body of the kind in Switzerland, is composed of two members from each canton. Cantonal law governing their election, the tenure of their office is not the same: in some cantons they are elected by the people, in others by the legislature; their pay varies; their term of office ranges from one to three years. Their brief terms and the fact that their more important functions, such as the election of the federal executive council, take place in joint session with the second chamber, render the

members of the "upper" house of less weight in national affairs than those of the "lower."

Swiss Executives.

The executive councils of the cities, the cantons, and the Confederation are all of one form. They are committees, composed of members of equal rank. The number of members varies. Of cantonal executive councilors, there are seven in eleven of the cantons, three, five, and nine in others, and eleven in one. In addition to carrying out the law, the executive council usually assists somewhat in legislation, the members not only introducing but speaking upon measures in the legislative body with which they are associated, without, however, having a vote. In about half the cantons, the cantonal executive councils are elected by the people; in the rest by the legislative body.

Types of the executive councils are those of Geneva, city and canton. The city executive council is composed of five members, elected by the people for four years. The salary of its president is \$800 a year; that of the other four members, \$600. The cantonal executive has seven members; the salaries are: the president, \$1,200; the rest, \$1,000. In both city and cantonal councils each member is the head of an administrative department. The cantonal executive council has the power to suspend the deliberations of the city executive council and those of the communal councils whenever in its judgment these bodies transcend their legal powers or refuse to conform to the law. In case

of such suspension, a meeting of the cantonal Grand Council (the legislature) must be called within a week, and if it approves of the action of the cantonal executive, the council suspended is dissolved, and an election for another must be had within a month, the members of the body dissolved not being immediately eligible for re-election. The cantonal executive council may also revoke the commissions of communal executives (maires and adjoints), who then cannot immediately be re-elected. Check to the extensive powers of the cantonal executive council lies in the fact that its members are elected directly by the people and hold office for only two years. But in cantons having the obligatory Referendum, Geneva's methods, however advanced in the eyes of American republicans, are not regarded as strictly democratic.

The Federal Executive Council.

The Swiss nation has never placed one man at its head. Prior to 1848, executive as well as legislative powers were vested in the one house of the Diet. Under the constitution adopted in that year, with which the Switzerland as now organized really began, the present form of the executive was established.

This executive is the Federal Council, a board of seven members, whose term is three years, and who are elected in joint session by the two houses of the Federal Assembly (congress). The presiding officer of the council, chosen as such by the Federal Assembly, is elected for one year. He cannot be his own

successor. While he is nominally President of the Confederation, Swiss treatises on the subject uniformly emphasize the fact that he is actually no more than chairman of the executive council. He is but "first among his equals" (*primus inter pares*). His prerogatives—thus to describe whatever powers fall within his duties—are no greater than those pertaining to the rest of the board. Unlike the President of the United States, he has no rank in the army, no power of veto, no influence with the judiciary; he cannot appoint military commanders, or independently name any officials whatever; he cannot enforce a policy, or declare war, or make peace, or conclude a treaty. His name is not a by-word in his own country. Not a few among the intelligent Swiss would pause a moment to recall his name if suddenly asked: "Who is President this year?"

The federal executive council is elected on the assembling of the Federal Assembly after the triennial election for members of the lower house. All Swiss citizens are eligible, except that no two members may be chosen from the same canton. The President's salary is \$2,605, that of the other members \$2,316. While in office, the councilors may not perform any other public function, engage in any kind of trade, or practice any profession. A member of the council is at the head of each department of the government, viz.: Foreign Affairs, Interior, Justice and Police, Military, Finances, Commerce and Agriculture, and Post-Office and Railroads. The constitution directs a joint trans-

action of the business of the council by all the seven members, with the injunction that responsibility and unity of action be not enfeebled. The council appoints employés and functionaries of the federal departments. Each member may present a nomination for any branch, but names are usually handed in by the head of the department in which the appointment is made. As a minority of the board is uniformly composed of members of the political party not, if it may be so described, "in power," purely partisan employments are difficult. Removals of federal office holders in order to repay party workers are unheard of.

The executive council may employ experts for special tasks, it has the right to introduce bills in the Federal Assembly, and each councilor has a "consultative voice" in both houses. In practice, the council is simply an executive commission expressing the will of the assembly, the latter having even ordered the revision of regulations drawn up by the council for its employés at Berne. The acts of the assembly being liable to the Referendum, connection with the will of the people is established. Thus popular sovereignty finally, and quite directly, controls.

While both legislators and executives are elected for short terms, it is customary for the same men to serve in public capacities a long time. Though the people may recall their servants at brief intervals, they almost invariably ask them to continue in service. Employés keep their places at their will during good behavior. This custom extends to the higher offices

filled by appointment. One minister to Paris held the position for twenty-three years ; one to Rome, for sixteen. Once elected to the federal executive council, a public man may regard his office as a permanency. Of the council of 1889, one member had served since 1863, another since 1866. Up to 1879 no seat in the council had ever become vacant excepting through death or resignation.

Features of the Judiciary.

Civil and criminal courts are separate. The justice of the peace sits in a case first as arbitrator, and not until he fails in that capacity does he assume the chair of magistrate. His decision is final in cases involving sums up to a certain amount, varying in different localities. Two other grades of court are maintained in the canton, one sitting for a judicial subdivision called a district, and a higher court for the whole canton. Members of the district tribunal, consisting of five or seven members, are commonly elected by the people, their terms varying, with eight years as the longest. The judges of the cantonal courts as a rule are chosen by the Grand Council ; their number seven to thirteen ; their terms one to eight years. The cantonal court is the court of last resort. The Federal Tribunal, which consists of nine judges and nine alternates, elected for six years, tries cases between canton and canton or individual and canton. For this bench practically all Swiss citizens are eligible. The entire judicial system seems designed for the speedy trial of cases and the discouragement of litigation.

No court in Switzerland, not even the Federal Tribunal, can reverse the decisions of the Federal Assembly (congress). This can be done only by the people.

The election by the Assembly of the Federal Tribunal—as well as of the federal executive—has met with strong opposition. Before long both bodies may be elected by popular vote.

Swiss jurors are elected by the people and hold office six years. In French and German Switzerland, there is one such juror for every thousand inhabitants, and in Italian Switzerland one for every five hundred. To a Swiss it would seem as odd to select jurors haphazard as to so select judges.

In most of the manufacturing cantons, councils of prud'hommes are elected by the people. The various industries and professions are classified in ten groups, each of which chooses a council of prud'hommes composed of fifteen employers and fifteen employés. Each council is divided into a bureau of conciliation, a tribunal of prud'hommes, and a chamber of appeals, cases going on appeal from one board to another in the order named. These councils have jurisdiction only in the trades, their sessions relating chiefly to payment for services and contracts of apprenticeship.

A Democratic Army.

In surveying the simple political machinery of Switzerland, the inquirer, remembering the fate of so many republics, may be led to ask as to the danger of its overthrow by the Swiss army. The reply is that,

here, again, so far as may be seen, the nation has wisely planned safeguards. To show how, and as the Swiss army differs widely from all others in its organization, some particulars regarding it are here pertinent.

The more important features of the Swiss military system, established in 1874, are as follows: There is no Commander-in-chief in time of peace. There is no aristocracy of officers. Pensions are fixed by law. There is no substitute system. Every citizen not disabled is liable either to military duty or to duties essential in time of war, such as service in the postal department, the hospitals, or the prisons. Citizens entirely disabled and unfit for the ranks or semi-military service are taxed to a certain per centage of their property or income. No canton is allowed to maintain more than three hundred men under arms without federal authority.

Though there is no standing army, every man in the country between the ages of seventeen and fifty is enrolled and subject annually either to drill or inspection. On January 1, 1891, the active army, comprising all unexempt citizens between twenty and thirty-two years, contained 126,444 officers and men; the first reserve, thirty-three to forty-four years, 80,795; the second reserve, all others, 268,715; total, 475,955. The Confederation can place in the field in less than a week more than 200,000 men, armed, uniformed, drilled, and every man in his place.

On attaining his twentieth year, every Swiss youth

is summoned before a board of physicians and military officers for physical and mental examination. Those adjudged unfit for service are exempted—temporarily if the infirmity may pass away, for life if it be permanent. The tax on exempted men is \$1.20 plus thirty cents per year for \$200 of their wealth or \$20 of their income, until the age of thirty-two years, and half these sums until the age of forty-four. On being enrolled in his canton, the soldier is allowed to return home. He takes with him his arms and accoutrements, and thenceforth is responsible for them. He is ever ready for service at short call. Intrusting the soldiery with their outfit reduces the number of armories, thus cutting down public expenditures and preventing loss through capture in case of sudden invasion by an enemy.

In the Swiss army are eight divisions of the active force and eight of the reserve, adjoining cantons uniting to form a division. Each summer one division is called out for the grand manœuvres, all being brought out once in the course of eight years.

In case of war a General is named by the Federal Assembly. At the head of the army in time of peace is a staff, composed of three colonels, sixteen lieutenant colonels and majors, and thirty-five captains.

The cost of maintaining the army is small, on an average \$3,500,000 a year. Officers and soldiers alike receive pay only while in service. If wounded or taken ill on duty, a man in the ranks may draw up to \$240 a year pension while suffering disability. Lesser

sums may be drawn by the family of a soldier who loses his life in the service.

At Thoune, near Berne, is the federal military academy. It is open to any Swiss youth who can support himself while there. Not even the President of the Confederation may in time of peace propose any man for a commission who has not studied at the Thoune academy. A place as commissioned officer is not sought for as a fat office nor as a ready stepping-stone to social position. As a rule only such youths study at Thoune as are inclined to the profession of arms. Promotion is according to both merit and seniority. Officers up to the rank of major are commissioned by the cantons, the higher grades by the Confederation.

In Switzerland, then, the military leader appears only when needed, in war ; he cannot for years afterward be rewarded by the presidency ; pensions cannot be made perquisites of party ; the army, *i. e.* the whole effective force of the nation, will support, and not attempt to subvert, the republic.

The True Social Contract.

The individual enters into social life in Switzerland with the constitutional guarantee that he shall be independent in all things excepting wherein he has inextricable common interests with his fellows.

Each neighborhood aims, as far as possible, to govern itself, so subdividing its functions that even in these no interference with the individual shall occur

that may be avoided. Adjoining neighborhoods next form a district and as such control certain common interests. Then a greater group, of several districts, unite in the canton. Finally takes place the federation of all the cantons. At each of these necessary steps in organizing society, the avowed intention of the masses concerned is that the primary rights of the individual shall be preserved. Says the "Westminster Review": "The essential characteristic of the federal government is that each of the states which combine to form a union retains in its own hands, in its individual capacity, the management of its own affairs, while authority over matters common to all is exercised by the states in their collective and corporate capacity." And what is thus true of Confederation with respect to the independence of the canton is equally true of canton with respect to the commune, and of the commune with respect to the individual. No departure from home rule, no privileged individuals or corporations, no special legislation, no courts with powers above the people's will, no legal discriminations whatever—such their aim, and in general their successful aim, the Swiss lead all other nations in leaving to the individual his original sovereignty. Wherever this is not the fact, wherever purpose fails fulfillment, the cause lies in long-standing complications which as yet have not yielded to the newer democratic methods. On the side of official organization, one historical abuse after another has been attacked, resulting in the simple, smooth-running, neces-

sary local and national stewardships described. On the side of economic social organization, a concomitant of the political system, the progress in Switzerland has been remarkable. As is to be seen in the following chapter, in the management of natural monopolies the democratic Swiss, beyond any other people, have attained justice, and consequently have distributed much of their increasing wealth with an approach to equity ; while in the system of communal lands practiced in the Landsgemeinde cantons is found an example to land reformers throughout the world.

THE COMMON WEALTH OF SWITZERLAND.

Unless producers may exercise equal right of access to land, the first material for all production, they stand unequal before the law ; and if one man, through legal privilege given to another, is deprived of any part of the product of his labor, justice does not reign. The economic question, then, under any government, relates to legal privilege—to monopoly, either of the land or its products.

With the non-existence of the exclusive enjoyment of monopolies by some men—monopolies in the land, in money-issuing, in common public works—each producer would retain his entire product excepting his taxes. This end secured, there would remain no politico-economic problem excepting that of taxation.

Of recent years the Swiss have had notable success in preventing from falling into private hands certain monopolies that in other countries take from the many to enrich a few. Continuing to act on the principles observed, they must in time establish not only equal rights in the land but the full economic as well as political sovereignty of the individual.

Land and Climate.

Glance at the theatre of the labor of this people. Switzerland, with about 16,000 square miles, equals in

area one-third of New York. Of its territory, 30 per cent—waterbeds, glaciers, and sterile mountains—is unproductive. Forests cover 18 per cent. Thus but half the country is good for crops or pasture. The various altitudes, in which the climate ranges from that of Virginia to that of Labrador, are divided by agriculturists into three zones. The lower zone, including all lands below a level of 2,500 feet above the sea, touches, at Lake Maggiore, in the Italian canton of Ticino, its lowest point, 643 feet above the sea. In this zone are cultivated wheat, barley, and other grains, large crops of fruit, and the vine; the latter an abundant source of profit. The second zone, within which lies the larger part of the country, includes the lower mountain ranges. Its altitudes are from 2,500 to 5,000 feet, its chief growth great forests of beech, larch, and pine. Above this rises the Alpine zone, upon the steep slopes of which are rich pastures, the highest touching 10,000 feet, though they commonly reach but 8,000, where vegetation becomes sparse and snow and glaciers begin. In these mountains, a million and a half cattle, horses, sheep, and goats are fed annually. In all, Switzerland is not fertile, but rocky, mountainous, and much of it the greater part of the year snow-covered.

Whatever the individual qualities of the Swiss, their political arrangements have had a large influence in promoting the national well-being. This becomes evident with investigation. Observe how they have placed under public control monopolies that in other countries breed millionaires :—

Railroads.

One bureau of the Post-Office department exercises federal supervision over the railroads, a second manages the mail and express services, and a third those of the telegraph and telephone.

Of railroads, there are nearly 2,000 miles. Their construction and operation have been left to private enterprise, but from the first the Confederation has asserted a control over them that has stopped short only of management. Hence there are no duplicated lines, no discriminations in rates, no cities at the mercy of railroad corporations, no industries favored by railroad managers and none destroyed. The government prescribes the location of a proposed line, the time within which it must be built, the maximum tariffs for freight and passengers, the minimum number of trains to be run, and the conditions of purchase in case the State at any time should decide to assume possession. Provision is made that when railway earnings exceed a certain ratio to capital invested, the surplus shall be subjected to a proportionately increased tax. Engineers of the Post-Office department superintend the construction and repair of the railroads, and post-office inspectors examine and pass upon the time-tables, tariffs, agreements, and methods of the companies. Hence falsification of reports is prevented, stock watering and exchange gambling are hampered, and "wrecking," as practiced in the United States, is unknown.

Owing to tunnels, cuts, and bridges, the construc-

tion of the Swiss railway system has been costly; Mulhall's statistics give Switzerland a higher ratio of railway capital to population than any other country in Europe. Yet the service is cheap, passenger tariffs being considerably less than in France and Great Britain, and, about the same as in Germany, within a shade as low as the lowest in Europe.

Differing from the narrow compartment railway carriages of other European countries, the passenger cars of Switzerland are generally built on the American plan, so that the traveler is enabled to view the scenery ahead, behind, and on both sides. For circular tours, the companies make a reduction of 25 per cent on the regular fare. At the larger stations are interpreters who speak English. Unlike the service in other Continental countries, third class cars are attached to all trains, even the fastest. On the whole, despite the highest railroad investment per head in Europe, Switzerland has the best of railway service at the lowest of rates, the result of centralized State control coupled with free industry under the limitations of that control. In the ripest judgment of the nation up to the present, this system yields better results than any other: by a referendary vote taken in December, 1891, the people refused to change it for State ownership of railroads.

Mails, the Telegraph, the Telephone, and Highways.

The Swiss postal service is a model in completeness, cheapness, and dispatch. Switzerland has 800 post-

offices and 2,000 dépôts where stamps are sold and letters and packages received. Postal cards cost 1 cent ; to foreign countries, 2 cents, and with return flap, 4. For half-ounce letters, within a circuit of six miles, the cost is 1 cent ; for letters for all Switzerland, up to half a pound, 2 cents ; for printed matter, one ounce, two-fifths of a cent ; to half a pound, 1 cent ; one pound, 2 cents : for samples of goods, to half a pound, 1 cent ; one pound, 2 cents.

There are 1,350 telegraph offices open to the public. A dispatch for any point in Switzerland costs 6 cents for the stamp and 1 cent for every two words.

The Swiss Post-Office department has many surprises in store for the American tourist. Mail delivery everywhere free, even in a rural commune remote from the railroad he may see a postman on his rounds two or three times a day. When money is sent him by postal order, the letter-carrier puts the cash in his hands. If he wishes to send a package by express, the carrier takes the order, which soon brings to him the postal express wagon. A package sent him is delivered in his room. At any post-office he may subscribe for any Swiss publication or for any of a list of several thousand of the world's leading periodicals. When roving in the higher Alps, in regions where the roads are but bridle paths, the tourist may find in the most unpretending hotel a telegraph office. If he follows the wagon roads, he may send his hand baggage ahead by the stage coach and at the end of his day's walk find it at his destination.

There are three hundred stage routes in Switzerland, all operated under the Post-Office department, private posting on regular routes being prohibited. The department owns the coaches; contractors own the horses and other material. From most of the termini, at least two coaches arrive and depart daily. Passengers, first and second class, are assigned to seats in the order of purchasing tickets. Every passenger in waiting at a stage office on the departure of a coach must by law be provided with conveyance, several supplementary vehicles often being thus called into employ. A postal coach may be ordered at an hour's notice, even on the mountain routes. Coach fare is 6 cents a mile; in the Alps, 8. Each passenger is allowed thirty-three pounds of baggage; in the Alps, twenty-two. Return tickets are sold at a reduction of 10 per cent.

The cantonal wagon roads of Switzerland are unequalled by any of the highways in America. They are built by engineers, are solidly made, are macadamized, and are kept in excellent repair. The Alpine post roads are mostly cut in or built out upon the steep mountain sides. Not infrequently, they are tunneled through the massive rocky ribs of great peaks. Yet their gradient is so easy that the average tourist walks twenty-five miles over them in a short day. The engineering feats on these roads are in many cases notable. On the Simplon route a wide mountain stream rushes down over a post-road tunnel, and from within the traveler may see through the gallery-like windows

the cataract pouring close beside him down into the valley. On the route that passes the great Rhone glacier, the road ascends a high mountain in a zigzag that, as viewed in front from the valley below, looks like a colossal corkscrew. This road is as well kept as the better turnpikes of New York, teams moving at a fast walk in ascending and at a trot in descending, though the region is barren and uninhabitable, and wintry nine months in the year. These two examples, however, give but a faint idea of the vast number of similar works. The federal treasury appropriates to several of the Alpine cantons, in addition to the sums so expended by the local administrations, from \$16,000 to \$40,000 a year for the maintenance of their post roads.

With lower postage than any other country, the net earnings of the Swiss postal system for 1889 were \$560,000. This, however, is but a fraction of the real gain to the nation from this source. Without their roads, railroads, stage lines, and mail facilities, their hotels, numbering more than one thousand and as a rule excellently managed, could not be maintained for the summer rush of foreign tourists, worth to the country many million dollars a year. The finest Alpine scenery is by no means confined to Swiss boundaries, but within these lines the comforts of travel far surpass those in the neighboring mountainous countries. In Savoy, Lombardy, and the Austrian Tyrol, the traveler must be prepared to put up with comparatively antiquated methods and primitive accommodations.

Yet, previous to 1849, each Swiss canton had its own postal arrangements, some cantons farming out their systems either to other cantons or to individuals. In each canton the service, managed irrespective of federal needs, was costly, and Swiss postal systems, as compared with those of France and Germany, were notoriously behindhand.

Banking.

While the Confederation coins the metallic money current in the country, it is forbidden by the constitution to monopolize the issue of notes or guarantee the circulation of any bank.^{*} For the past ten years, however, it has controlled the circulation of the banks, the amount of their reserve fund, and the publication of their reports. The latter may be called for at the discretion of the executive council, in fact even daily.

There are thirty-five banks of issue doing business under cantonal law. Of these, eighteen, known as cantonal banks, either are managed or have their notes guaranteed by the respective cantons. Thus, while banking and money-issuing are free, the cantonal banks insure a requisite note circulation, minimizing the rate of interest and reducing its fluctuations. The setting up of cantonal banks, in order to withdraw privileges from licensed banks, was one of the public questions agitated by social reformers and decided in several of the cantons by direct legislation.

Taxes.

The framework of this little volume does not admit

^{*} A vote, October 18, 1891, made note-issuing a federal monopoly.

so much as an outline of the various methods of taxation practiced in Switzerland. As in all countries, they are complex. But certain significant results of direct legislation are to be pointed out. In all the cantons there is a strong tendency to raise revenue from direct, as opposed to indirect, taxes, and from progressive taxation according to fortune. The following, from an editorial in the "Christian Union," February 12, 1891, so justly and briefly puts the facts that I prefer printing it rather than words of my own, which might lie under suspicion of being tinged with the views of a radical: "With the democratic revolution of 1830 the people demanded that direct taxation should be introduced, and since the greater revolution of 1848 they have been steadily replacing the indirect taxes upon necessities by direct taxes upon wealth. In Zurich, for example—where in the first part of this century there were no direct taxes—in 1832 indirect taxation supplied four-fifths of the local revenue; to-day it supplies but one-seventeenth. The canton raises thirty-two francs per capita by direct taxation where it raises but two by indirect taxation. This change has accompanied the transformation of Switzerland from a nominal to a real democracy. By the use of direct taxation, where every man knows just how much he pays, and by the use of the Referendum, where the sense of justice of the entire public is expressed as to how tax burdens should be distributed, Switzerland has developed a system by which the division of society into the harmfully rich and wretchedly poor has been

checked, if not prevented. In the most advanced cantons, as has been brought out by Professor Cohn in the 'Political Science Quarterly,' the taxes, both on incomes and on property, are progressive. In each case a certain minimum is exempted. In the case of incomes, the progression is such that the largest incomes pay a rate five times as heavy as the very moderate ones; while in the case of property, the largest fortunes pay twice as much as the smallest. The tax upon inheritances has been most strongly developed. In the last thirty years it has been increased sixfold. The larger the amount of property, and the more distant the relative to whom it has been bequeathed, the heavier the rate is made. It is sometimes as high as 20 per cent. Speaking upon this point, the New York 'Evening Post' correspondent says: 'Evidently there are few countries that do so much to discourage the accumulation of vast fortunes; and, in fact, Switzerland has few paupers and few millionaires.'

Until 1848, each canton imposed cantonal tariff duties on imported goods, and, as is yet the case in most continental countries, until a few years ago the larger cities imposed local import duties (*octrois*). But the *octroi* is now a thing of the past, and save in one respect the cantons have abolished cantonal tariffs. The mining of salt being under federal control, and the retail price regulated by each canton for itself, supervision of imports of salt into each canton becomes necessary.

The "Statesmen's Year Book" (1891) gives the debts

of all the cantons of Switzerland as inconsiderable, while the federal debt, in 1890 but eleven million dollars, is less than half the federal assets in stocks and lands. In summing up at the close of his chapter on "State and Local Finance," Prof. Vincent says: "On the whole, the expenditures of Switzerland are much less than those of neighboring states. This may be ascribed in part to the lighter military burden, in part to the fact that no monarchs and courts must be supported, and further, to the inclinations of the Swiss people for practical rather than ornamental matters." And he might pertinently have added, "and to the fact that the citizens themselves hold the public purse-strings."

Limitations to Swiss Freedom.

Certain stumbling blocks stand in the way of sweeping claims as to the freedom enjoyed in Switzerland. One is asked: What as to the suppression of the Jesuits and the Salvation Army? As to the salt and alcohol monopolies of the State? As to the federal protective tariff? What as to the political war two years ago in Ticino?

Two mutually supporting forms of reply are to be made to these queries. One relates to the immediate circumstances under which each of the departures from freedom cited have taken place; the other to historical conditions affecting the development of the Swiss democracy of to-day.

As to the first of these forms of reply :

In the decade previous to 1848 occurred the religious disturbances that ended in the war of the Sonderbund (secession), when several Catholic cantons endeavored to dissolve the loose federal pact under which Switzerland then existed. On the defeat of the secessionists, the movement for a closer federation—for a Confederation—received an impetus, which resulted in the present union. By an article of the constitution then substituted for the pact, convents were abolished and the order of the Jesuits forbidden on Swiss soil. Both had endangered the State. Mild, indeed, is this proscription when compared with the effects of the religious hatreds fostered for centuries between territories now Swiss cantons. In the judgment of the majority this restriction of the freedom of a part is essential to that enjoyed by the nation as a whole.

The exercises of the Salvation Army fell under the laws of the municipalities against nuisances. The final judicial decision in this case was in effect that while persons of every religious belief are free to worship in Switzerland, none in doing so are free seriously to annoy their neighbors.

The present federal protective tariff was imposed just after the federal Referendum (optional) had been called into operation on several other propositions, and, the public mind weary of political agitation, demand for the popular vote on the question was not made. The Geneva correspondent of the Paris "Temps" wrote of the tariff when it was adopted in 1884: "This tariff has sacrificed the interest of the

whole of the consumers to temporary coalitions of private interests. It would have been shattered like a card house had it been submitted to the vote of the people." In imposing the tariff, the Federal Assembly in self-defense followed the action of other Continental governments. Many raw materials necessary to manufactures were, however, exempted and the burden of the duties placed on luxuries. As it is, Switzerland, without being able to obtain a pound of cotton except by transit through regions of hostile tariffs, maintains a cotton manufacturing industry holding a place among the foremost of the Continent, while her total trade per head is greater than that of any other country in Europe.

The days of the federal salt monopoly are numbered. The criticisms it has of late evoked portend its end. A popular vote may finish it at any time.

The State monopoly of alcohol, begun in 1887, is as yet an experiment. Financially, it has thus far been moderately successful, though smuggling and other evasions of the law go on on a large scale. The nation, yet in doubt, is awaiting developments. With a reaction, confidently predicted by many, against high tariffs and State interference with trade, the monopoly may be abolished.

The little war in Ticino was the expiring spasm of the ultramontanes, desperately struggling against the advance of the Liberals armed with the Referendum. The reactionaries were suppressed, and the people's law made to prevail. The story, now to be read in the

annual reference books, is a chronicle that cannot fail to win approval for democracy as an agency of peace and justice.

The explanations conveyed in these facts imply yet a deeper cause for the lapses from freedom in question. This cause is that Switzerland, in many cantons for centuries undemocratic, is not yet entirely democratic. Law cannot rise higher than its source. The last step in democracy places all lawmaking power directly and fully in the hands of the majority, but if by the majority justice is dimly seen, justice will be imperfectly done. No more may be asserted for democracy than this: (1) That under the domination of force, at present the common state of mankind, escape from majority rule in some form is impossible. (2) That hence justice as seen by the majority, exercising its will in conditions of equality for all, marks the highest justice obtainable. In their social organization and practice, the Swiss have advanced the line of justice to where it registers their political,—their mental and moral,—development. Above that, manifestly, it cannot be carried.

Despite a widespread impression to the contrary, the traditions for ages of nearly all that now constitutes Swiss territory have been of tyranny and not of liberty. In most of that territory, in turn, bishop, king, noble, oligarch, and politician governed, but until the past half century, or less, never the masses. Half the area of Switzerland, at present containing 40 per cent

of the inhabitants, was brought into the federation only in the present century. Of this recent accession, Geneva, for a brief term part of France, had previously long been a pure oligarchy, and more remotely a dictatorship; Neuchâtel had been a dependency of the crown of Prussia, never, in fact, fully released until 1857; Valais and the Grisons, so-called independent confederacies, had been under ecclesiastical rule; Ticino had for three centuries been governed as conquered territory, the privilege of ruling over it purchased by bailiffs from its conquerors, the ancient Swiss League—"a harsh government," declares the *Encyclopædia Britannica*, "one of the darkest passages of Swiss history." Of the older Switzerland, Bâle, Berne, and Zurich were oligarchical cities, each holding in feudality extensive neighboring regions. Not until 1833 were the peasants of Bâle placed on an equal footing with the townspeople, and then only after serious disturbances. And the inequalities between lord and serf, victor and vanquished, voter and disfranchised, existed in all the older states save those now known as the *Landsgemeinde* cantons. Says Vincent: "Almost the only thread that held the Swiss federation together was the possession of subject lands. In these they were interested as partners in a business corporation. Here were revenues and offices to watch and profits to divide, and matters came to such a pass that almost the only questions upon which the Diet could act in concert were the inspection of accounts and other affairs connected

with the subject territories. The common properties were all that prevented complete rupture on several critical occasions. Another marked feature in the condition of government was the supremacy gained by the patrician class. Municipalities gained the upper hand over rural districts, and within the municipalities the old families assumed more and more privileges in government, in society, and in trade. The civil service in some instances became the monopoly of a limited number of families, who were careful to perpetuate all their privileges. Even in the rural democracies there was more or less of this family supremacy visible. Sporadic attempts at reform were rigorously suppressed in the cities, and government became more and more petrified into aristocracy. A study of this period of Swiss history explains many of the provisions found in the constitutions of today, which seem like over-precaution against family influence. The effect of privilege was especially grievous, and the fear of it survived when the modern constitutions were made."

Here, plainly, are the final explanations of any shortcomings in Swiss liberty. In those parts of Switzerland where these shortcomings are serious, modern ideas of equality in freedom have not yet gained ascendancy over the ages-honored institution of inequality. Progress is evident, but the goal of possible freedom is yet distant. How, indeed, could it be otherwise when in several cantons it was only in 1848, with the Confederation, that manhood suffrage was established?

But how, it may be inquired, did the name of Swiss ever become the synonym of liberty? This land whose soldiery hired out as mercenaries to foreign princes, this League of oppressors, this hotbed of religious conflicts and persecutions,—how came it to be regarded as the home of a free people!

The truth is that the traditional reputation of the whole country is based on the ancient character of a part. The Landsgemeinde cantons alone bear the test of democratic principles. Within them, indeed, for a thousand years the two primary essentials of democracy have prevailed. They are :

(1) That the entire citizenship vote the law.

(2) That land is not property, and its sole just tenure is occupancy and use.

The first-named essential is yet in these cantons fully realized ; largely, also, is the second.

The Communal Lands of Switzerland.

As to the tenure of the land held in Switzerland as private property, Hon. Boyd Winchester, for four years American minister at Berne, in his recent work, "The Swiss Republic," says : "There is no country in Europe where land possesses the great independence, and where there is so wide a distribution of land ownership as in Switzerland. The 5,378,122 acres devoted to agriculture are divided among 258,637 proprietors, the average size of the farms throughout the whole country being not more than twenty-one acres. The facilities for the acquisition of land have produced

small holders, with security of tenure, representing two-thirds the entire population. There are no primogeniture, copyhold, customary tenure, and manorial rights, or other artificial obstacles to discourage land transfer and dispersion." "There is no belief in Switzerland that land was made to administer to the perpetual elevation of a privileged class; but a widespread and positive sentiment, as Turgot puts it, that 'the earth belongs to the living and not to the dead,' nor, it may be added, to the unborn."

Turgot's dictum, however, obtains no more than to this extent: (1) The cantonal testamentary laws almost invariably prescribe division of property among all the children—as in the code Napoleon, which prevails in French Switzerland, and which permits the testator to dispose of only a third of his property, the rest being divided among all the heirs. (2) Highways, including the railways, are under immediate government control. (3) The greater part of the forests are managed, much of them owned, by the Confederation. (4) In nearly all the communes, some lands, often considerable in area, are under communal administration. (5) In the Landsgemeinde cantons largely, and in other cantons in a measure, inheritance and participation, jointly and severally, in the communal lands are had by the members of the communal corporation—that is, by those citizens who have acquired rights in the public property of the commune.

Nearly every commune in Switzerland has public lands. In many communes, where they are mostly

wooded, they are entirely in charge of the local government ; in others, they are in part leased to individuals ; in others, much of them is worked in common by the citizens having the right ; but in the Landsgemeinde cantons it is customary to divide them periodically among the members of the corporation.

Of the Landsgemeinde cantons, one or two yet have nearly as great an area of public land as of private. The canton of Uri has nearly 1,000 acres of cultivated lands, the distribution of which gives about a quarter of an acre to each family entitled to a share. Uri has also forest lands worth between 4,000,000 and 5,000,000 francs, representing a capital of nearly 1,500 francs to each family. The commune of Obwald, in Unterwald, with 13,000 inhabitants, has lands and forests valued at 11,350,000 francs. Inner Rhodes, in Appenzell, with 12,000 inhabitants, has land valued at 3,000,000 francs. Glarus, because of its manufactures, is one of the richest cantons in public domain. In the non-Landsgemeinde German cantons, there is much common land. One-third of all the lands of the canton of Schaffhausen is held by the communes. The town of Soleure has forests, pastures, and cultivated lands worth about 6,000,000 francs. To the same value amounts the common property of the town of St. Gall. In the canton of St. Gall the communal Alpine pasturages comprise one-half such lands. Schwyz has a stretch of common land (an *allmend*) thirty miles in length and ten to fifteen in breadth. The city of Zurich has a well-kept forest of twelve to fifteen square miles, worth millions

of francs. Winterthur, the second town in Zürich, has so many forests and vineyards that for a long period its citizens not only had no taxes to pay, but every autumn each received gratis several cords of wood and many gallons of wine. Numerous small towns and villages in German Switzerland collect no local taxes, and give each citizen an abundance of fuel. In addition to free fuel, cultivable lands are not infrequently allotted. At Stanz, in Unterwald, every member of the corporation is given more than an acre. At Buchs, in St. Gall, each member receives more than an acre, with firewood and grazing ground for several head of cattle. Upward of two hundred French communes possess common lands. In the canton of Vaud, a number of the communes have large revenues in wood and butter from the forests and pastures of the Jura mountains. Geneva has great forests; Valais many vineyards.

In the canton of Valais, communal vineyards and grain fields are cultivated in common. Every member of the corporation who would share in the produce of the land contributes a certain share of work in field or vineyard. Part of the revenue thus obtained is expended in the purchase of cheese. The rest of the yield provides banquets in which all the members take part.

Excepting in the case of forests, the trend is away from working the lands in common. Examples of the later methods are to be seen in the cantons of Ticino and Glarus, as follows :—

Several communes in Ticino, notably Airolo, have much public wealth. Airolo has seventeen mountain pastures, each of which feeds forty to eighty head of cattle. Each member of the corporation has the right to send up to these pastures five head for the summer. Those sending more, pay for the privilege ; those sending less, receive a rental. On a specified day at the beginning of the season and on another at the close, the milk of each cow is weighed ; from these amounts her average yield is estimated, and her total produce computed. The cheese and butter from the herds are sold, most of it in Milan, the hire of the herders paid, and the net revenue divided among the members according to the yield of their cows.

In Glarus, the produce of the greater part of the communal lands, instead of being directly divided among the inhabitants, is substituted for taxation. The commonable alps are let by auction for a term of years, and, in opposition to ancient principles, strangers may bid for them. Some of the Glarus communes sell the right to cut timber in the forest under the superintendence of the guardians. The mountain hotels, in not a few instances the property of the communes, are let year by year. Land is frequently rented from the communes by manufacturing establishments. A citizen not using his share of the communal land may lease it to the commune, which in turn will let it to a tenant. The communes of Glarus are watchful that enough arable land is preserved for distribution among the members. If a plot is sold to manu-

facturers, or for private building purposes, a piece of equal or greater extent is bought elsewhere. Glarus has relatively as many people engaged in industries aside from farming as any other spot in Europe. It has 34,000 inhabitants, of whom nearly 15,000 live directly by manufactures, while of the rest many indirectly receive something from the same source. Distributive coöperative societies on the English plan exist in most of the industrial communes. The members of the communal corporations in Glarus, though not rich, are as free and independent as any other wage-workers in the world: they inherit the common lands; their local taxes are little or nothing; they are assured work, if not in the manufactories then on the land.

Of the poverty that fears pauperism in old age, that dreads enforced idleness in recurrent industrial crises, that undermines health, that sinks human beings in ignorance, that deprives men of their manhood, the Swiss who enjoy the common lands of the Landsgemeinde cantons know little or nothing. They have enough. They have nothing to waste, nothing to spare; their fare is simple. But they are free. It is to the like freedom and equality of their ancestors that historians have pointed. It would be well nigh meaningless to refer to any freedom and equality among other ancient Swiss. The right of asylum from religious oppression is the sole feature of liberty at all general of old. The present is the first generation in which all the Swiss have been free. The chief elements of

their political freedom—the Initiative and Referendum—came from the *Landsgemeinde* cantons. From the same source, in good time, so also may come to all Switzerland the prime element of economic freedom—free access to land.

Poverty is a relative condition. Men may be poor of mind—ignorant; and of body—ill-fed, ill-clothed, ill-sheltered; and of rights—dependent. And from the state of hopeless deprivation involving all these forms upward are minute gradations. Where stand the Swiss in the scale?

This the reply: Their system of education gives free opportunity to all to partake of the mental heritage of the ages. Their method of distribution, through the inheritance laws, of private and common lands; has made roughly two-thirds of the heads of families agricultural land holders. There being in other regards government control of all monopolies, the consequence is a widespread distribution of the annual product. Hence, no pauperism to be compared with that of England; no plutocracy such as we have in America. Certain other facts broadly outline the general comfort and independence. As one effect of the subdivision of the land, the soil, so far as nature permits, is highly cultivated, its appearance fertile, finished, beautiful, and in striking contrast with the dominating vast, bare mountain rocks and snowbeds. The many towns and cities bear abundant signs of a general prosperity, their roads, bridges, stores, residences,

and public buildings betokening in the inhabitants industry and energy, and freedom to employ these qualities. Emigration is at low percentage, and of those citizens who do leave for the New World not a few are educated persons with some means seeking short cuts to fortune. Much of the rough work of Switzerland is done by Savoyards, as houseworkers, and by Italians, as farm hands, laborers, and stone masons: showing that as a body even the poorest of the propertyless Swiss have some choice of the better paid occupations. Every spring sees Italians, by scores of thousands, pouring over the Alps for a summer's work in Switzerland. Indeed, Swiss wage-workers might command better terms were it not for competing Italians, French, and Germans. In other words, through just social arrangements, enough has been done in Switzerland to raise the economic level of the entire nation; but the overflow of laborers from other lands depresses the condition of home labor. Nevertheless, where, it may be asked, is the people higher in the scale of civilization, in all the word implies, than the Swiss?

To recount what the Swiss have done by direct legislation:

They have made it easy at any time to alter their cantonal and federal constitutions,—that is, to change, even radically, the organization of society, the social contract, and thus to permit a peaceful revolution at the will of the majority. They have as well cleared

from the way of majority rule every obstacle,—privilege of ruler, fetter of ancient law, power of legislator. They have simplified the structure of government, held their officials as servants, rendered bureaucracy impossible, converted their representatives to simple committeemen, and shown the parliamentary system not essential to lawmaking. They have written their laws in language so plain that a layman may be judge in the highest court. They have forestalled monopolies, improved and reduced taxation, avoided incurring heavy public debts, and made a better distribution of their land than any other European country. They have practically given home rule in local affairs to every community. They have calmed disturbing political elements ;—the press is purified, the politician disarmed, the civil service well regulated. Hurtful partisanship is passing away. Since the people as a whole will never willingly surrender their sovereignty, reactionary movement is possible only in case the nation should go backward. But the way is open forward. Social ideals may be realized in act and institution. Even now the liberty-loving Swiss citizen can discern in the future a freedom in which every individual,—independent, possessed of rights in nature's resources and in command of the fruits of his toil,—may, at his will, on the sole condition that he respect the like aim of other men, pursue his happiness.

DIRECT LEGISLATION IN THE UNITED STATES.

“ But these are foreign methods. How are they to be engrafted on our American system ? ” More than once have I been asked this question when describing the Initiative and Referendum of Switzerland.

The reply is : Direct legislation is not foreign to this country. Since the settlement of New England its practice has been customary in the town meeting, an institution now gradually spreading throughout the western states—of recent years with increased rapidity. The Referendum has appeared, likewise, with respect to state laws, in several forms in every part of the Union. In the field of labor organization, also, especially in several of the more carefully managed national unions, direct legislation is freely practiced. The institution does not need to be engrafted on this republic ; it is here ; it has but to develop naturally.

The Town Meeting.

The town meeting of New England is the counterpart of the Swiss communal political meeting. Both assemblies are the primary form of the politico-social organization. Both are the foundation of the structure of the State. The essential objects of both are the same : to enact local regulations, to elect local offi-

cers, to fix local taxation, and to make appropriations for local purposes. At both, any citizen may propose measures, and these the majority may accept or reject—*i. e.*, the working principles of town and commune alike are the Initiative and the Referendum.

A fair idea of the proceedings at all town meetings may be gained through description of one. For several reasons, a detailed account here of what actually happened recently at a town meeting is, it seems to me, justified. At such a gathering is seen, in plain operation, in the primary political assembly, the principles of direct legislation. The departure from those principles in a representative gathering is then the more clearly seen. In many parts of the country, too, the methods of the town meeting are little known. By observing the transactions in particular, the reader will learn the variety in the play of democratic principle and draw from it instructive inference.

The town of Rockland, Plymouth county, in the east of Massachusetts, has 5,200 inhabitants; assesses for taxation 5,787 acres of land; contains 1,078 dwelling houses, 800 of which are occupied by owners, and numbers 1,591 poll tax payers, who are therefore voters.

At 9 a. m., on Monday, March 2, 1891, 819 voters of Rockland assembled in the opera house for the annual town meeting, the "warrant" for which, in accordance with the law, had been publicly posted seven days before and published once in each of the two town newspapers. A presiding officer for the day, called a moderator, was elected by show of hands, after which an

election by ballot for town officers for the ensuing year was begun. The supervisors of the voting were the town clerk and the three selectmen (the executive officers of the town), who were seated on a platform at one end of the hall. To cast his ballot, a voter mounted the platform, his name was called aloud by the clerk, his ballot was deposited, a check bell striking as it was thrown in the ballot-box, and the voter stepped on and down. The ballot was a printed one, its size, color, and type regulated by state law. When the voters had cast their ballots, five tellers, who had been chosen by show of hands, counted the vote. In this balloting for town officers, there was no division into Republicans and Democrats, although considerable grouping together through party association could be traced. The officers elected were a town clerk and treasurer; a board of three, to serve as selectmen, assessors, overseers of the poor, and fence viewers; three school committeemen; a water commissioner; a board of health of three members; two library trustees; three auditors, and seven constables.

A vote was also taken by ballot—"Yes" or "No"—on the question: "Shall licenses be granted for the sale of intoxicating liquors in this town?" The yeas were 317; nays, 347. The form of ballot used in this case was precisely that invariably employed in the Referendum in Switzerland.

After a recess of an hour at midday, the business laid out in the "warrant" was resumed. There were present 700 to 800 voters, with, as on-lookers on the

same floor, a large number of women, the principal and pupils of the high school, and the teachers and children of the grammar schools.

The "warrant" (the schedule for the meeting) consisted of forty-four "articles," each representing a matter to be debated and voted on—that is to say, a subject for legislation. These articles had been placed in the warrant by the selectmen, either on their own motion or on request of citizens. The election of moderator had taken place under article 1; that of town officers under article 2; the license vote under article 3. The voting on the rest of the articles now took place by show of hands. Article 4 related to the annual reports of the town officers, printed copies of which were to be had by each citizen. These were read and discussed. Article 5 related to the general appropriations for town expenses for the ensuing year. The following were decided on, each item being voted on separately:

For highway repairs - -	\$3,800	For military aid - - -	\$500
For removing snow - -	300	For guideboards - - -	50
For fire department - -	1,200	For abatement of taxes and	
For police service - - -	500	collector's fee - - -	500
For night watch - - -	600	For support of poor - -	5,500
For town officers - - -	2,200	For library, etc - - -	1,000
For town committees, and		For schools, proper - -	11,300
Abingdon records -	50	For school-incidentals -	1,000
For miscellaneous expenses	1,200	For school books - - -	1,000
For interest - - - -	1,000	For hydrants - - - -	2,300
For memorial day - - -	100	For water bonds, etc -	2,500

Article 6, which was agreed to, authorized the town treasurer to borrow money in anticipation of the collection of taxes; article 7 related to the method of

collecting the town taxes. It was decided these should be farmed out to the lowest bidder, and, on the spot, a citizen secured the contract at sixty-eight cents on the hundred. Article 8 related to the powers of the tax collector ; 9, to a list of jurors reported by the selectmen, which was accepted ; 10, to methods of repairing highways and sidewalks ; 11, to appropriating money for memorial day. Articles 10 and 11 were passed over, having been covered in the general appropriations, and the selectmen were instructed to enforce in highway work the nine-hour law. Article 12, which was adopted, provided for a night watch ; 13, relating to copying the records of Abingdon, had been passed upon in the general appropriations ; 14, providing for widening and straightening a street, was passed, and \$350 appropriated for the purpose ; 15, providing for concrete sidewalks, excited much debate, and \$300 was appropriated in addition to material on hand. Articles 16, appropriating \$350 for draining a street, and 17, requesting the selectmen to lay out a water course on another street, were adopted. Article 18, which was carried by a large majority, appropriated, in five items, discussed and voted on separately, \$7,250 for the fire department. Article 19 appropriated \$100 for a town road, 20 \$200 for another, and these were adopted, but 21, by which \$325 was asked for another road, was laid on the table. Articles 22 and 23, appropriating \$75 and \$25 for bridges, were passed. Article 24, proposing the graveling of a sidewalk, was referred to the selectmen. Articles 25, 26, 27, and 28, proposing

the laying of sidewalks, were adopted, with appropriations of \$150, \$125, \$150, and \$150 ; but 29, also proposing a new sidewalk, was laid on the table. Article 30, proposing a new sidewalk, was adopted, with an appropriation of \$300, but 31, proposing another, was laid on the table. Articles 32, proposing to change the grading of two streets, with an appropriation of \$500 ; 33, appropriating \$300 for a highway roller ; 34, providing for a public drinking fountain, and appropriating \$200 ; 35, providing for a new bridge, and appropriating \$75, were all adopted. Articles 36, 37, and 38, providing for extensions to the water mains, were laid on the table. Article 39, appropriating \$300 for relocation of a telephone line, was adopted ; but articles 40, providing for a memorial building, 41, providing for a town hall, and 42, providing for a soldiers' memorial, were laid on the table. Lastly, articles 43 and 44, providing for changes in street names, were accepted as reported by the selectmen.

After finishing the "warrant," the meeting appropriated \$10 to pay the moderator, fixed \$3 a day as the rate for the selectmen, and directed the latter not to employ as constable any man who had been rejected by a vote of the town. It was 10.45 p. m. when the assemblage broke up, a recess having been taken from 5.30 to 7.30.

The proceedings at this meeting were characterized by democratic methods. When the town officers handed in their reports, they were questioned and criticised by one citizen and another. A motion to refer the

general appropriation list to a committee of twenty-five met with overwhelming defeat in the face of the expressed sentiment that about all left of primitive democracy was the old-fashioned town meeting. One of the speakers on the town library appropriation was a lady, and her point was carried. On the question of buying new fire extinguishing apparatus, there were sides and leaders, with prolonged debate. As to roads and bridges, each matter was dealt with on its own merits and separately from other similar propositions. In the election for officers, women voted for school committeemen.

The only officials of Rockland under annual salary are the treasurer and town physician. Selectmen receive a sum per diem; constables, fees; school committeemen make out their own bills. The others serve for nothing.

Rockland, politically, is a typical New England town. What is to be said of its manner of town meeting may, with little modification, be said of all. Each citizen present at such a meeting may join in the debate. From the printed copy of the officers' reports he may learn what his town government has done in the year past; from the printed warrant he may see what is proposed to be done in the year coming. He who knows the better way in any of the business is sure to receive a hearing. The pockets of all being concerned, whatever is best and cheapest is insured. Bribery, successful only in the dark, has little or no field in the town meeting.

Provision usually exists by which a town may dispose of any urgent matters springing up for legislation in the course of the year : as a rule a special town meeting may be called on petition of a small number of citizens, commonly seven to eleven.

In a study of the town meeting system of today, in "Harper's Monthly," June, 1891, Henry Loomis Nelson brought out many convincing facts as to its superiority over government by a town board. Where the cost for public lighting in a New England town had been but \$2,000, in a New York town of the same size it had amounted to \$11,000. The cities of Worcester, Mass., and Syracuse, New York, each of about 80,000 inhabitants, were compared, with the New England city in every respect by far the more economically governed. Towns in New England are uniformly superior to others in other parts of the country with regard to the extent of sewers and paved streets. The aggregate of town debts in New England is vastly less than the aggregate for a similar population in the Middle States. The state constitutions of New England commonly relate to fundamental principles, since each district may protect itself by the town meeting ; but outside New England, to assert the rights of localities, state constitutions usually perforce embody particulars. In their fire and police departments, and public school and water supply systems, New England towns lead the rest of the country. "The influence," says Mr. Nelson, "of the town meeting government upon the physical character of the

country, upon the highways and bridges, and upon the appearance of the villages, is familiar to all who have traveled through New England. The excellent roads, the stanch bridges, the trim tree-shaded streets, the universal signs of thrift and of the people's pride in the outward aspects of their villages, are too well known to be dwelt upon." In every New England community many of the men are qualified by experience to take charge of a public meeting and conduct its proceedings with some regard to the forms observed in parliamentary bodies. But elsewhere in the Union few of the citizens have any knowledge of such forms and observances. "In New England there is not a voter who may not, and very few voters who do not, actively participate in the work of government. In the other parts of the country hardly any one takes part in public affairs except the officeholder."

John Fiske, in "Civil Government in the United States," (1890), says that "the general tendency toward the spread of township government in the more recently settled parts of the United States is unmistakable." The first western state to adopt the town meeting system was Michigan; but it now prevails in four-fifths of the counties of Illinois; in one-sixth of Missouri, where it was begun in 1879; and in one-third of the counties of Nebraska, which adopted it in 1883; while it has gone much further in Minnesota and Dakota, in which states it has been law since 1878 and 1883, respectively.

“Within its proper sphere,” says Fiske, “government by town meeting is the form of government most effectively under watch and control. Everything is done in the full daylight of publicity. The specific objects for which public money is to be appropriated are discussed in the presence of everybody, and any one who disapproves of any of these objects, or of the way in which it is proposed to obtain it, has an opportunity to declare his opinions.” “The inhabitant of a New England town is perpetually reminded that ‘our government’ is ‘the people.’ Although he may think loosely about the government of his state or the still more remote government at Washington, he is kept pretty close to the facts where local affairs are concerned, and in this there is a political training of no small value.”

The same writer notes in the New England towns a tendency to retain good men in office, such as we have seen is the case in Switzerland. “The annual election affords an easy means of dropping an unsatisfactory officer. But in practice nothing has been more common than for the same persons to be re-elected as selectmen or constables or town-clerks for year after year, as long as they are willing or able to serve. The notion that there is anything peculiarly American or democratic in what is known as ‘rotation in office’ is therefore not sustained by the practice of the New England town, which is the most complete democracy in the world.” In another feature is there resemblance to Swiss custom: some of the town officials serve

without pay and none receive exorbitant salaries.

The Referendum in States, Cities, Counties, Etc.

Few are aware of the advances which direct legislation has made in state government in the United States. Many facts on this subject, collected by Mr. Ellis P. Oberholtzer, were published in the "Annals of the American Academy of Political and Social Science," November, 1891. Condensed, this writer's statement is as follows: Constitutional amendments now go to the people for a vote in every state except Delaware. The significance of this fact, and the resemblance of this vote to the Swiss Referendum, are seen when one considers the subject matter of a state constitution. Nowadays, such a constitution usually limits a legislature to a short biennial session and defines in detail what laws the legislature may and may not pass. In fact, then, in adopting a constitution once in ten or twenty years, the voters of a state decide upon admissible legislation. Thus they themselves are the real legislators. Among the matters once left entirely to legislatures, but now commonly dealt with in constitutions, are the following: Prohibiting or regulating the liquor traffic; prohibiting or chartering lotteries; determining tax rates; founding and locating state schools and other state institutions; establishing a legal rate of interest; fixing the salaries of public officials; drawing up railroad and other corporation regulations; and defining the relations of husbands and wives, and of debtors and creditors. In line with all

this is a tendency to easy amendment. In nearly all the new states and in those older ones which have recently revised their constitutions, the time in which amendments may be effected is as a rule but half of that formerly required. Where once the approval of two successive legislatures was exacted, now the consent of one is considered sufficient.

In fifteen states, until submitted to a popular vote, no law changing the location of the capital is valid ; in seven, no laws establishing banking corporations ; in eleven, no laws for the incurrence of debts excepting such as are specified in the constitution, and no excess of "casual deficits" beyond a stipulated sum ; in several, no rate of assessment exceeding a figure proportionate to the aggregate valuation of the taxable property. Without the Referendum, Illinois cannot sell its state canal ; Minnesota cannot pay interest or principal of the Minnesota railroad ; North Carolina cannot extend the state credit to aid any person or corporation, excepting to help certain railroads unfinished in 1876. With the Referendum, Colorado may adopt woman suffrage and create a debt for public buildings ; Texas may fix a location for a college for colored youth ; Wyoming may decide on the sites for its state university, insane asylum and penitentiary.

Numerous important examples of the Referendum in local matters in the United States, especially in the West, were found by Mr. Oberholtzer. There are many county, city, township, and school district referendums. Nineteen state constitutions guarantee to counties the

right to fix by vote of the citizens the location of the county seats. So also usually of county lines, divisions of counties, and like matters. Several western states leave it to a vote of the counties as to when they shall adopt a township organization, with town meetings; several states permit their cities to decide when they shall also be counties. As in the state, there are debt and tax matters that may be passed on only by the people of cities, boroughs, counties, or school districts. Without the Referendum, no municipality in Pennsylvania may contract an aggregate debt beyond 2 per cent of the assessed valuation of its taxable property; no municipalities in certain other states may incur in any year an indebtedness beyond their revenues; no local governments in the new states of the West may raise any loans whatever; none in other states may exceed certain limits in tax rates. With the Referendum, certain Southern communities may make harbor improvements, and other communities may extend the local credit to railroad, water transportation, and similar corporations. The prohibition of the liquor business in a city or county is often left to a popular vote; indeed, "local option" is the commonest form of Referendum. In California any city with more than 10,000 inhabitants may frame a charter for its own government, which, however, must be approved by the legislature. Under this law Stockton, San José, Los Angeles, and Oakland have acquired new charters. In the state of Washington, cities of 20,000 may make their own charters without the legis-

lature having any power of veto. Largely, then, such cities make their own laws.

In fact, the vast United States seems to have seen as much of the Referendum as little Switzerland. But the effect of the practice has been largely lost in the great size of this country and in the loose and unsystematized character of the institution as known here.

In the "American Commonwealth" of James Bryce, a member of Parliament, there is a chapter entitled "Direct Legislation by the People." After reciting many facts similar in character to those given by Mr. Oberholtzer, Mr. Bryce inquires into the practical workings of direct legislation. He finds what are to his mind some "obvious demerits." Of these demerits, such as apply to details he develops in the course of his statements of several cases of Referendum. In summing up, he further points out what seem to him two objections to the principle. One is that direct legislation "tends to lower the authority and sense of responsibility of the legislature." But this is precisely the aim of pure democracy, and from its point of view a merit of the first order. The other objection is, "it refers matters needing much elucidation by debate to the determination of those who cannot, on account of their numbers, meet together for discussion, and many of whom may have never thought about the matter." But why meet together for discussion? Mr. Bryce here overlooks that this is the age of newspaper and telegraph, and that through

these sources the facts and much debate on any matter of public interest may be forthcoming on demand. Mr. Bryce, however, sees more advantages than demerits in direct legislation. Of the advantages he remarks: "The improvement of the legislatures is just what the Americans despair of, or, as they would prefer to say, have not time to attend to. Hence they fall back on the Referendum as the best course available under the circumstances of the case and in such a world as the present. They do not claim that it has any great educative effect on the people. But they remark with truth that the mass of the people are equal in intelligence and character to the average state legislator, and are exposed to fewer temptations. The legislator can be 'got at,' the people cannot. The personal interest of the individual legislator in passing a measure for chartering banks or spending the internal improvement fund may be greater than his interest as one of the community in preventing bad laws. It will be otherwise with the bulk of the citizens. The legislator may be subjected by the advocates of women's suffrage or liquor prohibition to a pressure irresistible by ordinary mortals; but the citizens are too numerous to be all wheedled or threatened. Hence they can and do reject proposals which the legislature has assented to. Nor should it be forgotten that in a country where law depends for its force on the consent of the governed, it is eminently desirable that law should not outrun popular sentiment, but have the whole weight of the people's deliverance behind it."

The Initiative and Referendum in Labor Organizations.

The Referendum is well known to the Knights of Labor. For nine years past expressions of opinion have been asked of the local assemblies by the general executive board. The recent decision of the order to enter upon independent political action was made by a vote in response to a circular issued by the General Master Workman. The latter, at the annual convention at Toledo, in November, 1891, recommended that the Referendum form a part of the government machinery throughout the United States. The Knights being in some respects a secret organization, data as to referendary votings are not always made public.

For the past decade or longer several of the national and international trades-unions of America have had the Initiative and Referendum in operation. Within the past five years the institution in various forms has been taken up by other unions, and at present it is in more or less practice in the following bodies, all associated with the American Federation of Labor :

National or International Union.	No. of Local Unions.	No. of Members, December, 1891.
Journeymen Bakers - - - - -	81	17,500
Brewery Workmen - - - - -	61	9,500
United Broth'h'd of Carpenters and Joiners	740	65,000
Amalgamated Carpenters and Joiners -	40	2,800
Cigar-Makers - - - - -	310	27,000
Carriage and Wagon Makers - - - - -	11	2,000
Garment Workers - - - - -	24	4,000
Granite Cutters - - - - -	75	20,000
Tailors - - - - -	170	17,000
Typographical Union - - - - -	290	28,000
Total - - - - -	-	192,800

Direct legislation has long been familiar to the members of the International Cigar-Makers' Union. Today, amendments to its constitution, the acts of its executives, and even the resolutions passed at delegate conventions, are submitted to a vote by ballot in the local unions. The nineteenth annual convention, held at Indianapolis, September, 1891, provisionally adopted 114 amendments to the constitution and 33 resolutions on various matters. Though some of the latter were plainly perfunctory in character, all of these 147 propositions were printed in full in the "Official Journal" for October, and voted on in the 310 unions throughout America in November. The Initiative is introduced in this international union through local unions. When twenty of the latter have passed favorably on a measure, it must be submitted to the entire body. An idea of the financial transactions of the Cigar-Makers' International Union may be gathered from its total expenditures in the past twelve years and a half. In all, it has disbursed in that time \$1,426,208. Strikes took \$469,158; sick benefits, \$439,010; death benefits, \$109,608; traveling benefits, \$372,455, and out of work benefits, \$35,795. The advance of the Referendum in this great union has been very gradual. It began in 1877 with voting on constitutional amendments. The most recent, and perhaps last possible, step was to transfer the election of the general executive board from the annual convention to the entire body.

The United Garment Workers of America practice

direct legislation under Article 24 of their constitution, which is printed under the caption, "Referendum and Initiative." It prescribes two methods of Initiative. One is that three or more local unions, if of different states, may instruct the general secretary to call for a referendary vote in the unions of the national organization. The other is that the general executive board must so submit all questions of general importance. The general secretary issues the call within two weeks after the petition for a vote reaches him, and the vote is taken within six months afterward. Eighteen propositions passed by the annual convention of this union at Boston, in November, 1891, were submitted to a vote of the local unions in December.

In 1890, the local unions of the International Typographical Union, then numbering nearly 290, voted on twenty-five propositions submitted from the annual convention. In 1891, fourteen propositions were submitted. Of the latter, one authorized the formation of unions of editors and reporters; another directed the payments to the President to be a salary of \$1,400, actual railroad fares by the shortest possible routes, and \$3 a day for hotel expenses; another rescinded a six months' exemption from a per capita tax for newly formed unions; another provided for a funeral benefit of \$50 on the death of a member; by another an assessment of ten cents a month was levied for the home for superannuated and disabled union printers. All fourteen were adopted, the majorities, however, varying from 558 to 8,758.

Is Complete Direct Legislation in Government Practicable?

The conservative citizen, contented with the existing state of things, is wont to brush aside proposed innovations in government. To do so he avails himself of a familiar stock of objections. But have they not all their answer in the facts thus far brought forth in these chapters? Will he entertain no "crazy theories"? Here is offered practice, proven in varied and innumerable tests to be thoroughly feasible. He is opposed to foreign institutions? Here is a time-honored American institution. He holds that men cannot be made better by law? Here are facts to show that with change of law justice has been promoted. He deems democracy feebleness? Here has been shown its stalwart strength. He is sure workingmen are incapable of managing large affairs? Let him look to the cigar-makers—their capacity for organization, their self-restraint as an industrial army, the soundness of their financial system, the mastery of their employers in the eight-hour question. He believes the intricacies of taxation and estimates of appropriation beyond the average mind? He may see a New England town meeting in a single day dispose of scores of items and, with each settled to a nicety, vote away fifty thousand dollars. He fears state legislation, by reason of its complexity, would prove a puzzle to the ordinary voter? Why, then, are the more vexatious subjects so often shifted by the legislators to the people?

The conservative objector is, first, apt to object be-

fore fully examining what he dissents from, and, secondly, prone to have in mind ideal conditions with which to compare the new methods commended to him. In the matter of legislation, he dreams of a body of high-minded lawgivers, just, wise, unselfish, and not of legislators as they commonly are. He forgets that Congress and the legislatures have each a permanent lobby, buying privileges for corporations, and otherwise influencing and corrupting members. He forgets the party caucus, at which the individual member is swamped in the majority; the "strikers," members employing their powers in blackmail; the Black Horse Cavalry, a combination of members in state legislatures formed to enrich themselves by plunder through passing or killing bills. He forgets the scandalous jobs put through to reward political workers; the long lists of doubtful or vicious bills reviewed in the press after each session of every legislative body; the pamphlets issued by reform bodies in which perhaps three-fourths of a legislature is named as untrustworthy, and the price of many of the members given. The City Reform Club of New York published in 1887: "As with the city's representatives of 1886, the chief objects of most of the New York members were to make money in the 'legislative business,' to advance their own political fortunes, and to promote the interests of their factions." And where is the state legislature of which much the same things cannot be said?

The conservative objector may not know how the most important bills are often passed in Congress.

He may not know that until toward the close of a session the business of Congress is political in the party sense rather than in the governing sense ; that on the floor the play is usually conducted for effect on the public ; that in committees, measures into which politics enter are made up either on compromise or for partisan purposes ; that, finally, in the last days of a session, the work of legislation is a scramble. The second day before the adjournment of the last Congress was thus described in a New York daily paper: "Congress has been working like a gigantic threshing machine all day long, and at this hour there is every prospect of an all-night session of both houses. Helter-skelter, pell-mell, the 'unfinished business' has been poured into the big hopper, and in less time than it takes to tell it, it has come out at the other end completed legislation, lacking only the President's signature to fit it for the statute books. Public bills providing for the necessary expenses of the government, private bills galore having as their beneficiaries favored individuals, jobbery in the way of unnecessary public buildings, railroad charters, and bridge construction—all have been rushed through at lightning speed, and the end is not yet. A majority of the House members, desperate because their power and influence terminate with the end of this brief session, and a partisan Speaker, whose autocratic rule will prevail but thirty-six short hours longer, have left nothing unattempted whereby party friends and protégés might be benefited. It is safe to say that aside from a

half dozen measures of real importance and genuine merit the country would be no worse off should every other bill not yet acted upon fail of passage. Certain it is that large sums of money would be saved to the Government." And what observer does not know that scenes not unlike this are repeated in almost every legislature in its closing hours ?

As between such manner of even national legislation on the one hand, and on the other the entire citizenship voting (as soon would be the fact under direct legislation) on but what properly should be law—and on principles, on policies, and on aggregates in appropriations—would there be reason for the country to hesitate in choosing ?

Among the plainest signs of the times in America is the popular distrust of legislators. The citizens are gradually and surely resuming the law-making and money-spending power unwisely delegated in the past to bodies whose custom it is to abuse the trust. "Government" has come to mean a body of representatives with interests as often as not opposed to those of the great mass of electors. Were legislation direct, the circle of its functions would speedily be narrowed ; certainly they would never pass legitimate bounds at the urgency of a class interested in enlarging its own powers and in increasing the volume of public outlay. Were legislation direct, the sphere of every citizen would be enlarged ; each would consequently acquire education in his rôle, and develop a lively interest in the public affairs in part under his own management.

And what so-called public business can be right in principle, or expedient in policy, on which the American voter may not pass in person? To reject his authority in politics is to compel him to abdicate his sovereignty. That done, the door is open to pillage of the treasury, to bribery of the representative, and to endless interference with the liberties of the individual.

THE WAY OPEN TO PEACEFUL REVOLUTION.

What I set out in the first chapter to do seems to me done. I essayed to show how the political "machine," its "ring," "boss," and "heeler," might be abolished, and how, consequently, the American plutocracy might be destroyed, and government simplified and contracted to the field of its natural operations. These ends achieved, a social revolution would be accomplished—a revolution without loss of a single life or destruction of a dollar's worth of property.

Whoever has read the foregoing chapters has seen these facts established :

(1) That much in proportion as the whole body of citizens take upon themselves the direction of public affairs, the possibilities for political and social parasitism disappear. The "machine" becomes without effective uses, the trade of the politician is rendered undesirable, and the privileges of the monopolist are withdrawn.

(2) That through the fundamental principles of democracy in practice—the Initiative and the Referendum—great bodies of people, with the agency of central committees, may formulate all necessary law and direct its execution.

(3) That the difference between a representative government and a democracy is radical. The differ-

ence lies in the location of the sovereignty of society. The citizens who assign the lawmaking power to officials surrender in a body their collective sovereignty. That sovereignty is then habitually employed by the lawgivers to their own advantage and to that of a twin governing class, the rich, and to the detriment of the citizenship in general and especially the poor. But when the sovereignty rests permanently with the citizenship, there evolves a government differing essentially from representative government. It is that of mere stewardship and the regulation indispensable to society.

The Social Forces Ready for Our Methods.

Now that our theory of social reform is fully substantiated by fact, our methods shown to be in harmony with popular sentiment, our idea of democratic government clearly defined, and our final aim political justice, there remains some consideration of early possible practical steps in line with these principles and of the probable trend of events afterward.

Having practical work in view, we may first take some account of the principal social forces which may be rallied in support of our methods :—

To begin with : Sincere men who have abandoned hope of legislative reform may be called to renewed effort. Many such men have come to regard politics as inseparable from corruption. They have witnessed the tediousness and unprofitableness of seeking relief through legislators, and time and again have they seen

the very officials elected to bring about reforms go over to the powers that exploit the masses. They have seen in the course of time the tricks of partisan legislators almost invariably win as against the wishes of the masses. They know that in politics there is little study of the public needs, but merely a practice of the ignoble arts of the professional politician. Here, however, the proposed social reorganization depends, not on representatives, but on the citizens themselves; and the means by which the citizens may fully carry out their purposes have been developed. A fact, too, of prime importance: Where heretofore in many localities the people have temporarily overthrown politician and plutocrat, only to be themselves defeated in the end, every point gained by the masses in direct legislation may be held permanently.

Further: Repeatedly, of late years, new parties have risen to demand justice in government and improvement in the economic situation. One such movement defeated but makes way for another. Proof, this, that the spirit of true reform is virile and the heart of the nation pure. The progress made, in numbers and organization, before the seeds of decay were sown in the United Labor party, the Union Labor party, the Greenback-Labor party, the People's party of 1884, and various third-party movements, testify to the readiness of earnest thousands to respond, even on the slightest promise of victory, to the call for radical reform. That in such movements the masses are incorruptible is shown in the fact that in every instance one of the

chief causes of failure has been doubt in the integrity of leaders given to machine methods. But in direct legislation, machine leaders profit nothing for themselves, hold no reins of party, can sell no votes, and can command no rewards for workers.

Again: The vast organizations of the Knights of Labor and the trades-unions in the American Federation of Labor are evidence of the willingness and ability of wage-earners to cope practically with national problems. And at this point is to be observed a fact of capital significance to advocates of pure democracy. Whereas, in independent political movements, sooner or later a footing has been obtained by a machine, resulting in disintegration, in the trades organization, while political methods may occasionally corrupt leaders, the politician labor leader uniformly finds his fellow workmen turning their backs on him. The organized workers not only distrust the politician but detest political chicanery. Such would equally be the case did the wage-workers carry into the political field the direct power they exert in their unions. And in politics this never-failing, incorruptible power of the whole mass of organized wage-workers may be exerted by direct legislation. Therewith may be had politics without politicians. As direct legislation advances, the machine must retire.

Here, then, with immediate results in prospect from political action, lies encouragement of the highest degree—alike to the organized workers, to the men grown hopeless of political reform, and to the men in

active rebellion against the two great machine ridden parties.

Encouragement founded on reason is an inestimable practical result. Here, not only may rational hope for true reform be inspired; a lively certainty, based on ascertained fact, may be felt. All men of experience who have read these pages will have seen confirmed something of their own observations in direct legislation, and will have accepted as plainly logical sequences the developments of the institution in Switzerland. The New Englander will have learned how the purifying principles of his town meeting have been made capable of extension. The member of a labor organization will have observed how the simple democracy of his union or assembly may be transferred to the State. The "local optionist" will have recognized, working in broader and more varied fields, a well tried and satisfactory instrument. The college man will have recalled the fact that wherever has gone the Greek letter fraternity, there, in each society as a whole, and in each chapter with respect to every special act, have gone the Initiative and the Referendum. And every member of any body of equal associates must perceive that the first, natural circumstance to the continued existence of that body in its integrity must be that each individual may propose a measure and that the majority may accept or reject it; and this is the simple principle of direct legislation. Moreover, any mature man, east or west, in any locality, may recall how within his experience a com-

munity's vote has satisfactorily put vexatious questions at rest. With the recognition of every such fact, hope will rise and faith in the proposed methods be made more firm.

Abolition of the Lawmaking Monopoly.

To radical reformers further encouragement must come with continued reflection on the importance to them of direct legislation. In general, such reformers have failed to recognize that, before any project of social reconstruction can be followed out to the end, there stands a question antecedent to every other. It is the abolition of the lawmaking monopoly. Until that monopoly is ended, no law favorable to the masses can be secure. Direct legislation would destroy this parent of monopolies. It gone, then would follow the chief evils of governmental mechanism—class rule, ring rule, extravagance, jobbery, nepotism, the spoils system, every jot of the professional trading politician's influence. To effect these ends, all schools of political reformers might unite. For immediate purposes, help might come even from that host of conservatives who believe all will be well if officials are honest. Direct majority rule attained, inviting opportunities for radical work would soon lie open. How, may readily be seen.

The New England town collects its own taxes; it manages its local schools, roads, bridges, police, public lighting and water supply. In similar affairs the Swiss commune is autonomous. On the Pacific coast a ten-

dency is to accord to places of 10,000 or 20,000 inhabitants their own charters. Throughout the country, in many instances, towns and counties settle for themselves questions of prohibition, license, and assessments; questions of help to corporations and of local public improvement. Thus in measure as the Referendum comes into play does the circumscription practicing it become a complete community. In other words, with direct legislation rises local self-government.

The Principles of Local Self-Government.

From even the conservative point of view, local self-government has many advantages. In this country, the glaring evils of the State, especially those forming obstacles to political improvement and social progress, come down from sources above the people. Under the existing centralization whole communities may protest against governmental abuses, be practically a unit in opposition to them, and yet be hopelessly subject to them. Such centralization is despotism. It forms as well the opportunity for the demagogue of to-day—for him who as suppliant for votes is a wheedler and as politician and lawgiver a trickster. Centralization confuses the voter, baffles the honest newspaper, fomenters partisanship, and cheats the masses of their will. On the other hand, to the extent that local independence is acquired, a democratic community minimizes every such evil. In naturally guarding itself against external interference, it seeks in its connection with other communities the least common politi-

cal bonds. It is watchful of the home rule principle. Under its local self-government, government plainly becomes no more than the management of what are wholly public interests. The justice of lopping off from government all matters not the common affairs of the citizens then becomes apparent. The character of every man in the community being known, public duties are intrusted with men who truly represent the citizens. The mere demagogue is soon well known. Bribery becomes treachery to one's neighbor. The folly of partisanship is seen. Public issues, usually relating to but local matters, are for the most part plain questions. The press, no longer absorbed in vague, far-off politics, aids, not the politicians, but the citizens. Reasons, every one of these, for even the conservative to aid in establishing local self-government.

But the radical, looking further than the conservative, will see far greater opportunities. In local self-government with direct legislation, every possibility for his success that hope can suggest may be perceived. If not in one locality, then in another, whatever political projects are attainable within such limits by his school of philosophy may be converted by him and his co-workers from theory to fact. Thence on, if his philosophy is practicable, the field should naturally widen.

The political philosophy I would urge on my fellow-citizens is summed up in the neglected fundamental principle of this republic: Freedom and equal rights.

The true point of view from which to see the need of the application of this principle is from the position of the unemployed, propertyless wage-worker. How local self-government and direct legislation might promptly invest this slave of society with his primary rights, and pave the way for further rights, may, step by step, be traced.

The Relation of Wages to Political Conditions.

The wages scale pivots on the strike. The employer's order for a reduction is his strike; to be effective, a reserve of the unemployed must be at his command. The wage-worker's demand for an increase is his strike; to be effective it must be backed up by the indispensableness of his services to the employer. Accordingly as the worker forces up the scale of wages, he is the more free, independent, and gainer of his product. To show the most direct way to the conditions in which workers may command steady work and raise their wages, this book is written. For the wages question equitably settled, the foundation for every remaining social reform is laid.

To-day, in the United States, in scores, nay, hundreds, of industrial communities the wage-working class is in the majority. The wage-workers commonly believe, what is true, that they are the victims of injustice. As yet, however, no project for restoring their rights has been successful. All the radical means suggested have been beyond their reach. But in so far as a single community may exercise equal rights

and self-government, through these means it may approximate to just social arrangements.

Any American city of 50,000 inhabitants may be taken as illustrative of all American industrial communities. In such a city, the economical and political conditions are typical. The immediate commercial interests of the buyers of labor, the employers, are opposed to those of the sellers of labor, the employed. To control the price of labor, each of these parties in the labor market resorts to whatever measures it finds within command. The employers in many branches of industry actually, and employers in general tacitly, combine against the labor organizations. On the wage-workers' side, these organizations are the sole means, except a few well-nigh futile laws, yet developed to raise wages and shorten the work day. In case of a strike, the employers, to assist the police in intimidating the strikers, may engage a force of armed so-called detectives. Simply, perhaps, for inviting non-unionists to cease work, the strikers are subject to imprisonment. Trial for conspiracy may follow arrest, the judges allied by class interests with the employers. The newspapers, careful not to offend advertisers, and looking to the well-to-do for the mass of their readers, may be inclined to exert an influence against the strikers. The solidarity of the wage-workers incomplete, even many of these may regard the fate of the strikers with indifference. In such situation, a strike of the wage-workers may be made to appear to

all except those closely concerned as an assault on the bulwarks of society.

But what are the bulwarks of society directly arrayed against striking wage-workers? They are a ring of employers, a ring of officials enforcing class law made by compliant representatives at the bidding of shrewd employers, and a ring of public sentiment makers—largely professional men whose hopes lie with wealthy patrons. Behind these outer barriers, and seldom affected by even widespread strikes, lies the citadel in which dwell the monopolists.

Such, in outline, are the intermingled political and economic conditions common to all American industrial centres. But above every other fact, one salient fact appears: On the wage-workers falls the burthen of class law. On what, then, depends the wiping out of such law? Certainly on nothing else so much as on the force of the wage-workers themselves. To deprive their opponents of unjust legal advantages, and to invest themselves with just rights of which they have been deprived, is a task, outside their labor organizations, to be accomplished mainly by the wage-workers. It is their task as citizens—their political task. With direct legislation and local self-government, it is, in considerable degree, a feasible, even an easy, task. The labor organizations might supply the framework for a political party, as was done in New York city in 1886. Then, as was the case in that campaign, when the labor party polled 68,000 votes, even non-unionists might throw in the reinforcement of

their otherwise hurtful strength. Success once in sight, the organized wage-workers would surely find citizens of other classes helping to swell their vote. And in the straightforward politics of direct legislation, the labor leaders who command the respect of their fellows might, without danger to their character and influence, go boldly to the front.

The Wage-Workers as a Political Majority.

Suppose that as far as possible our industrial city of 50,000 inhabitants should exercise self-government with direct legislation. Various classes seeking to reform common abuses, certain general reforms would immediately ensue. If the city should do what the Swiss have done, it would speedily rid its administration of unnecessary office-holders, reduce the salaries of its higher officials, and rescind outstanding franchise privileges. If the municipality should have power to determine its own methods of taxation, as is now in some respects the case in Massachusetts towns, and toward which end a movement has begun in New York, it would probably imitate the Swiss in progressively taxing the higher-priced real estate, inheritances, and incomes. If the wage-workers, a majority in a direct vote, should demand in all public work the short hour day, they would get it, perhaps, as in the Rockland town meeting, without question. Further, the wage-workers might vote anti-Pinkerton ordinances, compel during strikes the neutrality of the police, and place judges from their own ranks in at least the local

courts. These tasks partly under way, a change in prevailing social ideas would pass over the community. The press, echo, not of the widest spread sentiments, but of controlling public opinion, would open its columns to the wage-working class come to power. And, as is ever so when the wage-workers are aggressive and probably may be dominant, the social question would burn.

The Entire Span of Equal Rights.

The social question uppermost, the wage-workers—now in political ascendancy, and bent on getting the full product of their labor—would seek further to improve their vantage ground. Sooner or later they would inevitably make issue of the most urgent, the most persistent, economic evil, local as well as general, the inequality of rights in the land. They would affirm that, were the land of the community in use suitable to the general needs, the unemployed would find work and the total of production be largely increased. They would point to the vacant lots in and about the city, held on speculation, commonly in American cities covering a greater area than the land improved, and denounce so unjust a system of land tenure. They could demonstrate that the price of the land represented for the most part but the power of the owners to wring from the producers of the city, merely for space on which to live and work, a considerable portion of their product. They could with reason declare that the withholding from use of the vacant

land of the locality was the main cause of local poverty. And they would demand that legal advantages in the local vacant lands should forthwith cease.

In bringing to an end the local land monopoly, however, justice could be done the landholders. Unquestionably the fairest measure to them, and at the same time the most direct method of giving to city producers, if not free access to land, the next practicable thing to it, would be for the municipality to convert a part of the local vacant land into public property, and to open it in suitable plots to such citizens as should become occupiers. Sufficient land for this purpose might be acquired through eminent domain. The purchase money could be forthcoming from several sources—from progressive taxation in the direct forms already mentioned, from the city's income from franchises, and from the savings over the wastes of administration under present methods.

From the standpoint of equal rights there need be no difficulty in meeting the arguments certain to be brought against this proposed course—such sophistical arguments as that it is not the business of a government to take property from some citizens to give to others. If the unemployed, propertyless wage-worker has a right to live, he has the right to sustain life. To sustain life independently of other men's permission, access to natural resources is essential. This primary right being denied the wage-workers as a class, any or all of whom, if unemployed, might soon be propertyless, they might in justice proceed to enforce it. To

enforce it by means involving so little friction as those here proposed ought to win, not opposition, but approval.

Equal rights once conceded as just, this reasoning cannot be refuted. Discussed in economic literature since before the day of Adam Smith, it has withstood every form of assault. If it has not been acted on in the Old World, it is because the wage-workers there, ignorant and in general deprived of the right to vote, have been helpless; and if not in the New, because, first, until within recent years the free western lands, attracting the unemployed and helping to maintain wages, in a measure gave labor access to nature, and, secondly, since the practical exhaustion of the free public domain the industrial wage-workers have not perceived how, through politics, to carry out their convictions on the land question.

Our reasoning is further strengthened by law and custom in state and nation. In nearly every state, the constitution declares that the original and ultimate ownership of the land lies with all its people; and hence the method of administering the land is at all times an open public question. As to the nation at large, its settled policy and long-continued custom support the principle that all citizens have inalienable rights in the land. Instead of selling the national domain in quantities to suit purchasers, the government has held it open free to agricultural laborers, literally millions of men being thus given access to the soil. Moreover, in thirty-seven of the forty-four

states, execution for debt cannot entirely deprive a man of his homestead, the value exempt in many of the states being thousands of dollars. Thus the general welfare has dictated the building up and the securing of a home for every laboring citizen.

In line, then, with established American principles is the proposition for municipal lands. And if municipalities have extended to capitalists privileges of many kinds, even granting them gratis sites for manufactories, and for terms of years exempting such real estate from taxation, why not accord to the wage-workers at least their primary natural rights? If any property be exempted from taxation, why not the homesite below a certain fixed value? And if, for the public benefit, municipalities provide parks, museums, and libraries, why not give each producer a homesite—a footing on the earth? He who has not this is deprived of the first right to do that by which he must live, namely, labor.

Effects of Municipal Land.

A city public domain, open to citizen occupiers under just stipulations, would in several directions have far-reaching results.

Should this domain be occupied by, say, one thousand families of a population of 50,000, an immediate result, affecting the whole city, would be a fall in rents. In fact, the mere existence of the public domain, with a probability that his tenants would remove to it, might cause a landlord to reduce his rents.

Besides, the value of all land, in the city and about it, held on speculation, would fall. Save in instances of particular advantage, the price of unimproved residence lots would gravitate toward the cost, all things considered, of residence lots in the public domain. This, for these reasons: The corner in land would be broken. Home builders would pay a private owner no more for a lot than the cost of a similar one in the public area. As houses went up on the public domain, the chances of landholders to sell to builders would be diminished. Sellers of land, besides competing with the public land, would then compete with increased activity with one another. Finally, just taxation of their land, valueless as a speculation, would oblige landowners to sell it or to put it to good use.

Even should the growth of the city be rapid, the value of land in private hands could in general advance but little, if at all. With the actual demands of an increased population, the public domain might from time to time be enlarged; but not, it may reasonably be assumed, at a rate that would give rise to an upward tendency of prices in the face of the above-mentioned factors contributing to a downward tendency.

At this point it may be well to remember that, conditions of land purchase by the city being subject to the Referendum, the buying could hardly be accompanied by corrupt bargaining.

When the effect of the public land in depressing land values, in other words in enabling producers to retain the more of their product, was seen, private as

well as public agencies might aid in enlarging the scope of that effect. The philanthropic might transfer land to the municipality, preferring to help restore just social conditions rather than to aid in charities that leave the world with more poor than ever; the city might provide for a gradual conversion, in the course of time, of all the land within its limits to public control, first selecting, with the end in view, tracts of little market value, which, open to occupiers, would assist in keeping down the value of lands held privately.

But the more striking results of city public land would lie in another direction. The spontaneous efforts of each individual to increase and to secure the product of his labor would turn the current of production away from the monopolists and toward the producers. With a lot in the public domain, a wage-worker might soon live in his own cottage. As the settler often did in the West, to acquire a home he might first build two or four rooms as the rear, and, living in it, with later savings put up the front. A house and a vegetable garden, with the increased consequent thrift rarely in such situation lacking, would add a large fraction to his year's earnings. Pasture for a cow in suburban city land would add yet more. Then would this wage-earner, now his own landlord and in part a direct producer from the soil, withdraw his children from the labor market, where they compete for work perhaps with himself, and send them on to school.

What would now happen should the wage-workers of the city demand higher wages? It is hardly to be supposed that any industrial centre could reach the stage of radical reform contemplated at this point much in advance of others. When the labor organizations throughout the country take hold of direct legislation, and taste of its successes, they will nowhere halt. They will no more hesitate than does a conquering army. Learning what has been done in Switzerland, they will go the lengths of the Swiss radicals and, with more elbow room, further. Hence, when in one industrial centre the governing workers should seek better terms, similar demands from fellow laborers, as able to enforce them, would be heard elsewhere.

The employer of our typical city, even now often unable to find outside the unions the unemployed labor he must have, would then, should he attempt it, to a certainty fail. The thrifty wage-working householder, today a tenant fearful of loss of work, could then strike and stay out. The situation would resemble that in the West twenty years ago, when open land made the laborer his own master and wages double what they are now. Wages, then, would perforce be moved upward, and hours be shortened, and a long step be made toward that state of things in which two employers offer work to one employé. And, legal and social forces no longer irresistibly opposed to the wage-workers, thenceforth wages would advance. At every stage they would tend to the maximum possible under the improved conditions. In the end, under fully equal

conditions, everywhere, for all classes, the producer would gather to himself the full product of his labor.

The average business man, too, of the city of our illustration, himself a producer—that is, a help to the consumer—would under the better conditions reap new opportunities. Far less than now would he fear failure through bad debts and hard times; through the wage-workers' larger earnings, he would obtain a larger volume of trade; he would otherwise naturally share in the generally increased production; and he would participate in the common benefits from the better local government.

But the disappearance of the local monopolist would be predestined. The owner of local franchises would already have gone. The local land monopolist would have seen his land values diminished. In every such case, the monopolist's loss would be the producer's gain. The aggregate annual earnings of all the city's producers (the wage-workers, the land-workers, and the men in productive business) would rise toward their natural just aggregate—all production. As between the various classes within the city, a condition approximating to justice in political and economic arrangements would now prevail.

What would thus be likely to happen in our typical city of 50,000 inhabitants would also, in greater or less degree, be possible in all industrial towns and cities. In every such place, self-government and direct legislation could solve the more pressing immediate phases of the labor question and create the local

conditions favorable to remodeling, and as far as possible abolishing, the superstructure of government.

Wider Applications of These Principles and Methods.

The political and economic arrangements extending beyond the control of the municipalities would now, if they had not done so before, challenge attention. In taking up with reform in this wider field, the industrial wage-workers would come in contact with those farmers who are demanding radical reforms in state and nation. As the sure instrument for the citizenship of a state, direct legislation could again with confidence be employed. No serious opposition, in fact or reason, could be brought against it. That the mass of voters might prove too unwieldy for the method would be an assertion to be instantly refuted by Swiss statistics. In Zurich, the most radically democratic canton of Switzerland, the people number 339,000; the voters, 80,000. In Berne, which has the obligatory Referendum, the population is 539,000. And it must not be overlooked that the entire Swiss Confederation, with 600,000 voters, now has both Initiative and Referendum. Hence, in any state of the Union, direct legislation on general affairs may be regarded as immediately practicable, while in many of the smaller states the obligatory Referendum may be applied to particulars. And even in the most populous states, when special legislation should be cast aside, and local legislation left to the localities affected, complete direct

legislation need be no more unmanageable than in the smallest.

United farmers, wage-workers, and other classes of citizens, in the light of these facts, might naturally demand direct legislation. Foreseeing that in time such union will be inevitable, what more natural for the producing classes in revolt than to unite today in voting, if not for other propositions, at least for direct legislation and home rule? These forces combined in any state, it seems improbable that certain political and economic measures now supported by farmer and wage-worker alike could long fail to become law. Already, under the principle that "rights should be equal to all and special privileges be had by none," farmers' and wage-workers' parties are making the following demands: That taxation be not used to build up one interest or class at the expense of another; that the public revenues be no more than necessary for government expenditures; that the agencies of transportation and communication be operated at the lowest cost of service; that no privileges in banking be permitted; that woman have the vote wherever justice gives it to man; that no force of police, marshals, or militiamen not commissioned by their home authorities be permitted anywhere to be employed; that monopoly in every form be abolished and the personal rights of every individual respected. These demands are all in agreement with the spirit of freedom. Along the lines they mark out, the future successes of the radical social reformers will most prob-

ably come. But if, in response to a call nowadays frequently heard, the many incipient parties should decide to unite on one or a few things, is it not clear that in natural order the first reforms needed are direct legislation and local self-government ?

To a party logically following the principle of equal rights, the progress in Switzerland under direct legislation would form an invaluable guide. The Swiss methods of controlling the railroads and banks of issue, and of operating the telegraph' and telephone services, deserve study and, to the extent that our institutions admit, imitation. The organization of the Swiss State and its subdivisions is simple and natural. The success of their executive councils may in this country assist in raising up the power of the people as against one man power. The fact that the cantons have no senates and that a second chamber is an obstacle to direct legislation may here hasten the abolition of these nurseries of aristocracy.

With the advance of progress under direct legislation, attention would doubtless be attracted in the United States, as it has been in Switzerland, to the nicer shades of justice to minorities and to the broader fields of internal improvement. As in the cantons of Ticino and Neuchâtel, our legislative bodies might be opened to minority representatives. As in the Swiss Confederation, the great forests might be declared forever the inheritance of the nation. What publiclands yet remain in each state might be withheld from private ownership except on occupancy and use, and

the area might be so increased as to enable every producer desiring it to exercise the natural right of free access to the soil. Then the right to labor, now being demanded through the Initiative by the Swiss workmen's party, might here be made an admitted fact. And as is now also being done in Switzerland, the public control might be extended to water powers and similar resources of nature.

Thus in state and nation might practicable radical reforms make their way. From the beginning, as has been seen, benefits would be widespread. It might not be long before the most crying social evils were at an end. Progressive taxation and abolition of monopoly privileges would cause the great private fortunes of the country to melt away, to add to the producers' earnings. On a part of the soil being made free of access, the land-hungry would withdraw from the cities, relieving the overstocked labor markets. Poverty of the able-bodied willing to work might soon be even more rare than in this country half a century ago, since methods of production at that time were comparatively primitive and the free land only in the West. If Switzerland, small in area, naturally a poor country, and with a dense population, has gone far toward banishing pauperism and plutocracy, what wealth for all might not be reckoned in America, so fertile, so broad, so sparsely populated!

And thus the stages are before us in the course of which the coming just society may gradually be established—that society in which the individual shall

attain his highest liberty and development, and consequently his greatest happiness. As lovers of freedom even now foresee, in that perfect society each man will be master of himself; each will act on his own initiative and control the full product of his toil. In that society, the producer's product will not, as now, be diminished by interest, unearned profits, or monopoly rent of natural resources. Interest will tend to disappear because the products of labor in the hands of every producer will be abundant—so abundant that, instead of a borrower paying interest for a loan, a lender may at times pay, as for an accommodation, for having his products preserved. Unearned profits will tend to disappear because, no monopolies being in private hands, and free industry promoting voluntary coöperation, few opportunities will exist for such profits. Monopoly rent will disappear because, the natural right to labor on the resources of nature made a legal right, no man will be able to exact from another a toll for leave to labor. Whatever rent may arise from differences in the qualities of natural resources will be made a community fund, perhaps to be substituted for taxes or to be divided among the producers.

The natural political bond in such a society is plain. Wherein he interferes with no other man, every individual possessing faculty will be regarded as his own supreme sovereign. Free, because land is free, when he joins a community he will enter into social relations with its citizens by contract. He will legislate (form contracts) with the rest of his immediate com-

munity in person. Every community, in all that relates peculiarly to itself, will be self-governing. Where one community shall have natural political bonds with another, or in any respect form with several others a greater community, the circumscription affected will legislate through central committees and a direct vote of the citizenship. Executives and other officials will be but stewards. In a society so constituted, communities that reject the elements of political success will languish; free men will leave them. The communities that accept the elements of success, becoming examples through their prosperity, will be imitated; and thus the momentum of progress will be increased. Communities free, state boundaries as now known will be wiped out; and in the true light of rights in voting—the rights of associates in a contract to express their choice—few questions will affect wide territories. Rarely will any question be, in the sense the word is now used, national; the ballot-box may never unite the citizens of the Atlantic coast with those of the Pacific. Yet, in this decomposition of the State into its natural units—in this resolving of society into its constituent elements—may be laid the sole true, natural, lasting basis of the universal republic, the primary principle of which can be no other thing than freedom.

INDEX.

	A	
Aargau	12, 13	
Abolition of the lawmaking monopoly, 100	100	
"A Concept of Political Justice"	i	
Adams, Sir Francis Ottiwell ("The Swiss Confederation")	iii	
Alcohol, State monopoly, Switzerland	59	
Appenzell	8, 13, 65	
Area of Switzerland	14, 48	
"Arena"	27	
Army, a democratic	41, 42	
Assembly, Federal, Switzerland	22, 35	
	B	
Bâle	12, 13, 61	
Banking, Switzerland	54	
Berne	10, 12, 13, 61, 115	
Bryce, James, "American Commonwealth"	85	
Bürkli, Carl	16	
	C	
Canton, organization of the	34	
Cantons (states), names of the twenty-two	13	
Cigar-Makers' Union	87, 88	
Climate, Switzerland	48	
Communal lands	63, 70	
Communal meeting, the	7, 32, 33	
subjects covered at	8	
organization	32	
Communes (townships) 2,706 in number	7	
Congress (Federal Assembly), Switzerland	22, 35	
Congress, United States, at work	92	
Considérant, Victor	16	
Constitutions, revision of Swiss	23	
spirit of Swiss	31	
	D	
Dates—First Swiss Constitution, 14; Federal Referendum began, 14; Federal Initiative adopted, 14; cantonal Referendum began, 14; progress of cantonal Referendum, 15; French theorists' discussion of Referendum, 14; cantonal Referendum established in Zurich, 16; New England town meeting, 80.		

		Debts, public, Switzerland	57
		Democracy vs representative government	5
		Dacey, A. V.	28
		Diet	10, 37
		Droz, Numa	19
	E		
		Elections, semi-annual	20
		Environment of the Swiss citizen	31
		Equal rights	107
		Executive councils, Swiss	36, 37, 40
	F		
		Facts established by this book	95
		Fiske, John, on town meeting	80
		Freedom in Switzerland	57
		Freiburg	12
	G		
		Garment Workers, United	88
		Geneva	12, 13, 61
		Glarus	12, 13, 65, 66, 67
		Grand Council	18, 20, 34
		Grisons	12, 13, 61
	H		
		Highways, Switzerland	50
	I		
		Illiteracy in Switzerland	27
		Immigration into Switzerland	70
		Initiative and Referendum in labor organizations	87
		Initiative, cantonal	11
		Federal	22
		not a simple petition	22
		what it is	10
		Instruction in Switzerland	27
	J		
		Jamin, P.	17
		Jesuits expelled from Switzerland	58
		Judiciary, Swiss	40
		Jurors, Swiss, elected	40
	L		
		Land and climate, Switzerland	47
		Land, tenure and distribution of, Switzerland	63, 70
		Public	64, 65
		Landsgemeinde	8, 63
		Languages in Switzerland	13

INDEX—Continued.

Legislation by representatives . . . 92
 Legislators, pay of Swiss 35
 Legislatures in Switzerland 34
 Local self-government 101
 Lucerne 12, 13

M

Machines kill third parties 98
 McCrackan, W. D. 27
 Military system, Swiss 42, 43
 Moses, Prof. Bernard ("The Federal Government of Switzerland") iii
 Municipal land 110

N

Nelson, Henry Loomis, on the town meeting 79
 Neuchâtel 12, 13, 61
 New England town meeting 72

O

Oberholtzer, Ellis P. on Referendum in the United States 82
 Objections to the optional Referendum 18
 Obligatory and optional Referendum 13, 17
 Obligatory Referendum in Zurich 20
 One-man power unknown in Switzerland 34

P

Parliamentary government abolished 30
 Political status in Switzerland 25
 Population, Switzerland, cantons, cities 13, 14
 Post-office, Switzerland 49
 Poverty in Switzerland 68
 President of the Confederation 38
 Press, the Swiss 26
 Principles of a free society 25
 Proportional representation 117

R

Railroads, Switzerland 49
 Referendum, Federal, Switzerland 21, 22
 in labor organizations 87
 instrument of the minority 22
 in the United States 72
 in various states, cities, etc. 82
 not the plébiscite 29
 obligatory 13, 17, 20
 optional 13, 17, 18
 what it is 10
 Rittinghausen 16
 Rockland, Mass., town meeting 73
 Rotation in office a partisan idea 39, 83

S

Salaries of Swiss officials 35, 36, 38
 Salvation Army, Switzerland 58
 Schaffhausen 12, 13
 Schwyz 8, 12, 13, 65
 Senates, no cantonal 34
 Soleure 12, 13
 Stage routes, Switzerland 52
 State religions, Switzerland 33
 St. Gall 12, 13, 65, 66
 Statistics as to Switzerland 13, 14
 Summary of results of direct legislation in Switzerland 70
 Sunday, votings and communal meetings on 8
 Switzerland long undemocratic 60

T

Table—Population, languages, form of passing laws, year of entering Switzerland 13
 Tariff, protective, Switzerland 58
 Taxes, Switzerland 52
 Telegraph and telephone, Switzerland 50
 Thurgau 12, 13
 Ticino 12, 13, 59, 66, 67
 Typographical Union 89

U

Unterwald 12, 13, 65, 66
 Urgence 17
 Uri 12, 13, 65

V

Valais 12, 13, 61, 66
 Vaud 12, 13, 66
 Vincent, Prof. John Martin ("State and Federal Government of Switzerland") iii
 references to 8, 32, 34, 61
 Vote-buying 20

W

Wage-workers in the majority 106
 Wages and political conditions 103
 "Westminster Review" 28, 45
 Winchester, Boyd ("The Swiss Republic") iv
 reference to 63
 Wuarin, Louis 30

Z

Zurich 13, 16, 20, 21, 61, 65, 115
 Zug 12, 13

THE TRANSVAAL INDIANS.

A complete account
OF
Their Grievances, Demands
and Sufferings.

TOGETHER WITH FULL TEXTS

OF THE

Anti-Asiatic Legislation
of the Colony.

ट्रान्सवालांतलि हिंदी लोक.

त्यांची दुःखें, मागण्या व परिस्थिति; या संबंधाची
इंग्रजी व मराठी सविस्तर हकीकत.

(Printed at the Indu Prakash Steam Press-BOMBAY.)

Price 2 Annas.

CONTENTS.

The Transvaal Indians—Their grievances, Demands and Sufferings.

	PAGE.
No I—The main points at issue	1
No II—Brief History of the Anti-Asiatic Campaign	4
No III—Brief history of the Passive Resistance movement	9
No IV—The Imperial Government False to its Trust and Conclusion	14
APPENDIX A—Law No III of 1885 and the Asiatic Law Amendment Act, No. II of 1907.	19
APPENDIX B—Summary of other Minor Acts and of the Regulations	28
<hr/>	
ट्रान्सव्हालांतील हिंदी लोक, त्यांची दुःखे, व मागण्या	१ ते २१

THE TRANSVAAL INDIANS.

Their Grievances, Demands and Sufferings.

NO. I.

(Reprinted from the *Daily Indu-Prakash*, Bombay,
4th August 1909.)

The main points at issue.

Now or never. If there ever was an occasion peremptorily calling upon all India to speak out with united voice and in unmistakable language on behalf of their patriotic countrymen, gallantly fighting India's cause in the Transvaal in far off Africa and for that purpose cheerfully undergoing untold hardships and sufferings, it is now. The Boers and the British Colonists of South Africa have made up their jealousies and quarrels and pushed up to final success the project of a great federation, practically independent of Great Britain. A Bill formulating the constitution for the union of the Self-Governing Colonies of South Africa is now before the Parliament and its successful passage is only a question of time. If the opportunity of securing fair treatment for the Indian emigrants in South Africa as a condition precedent for the granting by the Mother country of her sanction for the constitution,

is lost, the cause of the Indians shall have to be finally abandoned as absolutely hopeless. Mr. Gandhi and others are doing all they could. Deputations on their behalf have gone to England. They have sent as their delegate Mr. Henry S. L. Polak—an European gentleman, be it noted to his credit—to India and he is amongst us, seeking to rouse us to a proper sense of our duty in the crisis. We hope our leading men and the masses too, will cheerfully respond. They have often been told of the thrilling story of the woes of our countrymen in South Africa. In view of the present crisis, we propose once more to give succinctly the main incidents so that the people may know exactly the great points at issue.

There are to-day only 6,000 British Indians remaining in the Transvaal out of a total Indian population of 13,000 the remaining 7,000 having mostly been driven out of

forced to remain out of the Colony.

They are suffering terrible hardships for the sake of the Motherland. The Transvaal Government are trying to crush them out of existence and have passed laws insulting to their religion and their race. This legislation has been added to the mass of existing anti-Indian laws, rules and regulations, whose removal was promised by the Imperial Government both before and after the Anglo-Boer war. These legislations prohibit an Indian from exercising any franchise, whether political or municipal, holding land outside of a location, walking on the footpath in certain towns, riding upon the Pretoria or Johannesberg tram cars, residing on mining areas—to mention only some of a sickeningly long list of disabilities and restrictions. The Passive Resistance movement of the day is however confined to a determination of two issues—to secure the granting of two demands only. These two demands are :—

(1) The repeal of the Registration Law of 1907 (the Asiatic Act), because

(a) It was the subject of a solemn promise of repeal by the Transvaal Government.

(b) It is unBritish and reactionary.

(c) It insults British Indians as a race and regards them as criminals.

(d) It attacks religion.

(e) It is unnecessary.

(f) It constitutes a vicious precedent.

The Transvaal Government refuse to repeal the Act, and have broken their promise in that behalf. There is in force today in the Transvaal an Immigration Law of general application, restricting the immigration of Europeans and Indians alike. Read, however, with the Asiatic Act, it prohibits the entry of even the most cultured Indians. Our countrymen, therefore, demand:—

(2) Recognition of the legal right of cultured British Indians to enter the Transvaal under the tests of the general Immigration Act of the Colony on terms of equality with others, because:—

(a) such cultured men are needed for the healthy maintenance of the Indian community.

(b) Cultured Indians should be able to enter a British Colony as freely as the cultured men of any other race.

(c) to deny this right is an insult to the whole of India.

The Transvaal Government have taken this right away, and prohibit the entry of any Indian, however highly educated he may be, whether a professor, a doctor, a barrister or a priest.

In order to secure these two points, the Transvaal Indians have suffered terribly.

More than 2,500 sentences of imprisonment, mostly with hard labour, have been imposed on innocent, law-abiding British Indian passive resisters in the Transvaal, because they held religion, personal integrity, self-respect, and national honour of higher worth than personal safety or wealth accompanied by their degradation as individuals and the dishonour of their country. Husbands, brothers and sons have been torn away from their families and flung into gaol, where they are treated as savages and criminals.

In the gaols they have been half-starved and often badly treated. One Indian of 18 years is said to have died after his

release from gaol, owing to his having been flogged by a kaffir prison warder.

Homes have been broken up. Many people have been utterly ruined. In some cases women are hawking vegetables in order to feed their children. In others, whole families are dependent upon public charity.

Very many Transvaal Indians have been deported direct to India by the Transvaal Government, which in some cases, has left the families of these to starve.

Delegates to England and to India have been arrested and imprisoned by the Transvaal Government in order to silence the Indian community.

All this suffering has been endured for the honour of the Motherland. All this self-sacrifice has been undertaken for the sake of India.

Will the people of India and those of the Bombay Presidency help their suffering Transvaal brethren to secure their just demands? That is the question daily asked by the Indians now in gaol doing hard labour for their sake.



*(Reprinted from The Daily Indu-Prakash, Bombay,
5th August 1909.)*

Brief History of the Anti-Asiatic Campaign.

As we pointed out yesterday, the terrible struggle that has been carried on during the last three years in the Transvaal, by our valiant fellow countrymen demands the most earnest attention of all India to-day. A deputation from the Transvaal Indian community (or, rather, what is left of it after the Transvaal Government had gutted their appetite for arrest and prosecution) is now in this country, to focus public opinion upon this subject, and to endeavour to secure redress of the most pressing of the many grievances and hardships. Now or never, then, is the time for India to gird up her loins, and make its feeling known in a practical and unmistakable manner. The time is long gone by, when airy sympathy and vague generalities were of any avail. We have no doubt whatever as to the depth, volume and sincerity of that sympathy with our suffering and heroic Transvaal countrymen, but it lacks organised and useful expression. It is therefore that after giving the salient points of the struggle yesterday

we propose to pursue the subject in greater detail, give tersely a history of the struggle, and offer one or two suggestions, whereby the situation may be adequately dealt with.

The story commences, of course, with the passing, nearly 25 years ago, of the famous Law 3 of 1885 by the Boer Government, act'ng in ignorance, and driven on by the jealousy of the European trader of the few Indian traders, who were then resident in the country. They pretended to fear the unfair competition of these Indian storekeepers and hawkers; and perhaps, they had good reason to do so, in view of the probability that their own narrow monopoly was threatened with attack. The law was applicable to "any of the native races of Asia, including the so-called Coolies, Arabs, Málays, and Mahomedan subjects of the Turkish Dominion." Henceforth, all Indians, no matter what their status was, came to be known in the Republic as Coolies. The Law required that those persons, covered by the above insulting

definition, who entered the Republic for purposes of trade or analogous purposes, should register themselves within eight days of their entry into the Republic, on pain of heavy penalties. A registration fee of £25 (Rs.375) a year (afterwards reduced to £3) was imposed, but payment was to be made once only. The Law also prohibited any "Coolie" from holding fixed property, or from obtaining Burgher rights (the political and Municipal franchises). It also required the residence (afterwards modified, under pressure from the British Government, by the addition of the words "for sanitary reasons") in "locations" of the so-called "coolies." At a later date, the Republican Government sought so to interpret residence in a location as to include trading there, too. The dispute became a matter of arbitration, and eventually a test-case was brought in the High Court which decided against the Indians. Mr. Chamberlain, however, reserved the right to continue to make representations on the matter to the Republican Government. In fact, during the fourteen years before the war, the British Government constantly and consistently intervened on behalf of the Indian settlers, with a view to the removal of their grievances, and in 1899, Mr. Chamberlain publicly asserted that the Indian grievances were one of the causes of the war. Lord Lansdowne and Lord Selborne, too, as Cabinet Ministers, strongly condemned the Republican Government's treatment of these British Indian subjects of the Crown, the former asking what the 300 millions of India would think if it became known that the Queen — Empress' Government were powerless to secure redress, whilst the latter urged that the British people were trustees for their fellow-subjects, whether European, Colonists or Indians, in any part of the globe. It is of interest too, to note that, as a result of pressure by the British Agent in Pretoria, many Indian traders were not asked to pay and therefore did not pay the £ 3 tax, and were accordingly not registered. On one occasion, too, when the Republican Government refused to issue licences to Indians trading outside locations, the British Agent recommended them to tender the licence-fees, and, if again refused, to trade without licences. When some of them were arrested for trading without licences, he assented to the proposal that they should go to gaol without giving bail or paying fines. Thus, the present passive resistance movement in

the Transvaal has its precedent in the pre-war days, when the British Agent himself took part in it.

At the conclusion of the war, the British Indians, who, owing to military considerations, had been compelled to leave the Transvaal, as it was now called, were allowed to return in dribbles only, and then too, after immense delays and difficulties. They were subjected to the requirements of a military inquisition and it gradually became known that the new Government were going to restrict the entry of Indians to those who were pre-war refugees. Under pressure of circumstances, the Indians accepted the position, though they made it plain that they did so as an act of grace and to soothe the susceptibilities of the European Colonists and not because they admitted that the Government had any right to compel them to consent to such an arrangement. In 1905, the Peace Preservation Ordinance was passed, in order, as its name suggested, to maintain the peace, order and good government of a territory newly emerged from a bloody war. The Ordinance gave the Governor of the Colony the right to issue permits to all who desired to enter the Colony, at his own discretion. In practice, that discretion was

used to keep out certain classes of criminals, prostitutes, and all the British Indians who could not prove pre-war residence. The permits so issued for the first time identified the holders, which the Dutch registration certificate, a mere receipt for £ 3, had failed to do. All Indian residents were required to furnish themselves with those permits.

At this time, the cry once more arose, on the part of the European trade rivals of the Indians, that the Colony was swarming with Indians who had never been there before the war. Lord Milner, who was then High Commissioner and Governor, immediately made searching inquiries, and was quite satisfied that the allegations of a large illicit influx were untrue, whilst some time previously, it was proved to him by the Transvaal British Indian Association that some of his officials had been guilty of corruption, when he dismissed them from office. Although he himself was quite satisfied that there was no serious danger of an "Asiatic invasion", on a small scale even, he sought the co-operation of the Indian leaders, with a view to cutting the ground from under the anti-Asiatic agitators. He strongly advised them to urge their compatriots to exchange their Dutch registration certifi-

cates for new documents, which would fully identify the holders and on which should be imposed their thumb-prints. After conferring on the suggestion, the whole community consented to take the proposed step, making it quite clear that they did so as an act of grace. Lord Milner, at the same time, stated that this registration would be a final one and that the documents then issued gave the holders inalienable rights of residence, entry, and reentry, and when this obligatory registration was completed, he thanked the communal Indian leaders. The sequel will show the manner in which this solemn promise was kept.

Before the war, it is officially estimated that the Indian population of the Transvaal was 15,000, as a minimum figure. In 1904, a census of the Transvaal population was taken, and it was found that there were then less than 10,000 Indians in the Colony. In 1906, it was officially shown that 10,000 permits had been issued to British Indians. Thus, at no time between 1902 and 1906 did the Indian population reach the pre-war figures.

Owing to an outbreak of plague in Johannesburg in 1904 due to criminal neglect on the part of the Johannesburg Municipality, the Indian Location of the place was burned and its

population was spread abroad, very many Indians going to different towns in the Colony. The anti-Asiatic party were quick to seize upon this dispersion to renew the outcry against the Indian traders. In the latter half of 1904, a so-called "National Convention" of anti-Asiatics was held, which passed a number of preposterous resolutions, the principal of which were that Indian traders should be compelled to trade and to reside in locations, and that all future entrants, whoever they might be, even if cultured men or of princely rank, should be compelled to reside in locations. It may be here mentioned that, in the early part of the year, a test case was brought by the Community in the Supreme Court, in order to reverse the decision of the old Republican High Court that residence in location included trading. The British Crown Colony Government actually opposed the application, and at a tremendous cost the Indian community's contention that residence did not include trading was upheld. The Chief Justice commented upon the Government's action in the following terms:

"It does strike one as remarkable that without fresh legislation, the officials of the Crown in the Transvaal should put forward a claim which the

Government of the crown in England has always contended was illegal under the Statute and which in the past it has strenuously resisted." Lord Selborne at a later date, excused the attitude of the Government on the ground that whereas, before the war, the Imperial Government acted as an advocate of the Indian claims, their present functions were to carry out the law as it stood!

Meanwhile, the agitation against the Indian trader grew apace, and once more complaint was made, this time to Lord Selborne, who had now succeeded Lord Milner, of a wholesale illicit in-flux of "coolies" into the Colony. After close investigation Lord Selborne too gave the charge the lie. But the anti-Indians were not to be beaten and they accordingly changed their tactics by bringing pressure to bear upon the officials charged with administering Asiatic affairs.

These were represented by a functionary described, first as Protector of Asiatics, and afterwards as Registrar of Asiatics, presumably on the assumption that no protection for helpless Indians was henceforth to be expected, an assumption that was realised in the sequel. The Registrar first attempted to

stretch the interpretation of the anti-Asiatic legislation to include a meaning which the Supreme Government, time after time, and with the most scathing comments, had refused to accept. Foiled here, Advisory Courts, sitting in secret, were appointed to 'assist' the Registrar to consider Indian applications for permits. These Courts were composed of rabid anti-Asiatics, and no Indian representative was appointed to them, nor were the applicants allowed to appear before them, either in person or by counsel, so that hostile evidence might be refuted. As a result, applications were rejected wholesale and the anti-Asiatic conspirators by using these rejections and juggling with figures at length succeeded in 1906 in inducing Lord Selborne to believe that there really was a wholesale illicit influx of Indians, in which the leaders of the community connived. Thus the way was paved for the introduction into the nominated Legislative Council of the now famous Asiatic Law Amendment Ordinance in September, 1906, described by the Colonial Secretary as a measure to secure "fair and just treatment" for the British Indians. It is this law of which the Transvaal Indians demand a repeal.

NO. III.

*(Reprinted from the Daily Indu-Prakash, Bombay,
6th August 1909.)*

Brief History of the Passive Resistance Movement.

The Asiatic Law Amendment Ordinance was heralded in with a great flourish of trumpets. It purported to amend the old Law of 1885. If addition mean amendment, it certainly amended the existing law. In fact it amended its registration provisions out of existence entirely, and substituted in their place a series of drastic requirements that made it evident that the law itself was based upon the assumption that those to whom it applied were criminals. Indeed, when introducing the measure, the Colonial Secretary alleged as an incontrovertible fact that there was a large undetected illicit influx of Asiatics. It was impossible that this should be without the cognisance of the leaders of the community, and it thus became obvious that the Government indirectly charged resident British Indians with conspiring in an organised manner, to flood the Colony with their fellow-countrymen, and that this Ordinance was devised as a penal measure. The whole spirit of the new law was shown by the fact that, in the first place, it repeated the racial and religious insults contained in the old definition and Law 3 of 1885. At first it was sought to include women in its operations, but so furious an onslaught was made on the Government by the Indian community that that proposal was precipitately dropped. The law however, did include male infants in arms, who were required to be provisionally registered! These babies when they had grown to be eight years old had again to be provisionally registered, and when they had arrived at the mature age of 16 years, they had to register themselves once again. So, from babyhood upwards, the male element of the Indian Community was to be kept under official surveillance, as

though its members were on what is known in England as "ticket of leave."!!! The whole spirit of the Law reeked of insult and humiliation. Its esoteric purpose was undoubtedly to degrade the resident Indians, and, on the pretext of confirming their rights, to oblige them eventually to leave the Colony. Indeed, when the law was published, pæns of joy rose to Heaven from their European trade competitors, who imagined that they had discovered an easy means of ridding themselves of their hated trade-rivals, and accordingly, urged on the Government, with many a whoop and howl, to refuse to listen to the Indian protests.

These howls and cries roused thoroughly the Indians whose resentment culminated in a mass meeting held in Johannesburg and attended by one-fourth of the entire population in the Transvaal, whilst telegrams of assent to any resolutions that might be passed were received from all the local committees of the British Indian Association throughout the Colony. At this meeting a solemn oath was taken, and a resolution was unanimously agreed to, that, rather than submit to an abhorrent anti-religious law, the community would go to gaol. At the same time a deputation was sent to Lord Elgin, to inform him of the depth of feeling evoked by this measure, and, after prolonged negotiations, in which many influential Englishmen and Anglo-Indians took part (many of these latter formed the South African British Indian Committee, organised to watch over and protect the interests of British Indians in South Africa,) Lord Elgin caused the operation of the Ordinance to be suspended, on the ground that this was a matter in which in view of the grant of self-government to the Colony the forthcoming Transvaal Parliament should be heard.

This was as a matter of fact, construed into an indirect invitation to reintroduce the measure into the first session of the new Transvaal Parliament. Sir Richard Solomon who was then aiming at the Premiership of the Transvaal and who had just come back from England, even more than hinted that if the Ordinance were re-enacted, it would be found that the Reservation Clause of the new Constitution was a dead-letter and that the Act would receive the Royal assent. And so it proved. When the measure was re-

introduced, another Indian mass meeting was held where- at the community prayed the Government not to proceed with the law as it was offensive in every way and was totally unnecessary; and by way of proof of the *bona fides* of the Indian population, offered to secure voluntary re-registration in a manner that would fully identify lawful residents. The plea fell on unheeding ears; the Act was passed and in the fulness of time received the Royal assent, on the personal representations of general Botha who was then in England, and who clearly took advantage of the wave of Imperialism that passed over England at the time of the Colonial Conference.

From this moment the Passive Resistance movement commenced. It was intended to drive home to the interested opponents of the Indians the superior moral power of the spirit over mere brute force. That it has succeeded in once more demonstrating this great historic truth, borne out by heroic struggles from ancient times between right and might, no one can doubt. The registration offices were opened all over the Transvaal, but were almost completely ignored by the Indians. In September, 1907, a monster

petition bearing nearly Indian signatures was forwarded to the Government urging the repeal of the Act, and once more offering voluntary registration. The petition was ignored. Meanwhile, the Immigrant Registration Act was passed, giving to the Government powers of deportation. The Act received the Royal assent at the end of the year and simultaneously, a number of the most prominent Indian leaders, including Mr. Gandhi, were arrested, and ordered to leave the Colony within a given time, and on their failing to do this, they were imprisoned without hard labour, being then regarded, to some extent, as political prisoners. Nearly all the leaders were subsequently arrested and ordered to leave the Colony. Finding, however these threats to be ineffective, General Smuts, the Colonial Secretary, deemed discretion to be the better part of valour and opened negotiations with the imprisoned leaders, with the result that a compromise was effected, whereby voluntary registration was accepted, the law suspended and promise of its repeal was made on the satisfactory completion of voluntary registration. Voluntary registration continued for three months, and

ended on the 9th May 1908, when the Government admitted that it had been effectively carried out. But, for a variety of reasons General Smuts found it inconvenient to fulfill his promise of repealing the law. Later, he denied ever having made it, but he did not and could not deny that voluntary registration was effected only on the understanding that the promise was made and would be carried out. He offered, however, to repeal the law if the community would agree to the substitution of another law barring the Transvaal to the entry of all future Indian immigrants, even of those Indians who could satisfy the severest education tests. By itself, the Immigration Act to-day in existence permits the entry of cultured Indians, but read with the Asiatic Act, it makes them prohibited immigrants. The Indian community was, of course, not going to get rid of one racial insult by substituting for it another, and accordingly negotiations were broken off and Passive Resistance recommenced. An effort was made to get back to the position of the previous January before the compromise by applying to the Imperial Government for an order for the return of the voluntary

registration application forms. The Supreme Government refused to make such an order, and, as the result a mass-meeting of Indians was once again held, when 1,500 of the voluntary registration certificates which had been issued to the holders under false pretences and promises, that were broken, were publicly burnt. At this time, too, the Natal leaders who were old Transvaal residents themselves and who had come to the rescue were imprisoned with hard labour. The Government passed an Act, validating voluntary Registration and making provision for the future registration of resident Asiatics, then absent from the Colony, but although comparatively inoffensive by itself it did not repeal the old Act nor did it satisfactorily settle the status of cultured Indians, and the community therefore declined to accept it.

Since then there has been a shameful tale of imprisonment, starvation, ruin, ill-treatment, extreme hardships, broken health, broken hearts, broken hopes. They have been torn away from their families and have been flung into gaol by the score. In the Transvaal gaols, they are classed with South African aboriginal natives, most of them barely,

evolved from savagery. Their diet has been a starvation one, their complaints have been ridiculed, and they themselves have been driven to arduous and degrading labour on an insufficient diet by unsympathetic and sometimes malicious task-masters. Whole families are today dependant upon public charity; women in their misery, have given birth to still-born children. The Government of the Transvaal have entered into a secret compact with the Natal and the Portuguese Governments whereby these forbid the landing of Transvaal-returning Indians unless they consent to make application for registration under the new Act. Another arrangement has been made with the Portuguese authorities whereby Indians deported from the Transvaal are seized and put on board vessels bound for India, where they may be, and often are, unknown and friendless and on their arrival find themselves without food, clothing, shelter, or money. That is the tale of misery so far. As to its far-reaching effects, we reserve discussions of these to a further article.

(Reprinted from the *Daily Indu-Prakash, Bombay,*
7th August 1909)

Conclusion.

The Imperial Government false to its trust.

We have in the last three articles traced the history of the present grievances of the Transvaal Indians. The most deplorable fact to note is that whereas the British Imperial Government intervened on their behalf again and again in the pre-war days, they have since the Transvaal became their own possession, receded further and further from the position of justice and dignity that they then had taken up. Promise after promise, pledge after pledge has been ruthlessly broken until the Transvaal Indians have been reduced to their present pitiable plight, almost hopeless in the knowledge that their Imperial trustees have, not indeed bought and sold them, but deliberately thrown them away, as upon a refuse heap. On two separate occasions, it was possible for the Imperial Government to bargain favourably on behalf of the Transvaal Indians. They had an unparalleled opportunity for so doing at the time of the granting of the Constitution. Instead, they simply conferred a franchise upon the European colonists to slay and burn as they would. It was thought that the clause in the Constitution reserving all legislation, differentiating against particular races for the signification of the Royal assent, or in other words, for the consideration of the Imperial Ministers, would prove an effective check and safeguard. Indeed, Lord Milner, in 1904, pointed out to a European deputation that waited upon him that the powers of reservation would be no less frequently or necessarily exercised under responsible Government than under the Crown Colony regime. We have seen however that, when the Ordinance was passed by the Crown Colony Government, the Royal assent was withheld whereas it was readily granted

when the identical measure was re-enacted by the first Parliament under responsible self Government. More; Sir Richard Solomon, fresh from his many interviews with Lord Elgin, had the effrontery, in his very first election speech, to assure his audience that the Reservation Clause would prove to be a dead letter and the Transvaal Parliament re-enacted the measure at a later date; and the *Star* the most important newspaper in the Transvaal declared in so many words that Sir Richard Solomon had returned from England with that message from Lord Elgin!! The second occasion for bargaining came when the Transvaal Government went to the Imperial Cabinet for the guaranteeing of a public loan. The guarantee was forthcoming as though it had been a needle attracted to a powerful magnet, and there was no room for any regard for the Indian.

MORE ANTI-ASIATIC THAN THE BOERS.

More than this; the Imperial Government have even sanctioned further anti-Indian legislation. They sanctioned the 'Immigrants' Restriction Act conditionally upon the deletion of a clause giving the Colonial Secretary arbitrary power to

remove a man from the Colony but they did not demand the removal of a clause that rendered every passive resister, however long he might have been domiciled in the Colony (whether he had domestic responsibilities and business interests or no) a prohibited immigrant, and which likewise deliberately slammed the door of the Colony against the future entry of even the most cultured Indian. Not content even with that, they have assented to the secret compact between the Transvaal and a foreign power, whereby Indian residents, who do not happen to be registered, but who may nevertheless be domiciled or even born in the Colony, are deported direct to India without giving them the opportunity of returning to seek their rights at the hands of the Supreme Government.

The Imperial Government have in fact, been fascinated by the Transvaal's baleful glare, they have been paralysed into a condition of abject impotence. The

SINGULAR DOCTRINE.

is now being disseminated and is being sedulously fostered by Imperial Cabinet Ministers, that the Imperial Government have no constitutional right to interfere in the home affairs or policy of a Self-governing Colony.

If that be so, then why the sham and hypocrisy of the Reservation Clause? Why the specific instructions as to reservation contained in the Letters Patent addressed to the Governor? If the doctrine of the practical independence of the Self-Governing Colonies hold true, then it follows that, if the Transvaal Parliament legislate to the effect that every third aboriginal native male adult shall have his right hand amputated by the public executioner, it will be impossible for the Imperial Government actively to intervene. But that way lies anarchy; moreover, it is not true even in practice. Last year, when the Transvaal Government introduced a Bill to provide the aboriginal native labourers of the country with beer, so strong was the opposition, that the Imperial Government made an urgent representation to the Transvaal Ministry asking that they should drop the measure, as it would not be sanctioned. Indeed, the Imperial Government have gone even further. They refused to sanction the two anti-Indian licensing measures passed almost unanimously by the Natal Parliament last year. It is alleged that no interference is possible in the domestic affairs of a Self-Governing Colony.

Within its limits, that doctrine may be reasonably true. But what is the position? Has the Transvaal for example the right to legislate at its sweet will for or against its unrepresented population? If that be so, the result will undoubtedly be a native rebellion within the next ten years, for the native policy of the Colony is entirely reactionary in regard to the African aborigines. We learn, for example, that less money is spent on the public education of the children of the 900,000 aboriginal natives than the Government allocate in the estimates for the upkeep of the Pretoria Zoological Gardens!!!. But a stronger argument is, whether the treatment of the Indian population is a mere domestic matter of the Transvaallers? Is not the Imperial Government vitally concerned with the treatment of one portion of its subjects by another? And what of the effect of the present scandal on the feelings of wide India, all the 30 millions of whose population are deeply concerned with the welfare of her sons and daughters, who have gone abroad to enrich the national experience, and who have, in fact, suffered so nobly that the national honour might remain unsullied? Can anything be more outrageous

than that whilst India is left free to be exploited by any one and to be inundated with the ruffians and adventurers of all the world Indians are not allowed even decent living in a part of the self same Empire to which she belongs?

We are in point of fact, faced with a serious constitutional crisis, however much we may be impelled from political considerations or motives of expediency, to disguise the fact. The doctrine finally enunciated by the Imperial Ministers is that any Self-Governing Colony, however minute its European population may be, is of more importance and carries greater weight in the counsels of the Empire than the whole of mighty India which gives that Empire its glory and prestige, nay its very Imperial name. Because the Transvaal has fully representative institutions, Imperial Ministers aver that they are less powerful to intervene than in the case of a foreign country. If that indeed be so, there is no doubt to our mind, of the existence of a fatal flaw in the Imperial fabric. Sooner or later, the Empire's foundation of equal justice for all its members must disappear

and the Empire will fall with a crash.

INDIAN APATHY THE CAUSE.

We believe, however, that the theory that Indian interests count not as against those of the Colonies is fundamentally false, and that it has grown because India, as India, has never yet faced the problem, studied it thoroughly, and expressed in one united voice, her views upon it. There have been many meetings held, and innumerable resolutions of sympathy with the Transvaal sufferers have been unanimously passed. But there the matter has ended. There has been no permanent organisation to carry on the work. Nobody has been sufficiently interested or informed to feel himself provoked to constantly hammer away at the subject and to make it his own. There is no band of enthusiasts, there are no specialists, who have hitherto been willing to make a close study of the foreign relations of India. But at the present crisis, it becomes absolutely necessary to take some definite step to keep the matter permanently before the public notice. Otherwise, the Transvaal's evil example will spread unfailingly throughout South Africa, will thence infect the other British Colonies,

whilst foreign powers will imitate it and its baneful effects will finally be felt in India itself.

WANT A PEOPLE'S VIGILANCE COMMITTEE.

We therefore urge the formation of a permanent committee, or a number of such committees in different parts of the country, co-operating in a kind of confederation, whose sole object will be the study of conditions affecting Indian residents outside India, and the protection of their interests. The field is a wide one, and needs to be fully occupied. Meetings should be organised simultaneously throughout the country. The Viceroy and the Governors should be asked to receive powerful deputations on the subject. To-day the Transvaal is the centre that demands closest attention, and the trouble there *must be stopped*. We even propose the holding at an early date of an All-India Conference specifically to deal with this matter of South African grievances

generally. We do not know whether such a Conference is feasible. That it is necessary we do not doubt. Meanwhile, public meetings of the most representative character should be held everywhere, in order to strengthen the hands of the Imperial Government in bringing the Transvaal to terms. And here.

BOMBAY SHOULD TAKE THE LEAD.

This so because Bombay is sober, Bombay is loyal, Bombay can always rise to her duty and last but not the least, because most of the sufferers in the Transvaal are from this Presidency, and it would be shameful were Bombay to remain silent whilst this evil is wrought against the honour of her sons. India needs the experience of these Colonists of hers, and it will be a national disaster if the Transvaal trouble is allowed to spread more widely than it has already done.

Appendix A.

THE VARIOUS ANTI ASIATIC LAWS
AND REGULATIONS IN FORCE IN
THE TRANSVAAL

*(Reprinted from the Daily Indu Prakash, Bombay of
the 18th of August 1909 and subsequent issues.)*

LAW No. III OF 1885.
AS AMENDED BY VOLKSRAAD
RESOLUTIONS DATED 24TH
JANUARY 1887, AND
DATED 16TH MAY 1890.

(Coolies, Arabs, & other Asiatics.)

Art 1—This law shall apply to the persons belonging to any of the Native Races of Asia, including the so-called coolies, Arabs, Malays, and Mahomedan subjects of the Turkish dominion.

Art 2. With regard to the persons mentioned in Art 1 the following provisions shall apply:

(a) They shall not be capable of obtaining burgher rights, political or municipal, of the South African Republic.

(b) They may not be owners of fixed property in the Republic except in such streets, wards and locations as the Government shall appoint for sanitary purposes as their residence.

(c) Such as establish themselves in the Republic to carry on business or otherwise, shall be registered in a separate register to be kept therefore by the Landrusters of the respective districts or

other officials who may be thereto appointed by the Government, according to a model to be prescribed by the Government. On such registration, which shall take place within eight days after arrival, the sum of £ 3 Sterling shall be paid.

Contravention of the provisions contained in Subsection "c", above, shall be punished with a fine of from £ 10 to £ 100 sterling, or in default of payment, with imprisonment for a period of from 14 days to 6 months. The above mentioned registration shall be effected free of charge in the case of those persons who settled in the Republic before the coming into operation of this law, provided they report themselves to the Landrust, in the case of those living in the district of Pretoria, within eight days, and in the case of those living in the other districts, within thirty days, after the coming into operation of this law.

(d) The Government shall have the right to appoint special streets, wards, and Locations for their residences. This provision shall not apply to servants living with their masters.

x x x x x

THE ASIATIC LAW
AMENDMENT ACT
No. II. OF 1907.

TO AMEND LAW NO. 3 OF 1885
(Assented to on 22nd March 1907.)

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows:—

REPEAL.

I. Sub-section (c) Article 2 of Law No. 3 of 1885 as amended by Volksraad Resolutions Article 1419 of the twelfth day of August 1886 and Article 128 of the sixteenth day of May 1890 shall be and is hereby repealed.

DEFINITIONS.

In this Act unless inconsistent with the context, "Asiatic" shall mean any such male person as is described in Article one of Law No 3 of 1885, not being a Malay born and resident in any British Colony or possession in South Africa, nor a person introduced into the Colony under the Labour Importation Ordinance 1904 and not being an officer in the Chinese Consular Service.

"Register of Asiatics" shall mean the register to be kept under this Act as prescribed by regulation;

"Registrar" shall mean the officer appointed by the Governor to keep the register of Asiatics and any person lawfully acting in such capacity;

"Resident Magistrate" shall include an Assistant Resident Magistrate;

"Regulation" shall mean any Regulation made under section *eighteen* of this Act;

"Guardian" shall mean the parent of an Asiatic under the age of sixteen or any other person under whose care or control such Asiatic is living for the time being, or failing any such person the employer of such Asiatic;

"Application for registration" shall mean an application to be placed on the register of Asiatic made in such manner and forms as may be prescribed by Regulation and accompanied by the supplying of such particulars and the furnishing of such means of identification as may be required by this Act or by Regulation.

"Applicant" shall mean any person who makes application for registration on his own behalf or any person on whose behalf application for registration is made by his guardian;

"Certificate of registration" shall mean a certificate of registration under this Act in the form prescribed by Regulation;

"Lawful holder" as used in relation to any certificate of registration shall mean the person whose registration is thereby certified.

ALL ASIATICS LAWFULLY
RESIDENT IN COLONY TO
BE REGISTERED.

2. (1) Every Asiatic lawfully resident in this Colony shall subject to the exceptions here in after mentioned be registered in the register of Asiatic and shall thereupon be entitled to receive a certificate of registration and no

charge shall be made for such registration or certificate save as in section *twelve* of this Act provided.

3 The following shall be deemed for the purpose of this Act to be Asiatics lawfully resident in this Colony :—

(i) Any Asiatic duly authorized to enter and reside in this Colony by a permit issued under the Indemnity and Peace Preservation Ordinance, 1902, or any amendment thereof or issued between the first day of September 1900 and the date of the passing of the said Ordinance, unless such permit shall have been fraudulently obtained; provided that any permit expressed to authorize any Asiatic to remain in this Colony for a limited time only shall not be deemed to be a permit within the meaning of this subsection.

(ii) Any Asiatic resident and actually in this Colony on the thirty-first day of May 1902.

(iii) Any Asiatic born in this Colony since the thirty first day of May 1902 not being the child of any labourer introduced into this Colony under the Labour Importation Ordinance 1904.

ASIATICS TO APPLY FOR REGISTRATION WITHIN FIXED TIME.

4. (1) Every Asiatic resident in this Colony at the date of the taking effect of this Act shall, before such date or dates and at such place or places and to such person or persons as the Colonial Secretary may prescribe by notice in the "Gazette," make application for registration.

(2) Every Asiatic who enters this Colony after the date of the

taking effect of this Act and who has not previously been Registered thereunder shall within eight days after entering this Colony, unless he shall have entered under a permit granted under section 'seventeen,' make application for registration to such person and at such place as may be so prescribed; provided that.

(a) no application shall be required to be made under this section on behalf of any Asiatic child who at the expiration of the time within which such application is required to be made is under the age of eight years;

(b) in the case of any Asiatic child who at the expiration of such time is eight years of age but under sixteen years of age such application shall be made on such child's behalf by his guardian and if not so made shall be made by such child within one month after attaining the age of sixteen years.

DUTIES OF THE RE- GISTRAR.

5. (1) The Registrar shall consider every application for registration made under the last preceding section and register every applicant who is lawfully resident in this Colony or whose application is approved by him and shall cause to be issued to such applicant or the guardian who made the application on his behalf a certificate of registration.

(2) If it shall appear to the Registrar that any applicant is not lawfully resident in this Colony, he may refuse to register such applicant, and in case of refusal where the applicant is of the age of sixteen years or over

shall cause a notice of refusal to be sent by post to the applicant at the address given by him on application, and a copy of such notice shall be affixed to the principal door of the Magistrate's Office of the District where such application was made and the Registrar shall by such notice direct such applicant to appear before the Resident Magistrate of the District at a time therein specified being not less than fourteen days from the date of such notice and show cause why he should not be ordered to leave this Colony, and if such applicant shall fail to appear at the time specified in such notice, or having appeared shall fail to satisfy the Resident Magistrate that he is lawfully resident in the Colony, the Resident Magistrate if the applicant is of the age of sixteen years or over shall make an order in writing directing him to leave this Colony within a time to be specified in such order; provided always that if such order is made in the absence of the applicant such time shall run from the date of the service of the order upon him and such order shall be deemed to be an order made under section *six* of the Peace Preservation Ordinance 1903 and sections *seven* and *eight* of the said Ordinance shall apply accordingly; provided further that if the Resident Magistrate shall be satisfied that the applicant is lawfully resident within this Colony such Magistrate shall make an order upon the Registrar requiring him to register such applicant and to issue to him a certificate of registration.

PARTICULARS TO BE SUPPLIED BY APPLICANTS.

6(1) Any Asiatic who is the guardian of an Asiatic child under the age of eight years shall upon making application for registration on his own behalf supply such particulars and furnish such means of identification in respect of such child as may be prescribed by Regulation and if such guardian is himself registered the particulars aforesaid which he has supplied shall be provisionally noted on the register and such guardian shall within one year after the child aforesaid attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides.

(2) The guardian of every Asiatic child born in this Colony after the date of the taking effect of this Act shall within one year after such child attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides; provided that

(a) where any guardian fails to make application for registration on behalf of any Asiatic child whose guardian he is, within the time hereby prescribed for making the same, such guardian shall on being thereto required by the Registrar or any Resident Magistrate make such application at any later date;

(b) where any application which is required to be made under this section by the guardian of an

Asiatic child is not made by such guardian, or where such application is refused, application for registration shall be made by such Asiatic child at the office of the Resident Magistrate of the District within which he resides within one month after he attains the age of sixteen years.

The Resident Magistrate at whose office any application is made under this section shall cause the record of such application and all documents relating thereto to be forwarded to the Registrar who shall if satisfied that the same is in order register the applicant and cause to be issued to him or his guardian a certificate of registration.

APPLICATION BY MINOR.

7. Where particulars as to any Asiatic child under the age of eight years have not been provisionally noted on the register, as is in the last preceding section provided, by reason of the failure of this guardian to supply such particulars, application for registration shall nevertheless be made on behalf of such Asiatic child by his guardian within one year after he attains the age of eight years, and if not so made shall be made by such Asiatic child within one month after he attains the age of sixteen years at the office of the Resident Magistrate of the District in which he resides and the record of such application and all documents relating thereto shall be forwarded to the Registrar who may in his discretion register the applicant and issue to him or his guardian a certificate of registration.

PENALTIES FOR FAILING TO MAKE APPLICATION.

8 (1) Any person who shall fail to make application for registration as required by this Act either on his own behalf or as guardian on behalf of an Asiatic child shall be liable on conviction to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

(2) Any person who brings into this Colony an Asiatic under the age of sixteen years not lawfully resident therein and any person who shall employ such child in any trade or business shall be guilty of an offence and shall be liable on conviction to the following penalties.

(a) to the penalties mentioned in subsection (1) of this section; and (b) if such person is the holder of a certificate of registration to cancellation of such certificate by the Registrar:

And thereupon the Colonial Secretary may issue an order directing such person to leave this Colony and such order shall be deemed to be an order issued under section six of the Peace-Preservation Ordinance 1903 and sections seven and eight of the said Ordinance shall apply accordingly.

(3) Any Asiatic over the age of sixteen years who after such date as may be notified by the Colonial Secretary in the *Gazette* is found within the Colony and fails upon such demand as is hereinafter mentioned to produce a certificate of registration of which he is the

lawful holder, may be arrested without warrant and brought before a Resident Magistrate, and if he fails to satisfy such Magistrate that he is the lawful holder of a certificate of registration or that the time within which he is required to make application for such certificate has not expired, the Magistrate shall, save as in the next succeeding sub-section provided, make an order in writing directing such Asiatic to leave this Colony within such time as may be specified in such order, and such order shall be deemed to be an order made under section *six* of the Peace Preservation Ordinance 1903, and sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(4) If an Asiatic who has failed to make application for registration within the time prescribed by this Act shall satisfy the Magistrate before whom he is brought that such failure was due to some good and sufficient causes the Magistrate may instead of making such order as aforesaid direct such Asiatic forthwith to make application for registration and if such Asiatic shall comply with such direction his application shall be dealt with in all respects as if it had been made within the time within which it was required to be made by this Act, and all the provisions of this Act which would have applied if the application had been so made shall apply accordingly, but if he shall fail to comply with such direction the Magistrate shall make such order for removal as aforesaid in respect of such Asiatic.

REGISTRATION CERTIFICATE TO BE PRODUCED ON DEMAND.

9. Every Asiatic of the age of sixteen years or over entering or residing in this Colony shall upon demand made upon him by any member of a police force lawfully established in this Colony or any other person authorized thereto by the Colonial Secretary produce the certificate of registration of which he is the lawful holder and shall also on like demand supply such particulars and furnish such means of identification as may be prescribed by Regulation.

Every guardian of an Asiatic child under the age of sixteen years shall produce on such demand as aforesaid any certificate of registration of which such child is the lawful holder and supply any particulars and furnish any means of identification in respect of such child.

EVIDENCE OF REGISTRATION CERTIFICATES.

10. Every certificate of registration shall be accepted as conclusive evidence in all places that the lawful holder thereof notwithstanding anything in the Peace Preservation Ordinance 1903 contained, is entitled to enter and reside in this Colony; provided always that this section shall not apply to persons who have under section *ten* of the Peace Preservation Ordinance 1903, been ordered to leave the Colony.

DUTY OF PERSONS FINDING LOST CERTIFICATES.

11. Any person into whose hands shall come any certificate of registration or any permit.

issued under section *seventeen* of which he is not the lawful holder shall forthwith deliver or transmit the same by post as soon as may be to the Registrar of Asiatics, Pretoria.

Any person who fails to comply with the requirements of this section shall be liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

PROVISION WHERE REGISTRATION CERTIFICATE IS LOST OR DESTROYED.

12. If at any time any certificate of Registration is lost or destroyed the person who was the lawful holder thereof shall apply forthwith to the Registrar to have the same renewed and the Registrar shall upon compliance by such person with the Regulations relating to applications for the renewal of certificates and upon payment of a fee of five shillings renew such certificate. The said fee shall be denoted by means of revenue stamps to be affixed to such application by the applicant for such renewal and shall be defaced by the officer who receives such application.

TRADING LICENSES NOT TO BE GRANTED TO ASIATICS EXCEPT UPON PRODUCTION OF CERTIFICATES.

13. After such date as may be notified by the Colonial Secretary in the *Gazette* no Asiatic shall obtain any trading licence issued under the Revenue Licenses Ordinance 1905 or any amendment

thereof or under any bye-law in force in a municipality unless he shall produce to the person appointed to issue such licence a certificate of registration of which he is the lawful holder and supply such particulars and furnish such means of identification as may be prescribed by regulation.

EVIDENCE AS TO AGE OF ASIATICS.

14. Whenever in any prosecution or other proceeding under this Act the age of any Asiatic is in question such Asiatic shall unless and until the contrary be proved be taken to be of the age which the Registrar shall in any certificate issued under his hand certify to be in his opinion the apparent age of such Asiatic.

EXEMPTION FROM STAMP DUTY OF AFFIDAVIT OR SWORN DECLARATION REQUIRED BY REGULATION.

15. Any affidavit or sworn declaration which is required by Regulation to be made by any person who makes an application for registration either on his own behalf or on behalf of some other person shall be exempt from stamp duty.

OFFENCES RELATING TO APPLICATIONS FOR REGISTRATION AND TO REGISTRATION CERTIFICATES

16. Any person who;

(i) for the purpose of or in connection with an application for registration or for the purpose of obtaining a certificate of registration commits any fraudulent act or makes any false statement

or false pretence or incites any person to or aids or abets any person in such act statement or pretence;

(ii) forges any certificate of registration;

(iii) uses or attempts to use as his certificate any certificate of registration of which he is not the lawful holder or any forged certificate of registration.

(iv) incites any person to use or aids and abets any person in using as such person's certificate any certificate of registration of which such person is not the lawful holder or any forged certificate of registration;

Shall be liable to a fine not exceeding five hundred pounds or in default of payment to imprisonment with or without hard labour for a term not exceeding two years or to both such fine and such imprisonment.

17. (1) Notwithstanding anything in the Peace Preservation Ordinance 1903 contained, a permit to enter this Colony may in the absolute discretion of the Colonial Secretary be issued in the form prescribed by Regulations authorizing an Asiatic to enter and remain in this Colony for any period named in such permit, and after the expiry of such period the person authorized by such permit to enter this Colony shall be deemed to be a person not duly authorized to be in this Colony, and if found, may be arrested without warrant and the provisions of sections *seven* and *eight* of the said Ordinance shall apply to such person as if he were a person who at the date of such expiry had been ordered to leave this Colony under section *six* of

the said Ordinance and had failed to comply with such order.

(2) The provisions of section *nine* of the said Ordinance shall in all cases apply to permits issued under this section.

(3) any permit issued before the date of the taking effect of this Act to an Asiatic under the Indemnity and Peace Preservation Ordinance 1903 or any amendment thereof and expressed to authorize such Asiatic to remain in this Colony for a limited time only shall be deemed to be a permit issued under this section.

(4) The Colonial Secretary may in his discretion order that the person authorized by any permit issued under this section to enter and remain in this Colony shall not during the currency of such permit be deemed to be a coloured person for the purpose of the provisions of the Liquor Licensing Ordinance 1902 or any amendment thereof and such order shall be of full force and effect for such purposes.

(5) The Colonial Secretary may issue any such order as in the last preceding sub-section mentioned in respect of any person who is a member of an Asiatic race and is not subject to the provision of this Act.

POWER TO MAKE REGULATIONS.

18. The Governor in Council may from time to time make, alter and repeal Regulations for any of the following purposes;

(1) prescribing the form of the register to be kept under the Act;

(2) prescribing the manner and form in which application shall be made for registration, the particulars to be supplied and the means of the identification to be

furnished by any applicant for the purpose of or in connection with such application ;

(3) prescribing the form of certificates of registration ;

(4) prescribing the particulars to be supplied and the means of identification to be furnished ;

(a) by the guardian of any Asiatic child under the age of eight years under section ' six ' of this Act ;

(b) by any Asiatic upon such demand as is in section *nine* of this Act mentioned ;

(c) by any Asiatic applying for the renewal of any certificate of registration which has been lost or destroyed ;

(d) by any Asiatic applying for a trading license ;

(5) prescribing the form of permit to be issued under section *seventeen* of this Act.

GENERAL PENALTIES.

19, Any Asiatic or the guardian of any Asiatic failing to comply with any requirement of this Act shall except where otherwise specified be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

PROVISIONS AS TO CERTAIN ASIATICS UNDER CONTRACTS OF SERVICE.

20. Notwithstanding anything contained in the Labour Importation Ordinance 1904 no Asiatic who is the lawful holder of a certificate of registration and

no Asiatic who was lawfully resident in this Colony or allowed to enter it under a proper permit before the date of the said Ordinance shall be prohibited from entering or residing in or being introduced into this Colony by reason of the fact that he is under a contract of service and has not entered into the contract referred to in section eight of the said Ordinance.

PROVISIONS AS TO HOLDING FIXED PROPERTY.

21. Notwithstanding anything contained in sub-section (b) of article two of Law No. 3 of 1885 as amended by Volksraad Resolution Article 1419 of the twelfth day of August 1886 any fixed property in this Colony acquired by an Asiatic before the taking effect of such law and registered in the name of such Asiatic whether before or after the taking effect of such Law may be transmitted by such Asiatic to another Asiatic by testamentary or other inheritance.

TITLE AND DATE OF TAKING EFFECT.

22. This Act may be cited for all purposes as the Asiatic Law Amendment Act 1907 and shall not take effect unless and until the Governor shall proclaim in the 'Gazette' that it is His Majesty's pleasure not to disallow the same, and thereafter it shall take effect upon such date as the Governor shall notify by Proclamation.

Appendix B.
**SUMMARY OF OTHER MINOR ACTS
 AND THE REGULATIONS.**

*(Reprinted from the daily Indu Prakash,
 24th August 1909.)*

**REGULATIONS UNDER THE
 ASIATIC LAW AMEND-
 MEND ACT.**

Section IV of these Regulations requires every applicant for registration to appear before the Registrar of the District and furnish him with particulars required by Form B:—These particulars are, on the face side of the form, Name, Race, Caste or Sect, Age, Height, Residence, Occupation, Physical description, Place of birth, Date of first arrival in the Transvaal, Place where resident on 31st May 1902, Father's name, Mother's name, wife's name, and place residing at. On the back side of the Form are to be given the Name, the righthand impressions of all the five fingers in different columns, next the left-hand impressions of all the five fingers and next simultaneous impressions of the four fingers of both the left and the right hand. In the case of minors, both the guardian applicant and the minor have to give these particulars.

Regulation VI prescribes the Form of the Certificate. On that Certificate too, the right thumb impression of the person to

whom the certificate is issued has to be given.

Regulation VII provides that every adult required by Police officer or by any other authorized person to produce his Registration certificate shall, in addition to such production, supply on demand the following particulars:—his name, his present residence, his residence at the date he made application, his age and in the presence of such police officer or authorized person, a specimen of his signature if he is able to write and impressions of his thumbs or of his thumbs and his fingers if he is not.

Regulation VIII provides that in the case of minors the impressions of the thumbs of such minor or of the thumbs and the fingers shall be given.

Regulation X requires thumb and finger impression on application for renewals of lost or destroyed certificates.

Regulation XI requires an Asiatic applying for a trading license from a Municipality to give impressions of all or such of the thumbs as required.

Regulation XII requires thumb impression from any Asiatic applying on behalf of another Asiatic temporarily absent for trading license.

Regulation XIII provides that even permits for temporary residence in Colonies shall have the right thumb impressions of the grantee.

X X X

THE IMMIGRANT RESTRICTIONS ACT NO. 15 OF 1907.

Section I repeals the Peace Preservation Ordinance of 1903, but provides that "no such repeal shall affect or abridge any powers or jurisdiction by the Asiatic Law Amendment Act of 1907 conferred for the purpose of carrying out such Act."

Section 2 gives definitions and lays down that "prohibited immigrant" shall include:—(a) a person unable to write in the characters of an European language an application for permission to enter the Colony, subject to any special agreement with a foreign country; (b) a pauper; (c) prostitutes &c; (d) "any person who at the date of his entering or attempting to enter the Colony is subject or would, if he entered the Colony, be subject to the Provisions of any law in force or such date or thereafter, if found therein, to be removed from or to be ordered to leave the Colony, whether on conviction of an offence against such law or for failure to comply with its provisions or otherwise in accordance with its provisions; (e) a lunatic; (f) lepers &c; (g) an undesirable person; (h) one likely to be dangerous to peace and order.

That "prohibited immigrant" includes Asiatics unless they get themselves registered under the Asiatic Law Amendment Act of 1907 is clear from the fact that this section—Sec. 2 specifically provides that the words "prohibited immigrants" shall not include amongst others "(e) the wife or minor child of any person who is not a prohibited immigrant;" and "(g) any Asiatic who is eligible for or has obtained a certificate of Registration under the Asiatic Law Amendment Act" and who is not a pauper, a lunatic, leper, undesirable or one liable to be removed."

Section 5 imposes on prohibited immigrants entering or found in the Colony fine up to £100, or imprisonment of either kind for six months. Such persons may be removed by force.

Section 7 provides the same penalty as Section 5 for the offences of aiding or being accessory to entree by prohibited immigrants.

Section 8 forbids a prohibited immigrant from obtaining a license to trade or acquiring any interest in land.

Section 9 makes persons suspected of being prohibited immigrants liable to arrest without warrant and under Section 11, liable to pay expenses of removal and custody.

Section 12 makes it incumbent on hotels, boarding houses and lodging houses to keep a list of all persons they accommodate and the list is open to the inspection of any police officer etc.

X X X X

THE ASIATIC REGISTRATION ACT OF 1908.

This Act was passed in order "to validate the voluntary registration of certain Asiatics who failed to comply with the provisions of Act No. 2 of 1907 and to make further provision for the registration of Asiatics."

Section I—' Interpretation of terms' defines "Asiatic" to mean "any male person belonging to one of the native races of Asia and shall include a coolie, an Arab and a Malay." Section 2 validates the voluntary registration of Asiatics, but only of such of them in respect of whom an application for Registration was made between the 10th February 1908 and 10th May 1908. It also recognises as valid fresh Registration Certificates in lieu of Certificates taken under Act 2 of 1907.

Section 3 provides that under the present Act of 1908 an Asiatic shall be entitled to registration if he satisfies the requirements of Section 2; or if he holds a Certificate under the Act of 1907 and desires to exchange it for a fresh one under this Act; or having been a minor resident of the Colony, he first entered the Colony with an adult Asiatic guardian duly registered or entitled to be registered; or if he was born in the Transvaal.

Section 4 requires all adult un-registered Asiatics to get themselves registered, if so entitled. Subsection 2 provides that every un-registered adult Asiatic resident outside the Colony at the commencement of the Act shall be entitled to obtain a Registration

Certificate only if he was resident in the Transvaal for three years prior to 11th October 1899, and upon application for registration from a place in South Africa within one year after the commencement of the Act. Subsection 3 entitles to a Registration Certificate under the Act, such un-registered adult Asiatic residents outside the Colony at the commencement of the Act as were duly authorised to do so by a permit under the Peace Preservation Ordinance or as were resident and actually in the Colony on 31st May 1902.

Section 5 requires minors to take Registration Certificates on their own account within a month after attaining the age of 16.

Section 6 empowers the registrar, subject to an appeal before a Magistrate specially appointed for the purpose, to refuse Registration to any Asiatic not falling within the foregoing provisions and therefore not entitled to Registration.

Sections 7 and 8 provide for the arrest and deportations of persons not taking Certificates of Registration though entitled and of persons not entitled to certificates.

Section 9 compels the production of Certificates on demand by any European policeman or authorized person together with particulars and means of identification.

Section 14 restricts the issue of trade-licenses only to persons registered.

ट्रान्सवालांतील हिंदी लोक.

त्यांचीं दुःखें व मागण्या,

—:0X0:—

नं. १.

आणीबाणीची वेळ.

सांप्रतची वेळ आणीबाणीची आहे. हिंदी लोकांच्या अदोक्तिक बंधुप्रमाची व योग्य स्वाभिमानाची कसोटी या वेळेसच होणार आहे. आमच्या देशाच्या हितसंबंधांचें संरक्षण नहणें व त्याचें यश मळीन होळें नये इतणुन आज तीन वर्षे मातृमूर्खीत पोटास चिमटा बसतों झणून ट्रान्सवालां येथें वस्ती करून राहिलेल्या देशबांधवांनीं मोठ्या नेटानें आणि धैर्यानें अनेक घोर शक्यपक्षे सोसून ट्रान्सवाल सरकारच्या, त्यांस नामशेष करूं इच्छिणाऱ्या, आशुरी राज्यपद्धतीचां सात्त्विक पण निकराचा शरणा चाळविना आहे. ह्या आपत्त्या शूर, धीर देशबांधवांच्या वतीनें स्पष्टपणें व जुटीनें राष्ट्रमत आणि राष्ट्रकोच व्यक्त करण्याची व त्यानें सर्व दिशा दुमदुमून टाकण्याची जर केन्हां आणीबाणीची वेळ आली असेल तर ती हीच आहे. ज्या दक्षिण आफ्रिकेतील योअर लोकांनीं व ब्रिटिश वसाहतवाल्यांनीं एकमेकांचा नायनाट करण्यासाठीं घोर रणसंग्राम केला, त्यांनीं आतां परस्परतील सर्व वैमनस्याचा व मात्सर्थाचा त्याग करून व सर्व तंट्यांचा निकाळ लावून अटलजटनपासून जवळजवळ झळग असा

(दैनिक इंदुप्रकाशावरून.)

प्रबळ राष्ट्रसंघ स्थापन करून घेण्याचा आपला हेतु श्रेयस्कर रीतीनें सफल करून घेतला आहे. दक्षिण आफ्रिकेतील स्वसत्ताक राज्यपद्धति उपभोगणाऱ्या कॅपकोलोनो, नेटल, ट्रान्सवाल व ऑरेंज फ्रीस्टेट ह्या ब्रिटिश वसाहतींनीं स्वतःचा एक मोठा संयुक्त राष्ट्रसंघ करण्याकरितां एक मासूनसंख्या रचिली आहे व त्यास ब्रिटिश सरकारची ते संमति मागत आहेत व तसें वर्षाचें बिल हल्लीं पार्लमेंटपुढें आले असून लॉर्ड्सच्या संघेंत ते पसाराशी झाले आहे. हे बिल कॉमन्समध्ये पास होणें हा फक्त वेळेचा प्रश्न आहे. झणून दक्षिण आफ्रिकेतील हिंदी लोकांस निःसंशयपानें व न्यायानें वागविलें पाहिजे ह्या आठोवरच सदरदू मासनंशय वसाहतींना देण्यांत यावी, अशी मागणी सर्वांनीं एकदिवानें साम्राज्यसरकारपुढें ठेविली पाहिजे. ही वंधि जर आमच्या दिरंगाईनें वाया गेली तर ट्रान्सवालांतील हिंदी लोकांची देवरेषा कायमची पुसून गेल्यासारखी होऊन त्यांच्या न्याय मिळविण्याच्या अंगीकृत कार्यांचा त्यांस त्याग करवा लागेल. सुप्रसिद्ध मि. गांधी व त्यांच्यासारखे इतर देशभक्त आपल्या हातून ही ईक तें करितच आहेत. त्यांच्या वतीनें इंग्लंडांत हे प्युटेसन गेलेंच आहे.

ह्या प्रसंगी, हिंदुस्थानच्या लोकास जागृत व कर्तव्यतत्पर करण्यासाठी त्यांनी ह्या देखांत एक प्रतिनिधि पाठविला आहे. हिंदी लोकांचा कार्यभार वाहणारे व त्यांचे प्रतिनिधित्व स्वीकारणारे हे मि. हेनरी पोल्सक नांवाचे उस्ताही गुरस्य युरोपियन कॅम्पू आहेत ही त्यांस अत्यंत भ्रूषणास्पद गोष्ट आनंदी सर्वांनी कृतज्ञतापूर्वक लक्ष्यांत ठेवण्यासारखी आहे. लोकांस कर्तव्यदर्शक करण्याकरितां त्रांसवाळांतिक हिंदी लोक सहरदू न्यायप्रिय युरोपियन प्रतिनिधींच्या मार्फत डुंदुभि वाजवीत आहेत. ह्या डुंदुभांच्या आग्रानास आमचे राष्ट्रीयपुढारी उत्साहपूर्वक व स्वदेशकर्तिस अनुत्सव असे प्रत्युत्तर देतील अशी आशी आशा करितों. दक्षिण आफ्रिकेंतील आपल्या देशबांधवांच्या अनिर्वाच्य हालअपेक्षांचा इतिहास सर्वश्रुत आहे. त्रांसवाळांतिक हिंदी लोकांच्या दुःखाची दूरयद्रावक कष्टाणी ऐकून क्रिश्चक सहृदय देशमकर्तां अश्रु गाळले असण्यास नवल नाहीं. परंतु, ह्या अश्रु बिंदुबरोबर त्यांचे भयंही गळून गेले नाहीं असा आशांस मरंववा आहे. बांप्रतची वेळ आणीबाणीची असल्यामुळे व लोकांनी कर्तव्यतत्पर होणे अवश्य असल्यामुळे त्रांसवालक प्रकरणाचा पूर्वेतिहास व सद्यःस्थिती ह्यासंबंधाची संकलित माहिती येथे देत आहेत.

पूर्वेतिहास.

त्रांसवाळांत पूर्वी एकंदर तेरा हजार हिंदी लोकांची वस्ती होती. त्यांपैकी फक्त नव्वी हजार इर्झ त्रांसवालमध्ये आहेत. बाकीच्या सात हजार लोकांना गेस्या पांच सहा वर्षांत एक तर जुळमाने बोर

हाकून दिले आहे किंवा युक्तिप्रयुक्तीने वसाहतीबोर राहण्याचे भाग पाडले आहे. स्वदेशाकरितां हिंदी लोकांचे एक कायम राहून त्यांच्या अर्धेच संरक्षण करण्यासाठी हिंदी लोक अनेक मंत्र्यंकर हालअपेक्षा भोगीत आहेत. त्यांचे अस्तित्व समूळ नष्ट करण्याकरितां त्रांसवाल सरकारचे प्रयत्न सतत चालू असून हिंदी लोकांचे कुळकीक व त्यांचा धर्म यांची उधाळ मनसोक्त विटंबना काली आहे असे कायदेकानू, नियम-प्रतिबंध त्रांसवाल सरकारने पास केले आहेत. ईंग्लंड लोक व बोअर यांचे युद्ध शोण्यापूर्वी व ह्यास्यानंतर, हिंदी लोकांचा त्रांसवाळांतून नायनाट करण्याच्या उद्देशाने पूर्वीच्या बोअर सरकारांनी जे कायदेकानू असतात ठेवले होते ते रद्द करण्याचे वादबारी सरकारने वचन दिले होते. ते रद्द होणे तर एकीकडेच राहिले, पण त्यांत नवीन कायद्यांची मर पडून ह्या जुळमी कायद्यांच्या अभिकुंडांत हिंदी लोकांच्या शिवसंबंधाची, आयुष्यसुखाची व राष्ट्रीयतेजस्वीतेची आहुति पडत आहे. ह्या कायद्यांमध्ये, हिंदी लोकांना राजकीय किंवा श्यानिक स्वराज्यविषयक मताधिकार मिळत नाहीं, स्थितिज जागेबाहेर जमीन संपादन करितां येत नाहीं, कांहीं घहरांत पायरस्त्यावरून चाळण्याची त्यांस मनाई आहे, मिटोरिया व जोहान्सवर्ग येथील टासगाळ्यांत वषण्याची रयांना परवानगी नाहीं. सुसंपन्न असलेल्या चांदी येत्याच्या खाणीच्या प्रदेशांत राहण्याचा त्यांस मतिबंध आहे; झालेरिज अनेक अपमानकारक व अन्यायाचे प्रकार आहेत. अन्यायाची ही बाबी इतकी जांब आहे की,

ती वाचतांच हिंदी लोकांचा मानमंग परोपदी होत आहे व फक्त हिंदी लोकच सहन करू शकतील असा अपमानकारक व दुःखकारक शब्दमेधा त्यांचे भोगान्या भागत आहेत; ही गोष्ट स्पष्टपणे म्यानांत येऊन प्रत्येक देशमत्काराची खेद व संताप वाटून त्यांचे काळीज पोळत्याखे- पीज घडणार नाही. तथापि, टूनववाळांतील अग्रपक्ष प्रतिकारची चळवळ मुख्यत्वे- करून दोन मागण्यासंबंधाची आहे.

संमतच्या मागण्या

पुढीलप्रमाणे आहेत:-

- (१) १९०७ चा नॉननोटीचा अप- मानकारक कायदा रद्द व्हावा; कारण
- (२) तान्त्रवाक्यकारने हा कायदा रद्द करण्यासंबंधाने प्रत्यक्ष वचन दिले होते.
- (३) हा कायदा ब्रिटिश साम्राज्याच्या आंगीत फक्त कावणार व प्रति- गाभी आहे.
- (४) ब्रिटिश इंडियन लोकांचा ब्रिटिश साम्राज्यातील हिंदी लोकांचा-राष्ट्र झा नात्याने सदरहू कायद्यामुळे अपमान होतो व हा कायदा त्यांचे गुरेगारंप्रमाणे खेळतो.

- (५) हा कायदा अनवश्यक आहे,
- (६) त्यांत बर्माची पायमल्ली नाही आहे.
- (७) त्याभोर्गेकरून एक साम्राज्यवि- धातक व अनिष्ट राजनीति अयत्नांत आल्यासारखे होते

सदरहू १९०५ चा कायदा रद्द कर- णाचे तान्त्रवाक्य सरकार नाकारित आहे व असे करण्यांत मोठ्या गांभीर्याने दिलेले वचन त्यांना मोडले आहे. आज तान्त्र- वाळांत युरोपियन व हिंदी लोक या

उभयपक्षांतील प्रतिबंधक असा परदेश- लोकांच्या आगमनासंबंधाचा संवधाचारक कायदा वाटून परा ! हा कायद्यांत अत्यंत सुसंस्कृत असा हिंदी लोकांचा प्रवेश होण्यासंबंधाने मनाई करण्यांत आली आहे. अणून आपल्या देशवासवाची दुसरी मागणी अशी आहे कां:-

- (१) पृथ्वीतील इतर राष्ट्रांत तान्त्र- वाक्यमेधे वसाहतीस येण्याच्या लोकांसंबंधी निर्बंध ठेवणार जो कायदा आहे तोच कायदा भेदाभेद न करितां समानतेच्या तत्वावर सुसंस्कृत हिंदी लोकांसही लागू अशावा व त्याविरुद्ध दुसरे कोणचेही प्रति- बंध असे नयेत ही मागणी मान्य करण्यांत यावी; कारण,

(अ) तान्त्रवाक्यतील सभ्यांच्या हिंदी रहिवाशांची योग्य उपजीविका होऊन अंतराकर रातीने त्यांचा आयुःक्रम चाळण्यास असा सुसंस्कृत लोकांची बरीच आहे.

(ब) कोणत्याही जातीच्या सुसंस्कृत माणसाचा वसाहतींत प्रवेश होण्यास जितकी भौकळीक अवरो- दितकीच भौकळीक सुसंस्कृत हिंदी लोकांसही अवरोध.

(क) हा एक नाकपूक करणे हाणजे सर्व हिंदुस्थानचा उपमर्द करण्यासारखे आहे.

तान्त्रवाक्य सरकारने हा एक हिरावून घेतला आहे व कोणाही हिंदी मनुष्यास- मग तो कित्तीही सुचिखित असे, प्रोफेसर असे, डॉक्टर असे, वकील असे, किंवा उपाध्याय असे-तान्त्रवाक्यप्रवेश कर- ण्याची तान्त्रवाक्य सरकारने मनाई केली आहे.

ह्यासाठी सोसलेले हाक.

ह्या दोन मागण्या मंजूर व्हाव्या ह्याणून
 त्रान्सवाळातील हिंदी लोकांनी भयंकर
 हाकअपेक्षा सहन केल्या आहेत. त्रान्स-
 वाळातील हिंदी लोकांनी आज
 पर्यंत सोसलेल्या दुःखपरंपरेचा इतिहास
 वाचून फटोर अंतःकरणान्या मनुष्याच्या
 अंगावर देखील रोमांच उभे राहिल्या.
 खेरीज राहणार नाहीत. मग सद्दृश्य मनु-
 ष्यांचे अन्तःकरण क्रीडातिशयाने व्याप्त
 झाल्यास नवक ते काय ? केवळ न्यायासाठी
 अप्रत्यक्ष प्रतिकाराचे अवलंब करणाऱ्या
 परंतु कायद्याची सीमा उल्लंघन न
 करणाऱ्या अतएव नीतिदृष्ट्या निरपराधी
 हिंदी लोकांपैकी आजपर्यंत २५००
 इतमांस शिक्षा झाल्या. ह्यापैकी, बहुतेक
 शिक्षा सक्तमजुरीच्या फेदेच्या आहेत.
 आणि ह्या शिक्षा होण्यासारखे महत्पाप
 त्यांच्या हातून कोणते घडले ह्याबाब तर
 ते हे की, त्यांनी स्वधर्म, स्वदेश,
 स्वाभिमान, राष्ट्राची अब्रू व
 सत्व ह्यांची किंमत व्यक्तिविषयक
 हितापेक्षा व राष्ट्रीय अपमान सोसल्याने
 प्राप्त होणाऱ्या सुखतेपेक्षा व संपन्नतेपेक्षा
 अधिक घरळी ! पतिपत्नीचा, बंधुभगिनी
 चा व पितापुत्रांचा वियोग करून त्रान्सवाल
 सरकारने शेंकडो हिंदी लोकांस त्यांच्या
 कुटुंबांतून ओढून काढून तुर्ंगात टाकिले
 आहे. तुर्ंगात त्यांना रानटी लोकांप्रमाणे
 व गुन्हेगारांप्रमाणे वागविण्यांत येते !
 तुर्ंगात त्यांना अर्धपोटीच ठेवण्यांत
 येते व पशुतुल्य वागविण्यांत येते. तुर्-
 गातच्या काफिर वार्डरने फटके लगावल्या-
 मुळे एक अठरा वर्षांचा तरुण हिंदी
 देशभक्त मरण पावल्याचीही बातमी आहे !

त्रान्सवाल सरकारच्या ह्या अमानुष
 वर्तनामुळे हिंदी लोकांच्या गुहसुखाचा
 नायनाट झाला आहे, कित्येकांची घरेच्या
 घरे बसळी आहेत. कित्येक उध्वस्त व
 परागंदा झाले आहेत. काही ठिकाणी
 आपल्या मुळावाळांचे पोषण करण्याकरिता
 घरेदाज व अब्रूवाल्या हिंदी कुळस्त्रियांस
 बोर्कावर पाठी घेऊन रस्त्यांतून भाजी
 विकीत हिंडावे लागत आहे ! काही कुटु-
 बांना उपजीविकेस्तव सार्वजनिक घर्मादा-
 यावर अवलंबून रहावे लागत आहे.

कित्येक हिंदी लोकांना त्रान्सवाल
 सरकारने हद्दपार करून येथे हिंदुस्थानांत
 आणून पांचविले आहे; आणि ह्या रीतीने
 हद्दपार झालेल्या लोकांपैकी काहींची
 वायकामुळे त्यांच्या मागे त्रान्सवाळांतच
 उपाशी मरत आहेत.

आपल्या गाऱ्यांच्याची दुःखद काहणी
 सांगून न्याय मिळण्यासाठी खटपट करावी
 ह्याणून त्रान्सवाळाच्या हिंदी लोकांनी
 इंग्लंड व हिंदुस्थान येथे पाठविण्यास
 निवडलेल्या बहुतेक प्रतिनिधींस त्रान्स-
 वालसरकारने पकडून तुर्ंगात टाकले.
 हा तोंड दाबून बुक्यांचा मार नव्हे तर
 काय ?

त्रान्सवाळातील हिंदी लोक ह्या हाक-
 अपेक्षा केवळ मातृभूमीच्या मानघनाचा
 सांभाळ करण्याकरिता सोशीत आहेत.
 त्यांचा हा सर्व स्वार्थत्याग हिंदुस्थानाक-
 रितां आहे. ह्या दुर्दैवी भरतभूमीच्या
 संप्रतच्या उदयोन्मुख काळांत निस्सीम व
 सार्विक देशभक्तांचा हा स्वार्थत्याग भवि-
 ष्यकाळिन कविवर्यांच्या कवनशक्तीस
 स्फुर्तिदायक होणार नाही असे कोण
 ह्याणुं शकेल ?

नैसर्गिक मानवी हक्कांपलीकडे ज्यांची व्याप्ति नाही, अशा आमच्या सर्वतोपरी न्याय्य अशा मागण्या सरकाराकडून मान्य करवून घेण्याचे बाबतीत मुंबई इलाख्यातील आमचे देशबांधव आझांस सहाय्य होतील काय ? असा प्रश्न हिंदुस्थानाकरिता त्रान्स्वाळच्या तुरुंगांत दुःख सोडीत असलेले हिंदी देशभक्त अहर्निश विचारीत आहेत. ह्याचें समाधानकारक उत्तर आमचे देशांत मिळेल काय, असा प्रश्न आझांही करितों; व तें मिळालें झणून आमच्या शूर व शरीरदात्त देशबंधुंनीं आद्वितीय चिक्राटीनें चाळविलेल्या भगीरथ प्रयत्नांची कहाणी सविस्तृत रीतीनें देण्याचें आझी योजिलें आहे.

नं. २.

गान्हाणी व मागणी.

त्रान्स्वाळांतले आपल्या देशबांधवांनीं गेलीं तीन वर्षे राष्ट्रीय कीर्ति व हक्कांचें संरक्षण करण्याकरितां अलौकिक धैर्यानें बी चळवळ चालविली आहे, तिजकडे सर्व हिंदुस्थानचें पूर्ण लक्ष जाऊन हिंदवासीयांनीं ह्या पवित्र कार्यास हातभार ठावणें अत्यावश्यक आहे, असें वर प्रतिपादिलें. तें सर्व देशबंधुंस मान्य होईल यांत संशय नाहीं. त्रान्स्वाळांतले हिंदी लोकांनीं स्वदेशबांधवांपुढें आपलीं गान्हाणी मांडण्याकरितां एक डेप्युटेशन पाठविण्याचें ठरविलें. परंतु, त्रान्स्वाळ सरकारनें ह्या डेप्युटेशनच्या व्युहाचाही भेद करून काहीं प्रतिनिधि भेडळींना पकडून तुरुंगांत टाकले. बाकी राहिलेल्या प्रतिनिधींचें डेप्युटेशन सांप्रत हिंदुस्थानांत आलें आहे. त्रान्स्वाळ प्रकरणासंबंधानें कोकमत जागृत करून, हिंदुस्थानांतले

लोकांच्या सहाय्यानें हिंदी लोकांच्या तक्रारींची दाद ठावणें हा डेप्युटेशनचा उद्देश आहे. सांप्रतची वेळ आणोबाणीची असल्यामुळे, 'काळःक्रीडति गच्छति आयुः' अशा प्रकारचें अशुभ्य औदासीन्याचें व बेफिकरीचें घोरण सोडून देऊन त्रान्स्वाळ प्रकरणासंबंधानें परिणामकारक रीतीनें स्पष्ट कोकमत प्रदर्शित करणें हिंदीवासीयांचें कर्तव्य आहे. त्रान्स्वाळांत स्वदेशासाठीं कष्ट असलेल्या देशबांधवासंबंधानें हिंदुस्थानांतले लोकांस वाटणारी सहानुभूति कळकळीची, निरक्षीम व प्रेमपूर्ण आहे यांत संशय नाहीं. परंतु, ही सहानुभूति सुसंघटित व परिणामकारक रीतीनें अजून व्यक्त करण्यांत आलेली नाहीं. ह्या कारणास्तव, त्रान्स्वाळांतले संग्रामाचा शिखर इतिहास देऊन, सांप्रतच्या परिस्थितीसंबंधानें आपली कर्तव्यदिशा कोणत्या प्रकारची असली पाहिजे ह्यासंबंधानें आझी काहीं अगल्यांच्या व व्यावहारिक सूचना वाचकांपुढें मांडण्याचें योजिलें आहे.

त्रान्स्वाळ सरकारशीं चाललेल्या झगड्याचा पूर्वतिहास.

त्रान्स्वाळ प्रकरणाच्या संग्रामाचा इतिहासप्रारंभ सुमारे पंचवीस वर्षांपूर्वी, त्या वेळीं स्वतंत्र असलेल्या बोअर सरकारानें १८८५ चा ३ रा कायदा पास केला, तेव्हांपासून झाला. त्यावेळच्या हिंदी रहिवाशांसंबंधानें युरोपियन व्यापारांश व्यापारिवषयक बाबतींत वाटणारा मत्सर व वस्तुस्थितीसंबंधाचें अज्ञान ह्या दोन गोष्टींमुळे बोअर सरकारनें हा कायदा पास केला. हिंदी व्यापारांच्या उत्कर्षामुळे गोऱ्या लोकांचा व्यापारिवषयक मक्का अक्षरंगत होण्याची भीति पडल्यामुळे हा

कायदाने बोअर सरकारने कायद्याच्या यत्नागरीतून बोअर काढला. " आशिया खंडातील कोणतेही रहिवासी-कुडी, आरब, मलायी व तुर्कीच्या राज्यतील मुसलमान प्रजाजन ' यां हा कायदा लागू करण्यांत आला. पौरात्य लोकांवर बोअर सरकारने हे कायद्याचे अन्न फेंकिले, तेन्हांपासून, कोणीही मनुष्य-मग त्याचा दुर्बी केवढाही असो—' कुडी ' ह्या नांवानें बोअर लोकांच्या लोकसत्ताक राज्यांत संवाधण्यांत येऊं लागला. कायद्याच्या उपरिनिष्ठ अपमानकारक व्याख्ये-खाली मोडणाऱ्या सर्व लोकांनीं जन्मवाढच्या लोकसत्ताक राज्याच्या हद्दींत पाय ठेवण्यापासून आठ दिवसांच्या आंत आपले नांव नोंदवें पाहिजे. नाहीं तर कडक शासन होईल असा निर्बंध सदरहु कायद्यामन्वये ठरविण्यांत आला. याचप्रमाणें, नावनोंदणबद्दल पंचवीस पौंड (३७५ रुपये) फी ठरविण्यांत आली होती. नावनोंदणीचा हा कर मगानून तीन पौंडपर्यंत कमी करण्यांत आला व वर्षांतून एक वेळच रकम मरण्याचा नियम करण्यांत आला. १८८५ च्या ह्या कायद्यामन्वये, कोणाही ' कुडी ' ला स्थापित माळमया संपादन करण्याची मनाई झाली; मग राजकीय आणि म्युनिसिपल मत्वाचे कार मिळविण्याचे तर नांवच घेणें नको. ' कुडींनां कांहीं विवक्षित प्रदेशांतच राहावें असाही निर्बंध ह्या कायद्यानें ठरविता. पुढें, ब्रिटिश सरकारकडून आग्रहाचा रशारा मिळाल्यामुळे बोअर सरकारने ' आरोग्यविषयक कारणांकरीता ' हे शब्द ' कुडींच्या ' निवासस्थानांसंबंधान्या नियमास जोडले. परंतु

पुढे बोअर सरकारानें कायद्याचा अर्थ करीताना आपल्या पांडित्याची कमाळ केली. अगूळ लोकांनीं विवक्षित प्रदेशांतच राहावें या नियमाचा अर्थ बोअर सरकार असा करूं लागले कीं, सदरहु लोकांनीं व्यापारी पण त्या प्रदेशाच्या मर्यादेतच करावा. बोअर सरकारच्या ह्या माण्यास नंतर कायद्याच्या कोटीत कुठोही जावण्यांत येऊन, हायकोर्टानें पण हिंदी लोकांच्या विरुद्धच निकाल दिला ! ' वारांगनेव नृपतीतिरेकरूपा ' ह्या कथुर्चीच्या सत्येचे आहून जास्त दळदळीत उदाहरण कथास पाहिजे ? असो. दग्वडाबांतील न्यायदेवतेनेही मराळांचा अंतपक्ष खरा ठरविला. तरी ह्या बाबतींत तेथील लोकसत्ताक राज्याची बोळणें चाळविण्याचा एक मि. ' वेंबळें-इस्कंडचे तत्कालीन वडास्त खात्याचे सेक्रेटरी यांनीं आपणाकडे खाल्ले ठरविला. पुढें चौदा वर्षेपर्यंत ह्याजेलें बोअर लोकांनीं इंगलांचा निर्वाणीचा रणसंप्राप्त करु होईपर्यंत जाल्मवाळांतील हिंदी लोकांच्या तक्रारीची दाद बाळग्याकरिता ब्रिटिश-सरकार अप्रतिहत खटपट करीत होतें. इ. स. १८९१ सालीं तर मि. ' वेंबळें यांनीं स्पष्टणें जाहीर केले कीं, हिंदी लोकांच्या तक्रारी हे युदाचे एक कारण आहे. प्रधानसंढ्यापैकी, लोके जाल्मवालां व लोके सेकनेर्न यांनींही ब्रिटिश साम्राज्यतीळ हिंदी प्रजाजनांस वार्डरीतीनें वागविण्यांत येतें ह्या गोष्टीचा निवेच केला. राणीवाहेबांचे प्रबळ सरकार हिंदी लोकांच्या तक्रारीची दाद बाळग्याच्या बाबतींत अगदीं निर्वक्त आहे असें जगजाहीर झाले; तर हिंदुस्थानच्या तीव्र कोटी मजानांस काय घाटेक ! असा लोकें बांधवोने

यांनी आपल्या भाषणांत प्रथम केला; व कोर्टे सेक्रेटरींनी यांनी आपल्या भाषणांत स्पष्टपणे सांगितले कीं, ब्रगाच्या कोणत्याही भागांतील ब्रिटिश प्रजाजनाने—मग हे प्रजाजन युरोपियन वसाहतवाले असोत किंवा हिंदी लोक असोत—ब्रिटिश लोक ट्स्टी—हिताहिताचे वाढी—आहेत. ह्यासंबंधाने आणखी एक गोष्ट लक्षांत ठेवण्यासारखी आहे ती ही कीं, ट्रान्सवालची राजधानी प्रिटोरिया शहर येथील ब्रिटिश एजंटाने आग्रहपूर्वक बोळणे चाळविल्यावरून बोअर सरकारने हिंदी व्यापाऱ्यांना तीन पाँड कर मागितला नाही व ह्यापुन त्यांनी हा कर दिला नाही; आणि त्यावरून त्यांची नांवनोंदनाही झाली नाही. आणखी एके प्रसंगी, ठराव प्रदेशाबाहेर व्यापार करणाऱ्या हिंदी लोकांना व्यापार करण्याबद्दलची मंजुरी देण्याचे लोकसपाक बोअर राज्याने नाकारिले तेव्हां, मंजुरीबद्दलची फी मरा; व फी मरुनही मंजुरी मिळाली नाही तर मंजुरीवाचूनच बेघडक व्यापार चालवा, असा ब्रिटिश एजंटने हिंदी लोकांस सल्ला दिला. मंजुरीवाचून व्यापार चालविल्याबद्दल कांहीं लोकांस पकडण्यांत आले तेव्हां त्यांनी जामीन किंवा दंड न देतां तुरुंगांत जावे, हा ठराव ब्रिटिश एजंटाने मान्य केला. ह्यावरून, ट्रान्सवालतील संप्रतची अप्रत्यक्ष प्रतिकाराची चळवळ बोअर युद्ध होण्यापूर्वीच सुरू झाली होती व खुद्द ब्रिटिश एजंटानेही ह्या चळवळींत अंग होते, ही गोष्ट स्पष्टपणे कोणासही समजून येईल.

इंग्रजांचे बोअर लोकांशी युद्ध उपस्थित होऊन रणकुंडल पेटले तेव्हां ब्रिटिश हिंदी लोकांना युद्धविषयक कारणांमुळे ट्रान्सवाल सोडून जावे लागले. युद्धानंतर ट्रान्सवाल

इंग्रजी अमलांत आले; पण तेणेकरून हिंदी लोकांना रद्दहू बढाईत इंग्रजांस मदत केली असतांही त्यांची स्थिती सुधारली नाही. गोरेंगोर एक झाले, व हिंदी लोकांची हैना अधिकच वाढली. त्यांना ट्रान्सवालंत येण्याची रडतखडत परवानगी मिळाली खरी. परंतु हे त्यांचे पुनरागमन संकुचित संख्यामर्यादेनें आलेले व अनेक प्रकारच्या निर्बंधांनी आणि अडचणींनी जखडलेले असते होते. युद्धानंतर प्रस्थापित झालेल्या राज्यव्यवस्थेच्या स्वरूपांमुळे त्यांना अनेक निर्बंध पाळावे लागले व युद्धपूर्वी जे हिंदी लोक ट्रान्सवालमध्ये होते, त्यांनाच फक्त ट्रान्सवालंत प्रवेश करण्याची मुभा नवीन इंग्रजी सरकार ठेवणार आहे अशी बातमी प्रसिद्ध झाली. परिस्थितीकडे लक्ष देऊन हिंदी लोकांनी ह्या स्थितीतच समाधान मानले. परंतु, ही व्यवस्था आपण आपलुघीने व युरोपियन वसाहतवास्थांच्या मनोवृत्तींस मान देण्याकरितां ह्यापुन मान्य देण्याकरितां ह्यापुन मान्य करित आहा—सरकारला ही व्यवस्था हिंदी लोकांकडून मान्य करविण्याचा हक आहे अशा समजुतीने आपण ती मान्य करित नाही असे त्यांनी त्यावेळीं स्पष्टपणे सरकारास कळविले. इ. स. १९०३ युद्धानुन नुद्दत्याच बाहेर पडलेल्या देशांत शांतता, सुव्यवस्थितता व सुराज्य यांची प्रस्थापना करण्याच्या उद्देशाने 'पास प्रिन्सिपल ऑर्गिनिन्स' नामक "शांततासंरक्षक" कायदा पास करण्यांत आला. ह्या कायद्याबद्दल, वसाहतींत प्रवेश करून इच्छिणाऱ्या सर्व लोकांना स्वमतानुसार परवाने देण्याचा वा न देण्याचा अधिकार वसाहतीच्या गव्हर्नरास मिळाला. परंतु, प्रत्यक्ष व्यवहारांत गुन्हेगार लोक, वारांगना व नि

व्यक्त बदमाश लोकांप्रमाणे, युद्धपूर्वी त्रास-वाळांत आपले वास्तव्य होतें असे ज्यांना सिद्ध करितां आले नाहीं अशा सर्व हिंदी लोकांना वसाहतींत प्रवेश करण्याची मनाई होऊं लागली. वारांगना व बदमाश यांच्या मंत्रीस हिंदी लोकांस वसविण्यांत येतें ही गोष्ट सदरहू प्रकारावरून उचळ होते! असे; ह्याप्रमाणे, प्रथमार्भां जे प्रवेश-परवाने देण्यांत आले त्यांत परवाने बाळगणारांची तोच हा रहस्य अशी ओळख पटण्यासंबंधी खाणाखुणा देण्याची व्यवस्था करण्यांत आली. पूर्वी तीन पौंड भरल्यावर पावतीदाखळ जे नांवनोंदणीचे सर्टिफिकेट मिळत असे त्यांत मनुष्याची ओळख पटण्यासंबंधी व्यवस्था केलेली नव्हती. वसाहतींतल्या सर्व हिंदी रहिवाशांनी हे परवाने मिळविलेच पाहिजेत असा धक हुकूम करण्यांत आला.

ह्या प्रसंगां, युद्धपूर्वी त्रासवाळांत ज्यांचे वास्तव्य नव्हतें अशा हिंदी लोकांची वसाहतींत खेचाखेची होऊन गर्दी होत आहे अशी हिंदी लोकांच्या युरोपियन व्यापारी प्रतिस्पर्धांनी पुनः ओरड करण्यास सुरुवात केली. त्यावेळीं लॉर्ड मिलनर हे इंग्लिश कमिश्नर व गव्हर्नर होते. त्यांनी तावडतोव सक्त चौकशी केली; व चौकशी अंती समजून आले की, हिंदी लोकांचा वसाहतींत गुप्त व बेकायदेशीर संचार झाल्याचे आरोप खोटे आहेत. ह्यापूर्वी लॉर्ड मिलनर यांच्या हाताखालच्या काही अंमलदारांचे नीतिभ्रष्टतेचे वर्तन झाल्याचे त्रासवाळांतील ब्रिटिश इंडियन अडोवि-एजन्सने लॉर्ड मिलनर यांना सिद्ध करून दाखविले होते; व नंतर लॉर्ड मिलनर यांनी ह्या अंमलदारांना कामावरून बढतर्फी केले.

प्रांतीय लोकांची वसाहतींवर 'टोळबाड' येण्याची भीति नाहीं अशी लॉर्ड मिलनर यांची स्वतःची जरी पूर्ण खात्री झाली होती तथापि प्रांतीय लोकांच्या प्रवेशाविरुद्ध चळवळ करणाऱ्या चळवळखोरांस बोळण्यास जागा राहू नये म्हणून त्यांनी हिंदी लोकांच्या पुढाऱ्यांचे साहाय्य मागितले. नांवनोंदणीचे बोअर सर्टिफिकेटें बदलून नवीन इंग्रजी रियासतीतील परवाने घेण्याची आपल्या देशबांधवांस सल्ला देण्यावपर्यंत त्यांनी ह्या पुढाऱ्यांस आमहपूर्वक सांगितले. ह्यापुढे परवाने बाळगणारांच्या ओळखीसंबंधाने पंचाईत पडणार नाहीं व त्यांवर आंगठ्याचे ठसे असवेत, असे मिलनरसाहेब म्हणाले. ह्या सूचनेचा हिंदी लोकांनी विचार करून त्याप्रमाणे वागण्याचे मान्य केले; परंतु, आपण हे कृत्य आपखुशीनें सवळतीदाखळ करित आहोंत, असे त्यांनी स्पष्टपणे सांगितले. ही नांवनोंदणी अखेरची होईक व नवीन परवाने बाळगणारांस वास्तव्याचा प्रवेशाचा व पुनःप्रवेशाचा चिरस्थायी हक्क प्राप्त होईक असे लॉर्ड मिलनर यांनी आश्वासनपूर्वक सांगितले. ही सक्तीची नावनोंदणी पुरी झाली तेव्हां ह्या तडजोडीस हिंदी समाजास प्रवृत्त करणाऱ्या हिंदी पुढाऱ्यांचे लॉर्ड मिलनर यांनी आभार मानले. मोठ्या गांभीर्यानें देण्यांत आलेले हे वचन कशा रीतीने पाळण्यांत आले हे पुढील हकीकतीवरून दिसून येईकच बोअर युद्धपूर्वी, त्रासवाळांतील हिंदी लोकांची कर्मांत कमी १३००० संख्या असल्याबद्दल सरकारी अधिकाऱ्यांकडून गणती करण्यांत आली होती. इ. स. १९०४ साली हिंदी लोकांची खानेसुमार्थ देण्यांत आली आहे. तेव्हां वसाहतींत हिंदी

कोकांची संख्या १०००० हून कमी आहे असे दिसून आले. इ. स. १९०६ मध्ये एफंदर १०००० पत्रांनी ब्रिटिश हिंदी लोकांकरिवां काढण्यांत आले आहेत; असे सरकारी कागदपत्रां दाखविण्यांत आले. सातरून दिसून येईल कीं १९०२ ते १९०६ ह्या दरम्यान हिंदी लोकांची संख्या बोअर युद्धापूर्वीच्या हिंदी लोकांच्या संख्येच्या बरोबरीला येत नाही.

बोहान्सवर्ग स्थुनिसिपाळ्टीने आरोग्य-विषयक बाबतीत अक्षरशः हसगय केन्नामुळे इ. स. १९०४ सालीं जोहासवर्षीं येथें झग उद्भवला त्यावेळीं हिंदी लोकांचें तेथील निवासस्थान किंवा आंखून देण्यांत आलेली वास्तव्यभूमि जळून गेली. त्यामुळे, हिंदा लोक चहूंकडे पसरले; पुढे हिंदी लोक वसाहतीतल्या नि-रतिगळ्या गहरांत जाऊन राहिले. हिंदी लोकांची फांकाफांक झाली आहे, ह्या संघीचा फायदा घेऊन पैतृत्वविद्धेशी पक्षानें हिंदी व्यापार्याविरुद्ध पुनरपि ओरड करण्यास सुरुवात केली. इ. स. १९०४ सालच्या उत्पराधीत पैतृत्वविद्धेशी बोअर व इंग्रज वसाहतवाद्यांनीं एक 'राष्ट्रीय परिषद्' (नेशनल कंग्रेडेशन) मजबूत तेथे अपूर्व विश्वितपणाचे व सचात ठरणे पाव केले. टर्पेव वास्तव्यभूम्यांतच हिंदी लोकांना राहण्याची व व्यापार करण्याची परवानगी असावी व यापुढें शान्तवाळांत आगमन करणाऱ्या हिंदी लोकांस ते सुल-स्वत व अत्युच्च दर्जाचे अडके तरेपि ह्या विश्वित वास्तव्यप्रदेशांतच राहण्याची शक्ति असावी असे ठरणे सदरहू कान्हे-न्यनने पाव केले. ह्या ठिकीर्मा पुढील एक गोष्ट नमुद करणे अवश्य आहे. ह्याच

बोअरिमाचे सुमारास, टोरोव वास्तव्यप्रदेशांत राहणें ह्या नियमांत ह्या वास्तव्यप्रदेशांतच व्यापार करणें ह्या नियमाच्चाही अंतर्भाव होतो असा बोअर राज्याच्या हायकोर्टानें ठेकेला ठरणे रद्द करव्याकरितां हिंदी लोकांनीं इंग्रजां रियासतींत वरिष्ठ-पुशीम-कोट्यांकडे एक अर्ज केला. वसाहत सरकारपुढें ह्या अर्जास प्रत्यक्ष हरकत आणवी तरी शेवटीं न्यायदेवता जागृत अस-त्यामुळे टर्पेव वास्तव्यभूमिंत राहण्याच्या निर्विवादात त्याच वास्तव्यभूमिंत व्यापार करण्याचा निर्विवाद अंतर्भाव होत नाही हे हिंदी लोकांचें झणणें वरिष्ठ कोर्टाच्या नि-काळानें यथार्थ ठरले. ह्या कामांत हिंदी लोकांना अपरंपार खर्च आला. यावेळच्या वसाहत सरकारच्या वठेमावर चीफ बरिटर यांनीं पुढीलप्रमाणें टीका केली:-

“ जो हक-प्रचलित कायद्याच्या दृष्टीने वेकायदेशीर आहे असे वादग्रही सरकार आजपर्यंत सांगत आले आहे व गतकाळांत वादग्रही सरकारने ज्याचा आवेद्यपुरस्सर प्रतिकार केला आहे असा हक नवीन कायदा झाला नसतां वसाहत सरकारच्या आवेकान्यांनीं पुढें आणवा ही आश्चर्याची गोष्ट आहे. ” आंततर कांहीं दिवसांनीं कोर्टे सेक्रेटरींनीं यांनीं इंग्रजां वसाहत सरकारच्या वर्तनाचे समर्थन करून असा मुद्दा पुढें आणला कीं, युद्धापूर्वी बोअरसरकार स्वतंत्र होते व इंग्रज सरकार हिंदी लोकांच्या हक्कांचे पुरस्कर्ते ह्या नात्यानें वागले; परंतु युद्धानंतर इंग्रजांचे राज्य बोअर लोकांवर हातपासुळें वादग्रही सरकारचें हल्लींचें कर्तव्य कायदा आहे तथा अंतर्भाव आणणें हे आहे । ”

इकडे हिंदी न्यायान्याविबद चळवळ वाढतच होती. छावळीं, कोर्टे मिस्तर यांच्या जागी कोर्टे सेलबोर्न हे आले होते. वसाहतीत 'कुर्तो'ची गुप्त वेकायदेशीर खेचालेच होत आहे अशी कोर्टे सेलबोर्न यांच्याकडे तक्रार करण्यात आली. बारीक चौकशीसोती, कोर्टे सेलबोर्न यांनीही ही तक्रार निराधार आहे असा अग्रिमार्थ दिग्भा; परंतु, झाम्झेल पौवाल्याविदेची लोकांनी गम न खातां पौवालय लोकांसंबंधी राज्य-व्यवस्थेचे काम ल्याच्याकडे होतें असा अंमलदारापुढें आपल्या तक्रारी नेऊन त्यांना आपल्या कायस वय करून घेण्याचा प्रयत्न केला. पौवालय लोका-संबंधी राज्यव्यवस्थेचे काम पूर्वी 'प्रोटेक्टर ऑफ पब्लिक वर्येचे' (पौवालय-संरक्षक) नांवाच्या आधिकार्याकडे असे. नंतर, आधिकार्याचे हे नांव जाऊन त्या जागी ' रजिस्ट्रार ऑफ पब्लिक वर्येचे ' (पौवाल्यांची नावनोंदणी करणारा अंमलदार) हे नांव स्थानापन्न झालें. झाम्झेल पौवाल्यांनी आपलें संरक्षण होण्याची आशा घरूं नये असाच नामनिर्देशातीक झा फेरबदलाच्या योगानें एकापरीने पौवा-त्यांस इशाप देण्यांत आला ! आणि भवि-भ्येतिहासावरून हा तर्क बरोबर दरेला. सद्दुद्द रजिस्ट्रारने पौवालय लोकांसंबंधी कायद्याची ओढाताण करून, बादमाहा सरकारने वारवार कायद्याचा जो अर्थ मान्य करण्याचे सप्रेमक नाकबूक करून झा अर्थबरोपरीत्यावर कटक थोका केला होती, ती अर्थ झा कायद्यांतून पिळून काढण्याचा प्रयत्न प्रयत्न केला. परंतु हाच सावका नाही. पुढें आणखी नवीन हांवपेच शोधून काढण्यांत आले. हिंदी लोकांच्या

परवान्याच्या अर्जांचा विचार करण्यास रजिष्ट्रारला ' मदत ' करण्याकरितां हाणून सल्लागार कोर्टे स्थापन करण्यांत आली. झा कोर्टांचें काम गुप्तपणें चालूं लागलें; कोर्टांत कोळक्या पौवाल्याविदेची असाच अधि-काऱ्यांची नेमणूक करण्यांत आली. झा कोर्टांत हिंदी प्रतिनिधि मुळीच नेमण्यांत आला नाही. इतकेच नव्हे तर अर्जें दारपाना स्वतः किंवा वकिलांमार्फत कोर्टांत हजर रहाण्याची परवानगी नसे. त्याप्रमाणें अजदाराधिकार प्रतिवृत्ते पुरावा पुढें आ-र्यास तो कोठला जाऊं नये, असा झान्यायप्रिय आधिकार्यांनी बंदोबस्तच करून ठेविला ! झाचा परिणाम असा झाला की, परवान्याबद्दलचे अर्ज एकसहा नामंजूर होऊं लागले. हिंदी लोकांच्या अर्जांच्या झा नामंजुरीचा फायदा घेऊन व जादुगि-रीच्या आंकडेबाझाचा उपयोग करून पौवाल्याविदेची कटवत्या लोकांनी अखेरिदि इ. स. १९०६ मध्ये ही झयंत जिंकली ! वसाहतीत हिंदी लोकांचा गुप्त व वेकाय-देशीर रीतीने भरण हात आहे व हिंदी सभाजाचे पुढारी झा गद्यकडे वळेसांक करीत आहेत, असे त्यांनी कोर्टे सेलबोर्न यांच्या मनांत भरवून दिलें. झाम्झेल, जरासंधी फांसे टाकून कटवत्यांनी हाच जिंकला. झा कपटघृतांचें पयंसान हल्लींचा पौवालय लोकांसंबंधी कायदा (पब्लिक वर्येचे अंमलदारांनवर) सरकारनियोजित कायदेकौन्सिलांत पास होण्यांत झालें. हा कायदा 'जिटिफि हिंदी लोकांना न्यायानें व निःशकपातानें वागाविण्याकरितां केला आहे, असे वसाहत सेक्रेटरींनी झा कायद्याचे वर्णन केले ! विचान्या भाषादेवावरच ही फांकी वळजबरी नव्हे तर काय ! अन्वशाळांतीक

हिंदी लोक जो कायदा रद्द होण्याबद्दल मागणी करीत आहेत तो हाच कायदा होय.

नं. ३

अप्रत्यक्ष प्रतिकाराच्या चळवळीचा संक्षिप्त इतिहास.

अखेर १९०७ साली पौर्वात्य लोकांसंबंधी त्यांचे टाऊनशाळांतून नामशेष करावे या उद्देशाचा नवा कायदा कायदेसभेच्या टाऊनशाळांतून मोठ्या कामढोकाने बाहेर पडला. बोअर अमदानीतील १८८५ च्या जुन्या कायद्यांची ह्या ब्रिटिश रियासतीतील नवीन कायद्याने "सुधारणा" करण्यांत आली आहे, असा हुंदुभिचोष करण्यांत आला. जुन्या कायद्यांत नवीन कडक कायदांचा आणखी भर घालणे म्हणजे त्या कायद्यांची सुधारणा करणे असा जर अर्थ असेल तर ह्या नवीन कायद्याने पूर्वीच्या कायद्यांची खास सुधारणा झाली यांत संशय नाही ! ह्या सुधारणेने नांवनोंदणीची प्रचलित कळमे काढून टाकून त्यांच्या जागी कडक निर्बंध व नियम स्थानापन्न केले. हे नियम-निर्बंध अशा स्वरूपाचे होते की, ज्या हिंदी लोकांकरिता हा कायदा करण्यांत आला ते सर्व चोर, दरबंदखोर, ब्रदमाष इत्यादि कोर्टातीलच आहेत असे गृहीत घेऊनच सदर कायद्याची उभारणी करण्यांत आली आहे असे स्पष्टपणे दिसून आले. शिवाय, वसाहत सेक्रेटरींनी हा कायदा रूढ करिताना, पौर्वात्य लोकांचा वसाहतीत गुप्त वेकाबदेशीर भ्रमण होत आहे, असा आरोप केला. अर्थात, हिंदी पुढाऱ्यांच्या संमतीखेरीज हिंदी लोकांचा गुप्त संचार

होणे शक्य नसण्यामुळे, वसाहतीत हिंदी लोकांचा गुप्त रीतीने भ्रमण करण्याचा कडक वेकाबदेशीर हिंदी पुढाऱ्यांवर अप्रत्यक्ष आरोप करण्यांत आला; व ह्या काल्पनिक कटाबद्दल शासन म्हणून हा नवीन कायदा करण्यांत आला ! १८८५ च्या ३ च्या कायद्याच्या जुन्या व्याख्येत जे जातिविषयक व धर्मविषयक अपमान आणि उपमर्द समाविष्ट झाले होते त्यांचा ह्या नव्या कायद्यांतही अंतर्भाव झाला आहे, असे सदरहू कायद्याच्या गर्भितार्थावरून दिसून आले. ह्या कायद्याच्या चक्रव्यूहांत स्त्रियांसही टक्कळ्याचा त्रासवाळ्याचा अविनाश्यांचा वेत होता; परंतु, ह्यासंबंधाने हिंदी रहिवाशांची कोषज्वाल देदीप्यमान रीतीने प्रकट झाल्यामुळे हा वेत त्यांना सोडून द्यावा लागला. तथापि, कडेवर बसण्याचे ज्यांचे वय आहे अशा तान्हा मुकासही हा कायदा लागू करण्यांत आला व त्यांची नांवनोंदणी करण्याचा हुकूम झाला ! हीं अर्भके आठ वर्षांची झाली म्हणजे पुनः त्यांची नांवनोंदणी करावयाची व त्यांचे वय सोळा वर्षांचे झाल्यावर आणखी एकदा सदरहूप्रमाणेच त्यांची पुनः नांवनोंदणी करावयाची, असे ह्या कायद्याअन्वये ठरविण्यांत आले. इंग्लंडांत कांहीं विवक्षित वर्गांच्या गुन्हेगारांस 'टिकेट ऑफ कॅन्डि' म्हणून परवाना असतो व ह्या परवान्याप्रमाणे त्यांना अधिकाऱ्यांस आपला राहण्याचा पत्ता वगैरे कळवून सरकारी देखरेखीखाली राहावे लागते. बाब्यावस्थेपासून ते उमेदीत येईपर्यंत नांवनोंदणी करण्याचा कायदा हिंदी लोकांस लागू करण्यांत वसाहत सरकारने त्यांची

‘आ वदमाषन्त्या वर्गांतच गणना केलां हे उघड दिसते ! मानमग व उपमर्दे यांची सरदरहू कायद्यांत परमावधि झाली. हिंदी लोकांचो मानहानि करून त्यांना नीच दर्जाच्या लोकांत मोडणें व त्यांचे हक्क कायम करप्यांचें दोंग करून त्यांना शेवटीं वसाहतपार होण्यास लावणें हा कायद्याचा मुख्य हेतु होय. भवति न भवति होऊन अखेर हा कायदा पास होऊन प्रसिद्ध झाला व हिंदी लोकांच्या गोऱ्या व्यापारी प्रतिस्पर्धींच्या आनंद गंगनांत मावेनाशा झाला. आपल्याशी व्यापारविषयक चढाओढ करणाऱ्या हिंदी लोकांचें वसाहतींतून उच्चाटन करण्याचें हें चांगलें साधन उपलब्ध झालें आहे, असें पौर्वाशेद्वेषी गोऱ्या कटवत्यांस वाटलें. आ गोऱ्या कटवत्यांनीं आकांड-वांढव करून, हिंदी लोकांच्या निषेधप्रद-यंत्रणास भीक न घालण्याचें वसाहत सर-कारास प्रोत्साहन दिलें.

गोऱ्या व्यापार्यांच्या ह्या आकांडतांड-वांनीं हिंदी लोकांचा सार्विक क्रोधासि प्रदीप्त होऊन जोहान्सवर्ग येथें हिंदी लोकांची जंगी जाहीरसमा मरली. सर्वत्र त्रासवाळालीक हिंदी यशिव्यापिकां एक चतुर्थीस लोक सभेस आले होते व त्रिटिश ईंडियन अगेसिप्यन्च्या सर्व टिक्राणच्या स्थानिक कमिष्टांकडून सभेंत पास होणाऱ्या ठरावासंबंधानें समालोचक-तारा आस्य. ह्या सभेंत दटनिश्चय-पूर्वक शपथ घेण्यांत आली व सर्वांतु-मतें अशा ठराव पास झाला कीं, दुष्टपणाचा व ज्यांत धर्माची विटनना-झाली आहे अशा हा कायदा मान्य करप्या-येवजी हिंदी लोकांनीं लुकाळ ठुंगेंत

जावें. आच प्रसंगां, कोडे एलिजन यांच्या-कडे एक डेप्युटेसन पाठवून ह्या कायद्या-मुळें हिंदी लोकमत कितो प्रभुत्व झालें आहे ह्यासंबंधी माहिती त्यांना कळविण्यांत आली. ह्या विषयासंबंधानें पुष्कळ वाटा-घाट होऊन (ह्या वाटाघाटांत क्रिश्चक वजनदार इंग्रज व आंग्लो-ईंडियन लोक हेते; ह्या लोकांचो पुढे दक्षिण आफ्रिके-तील त्रिटिश ईंडियन कमिटी स्थापन झाली) शेवटीं कोडे एलिजन यांनीं काय-द्याची अंमलबजावणी तहकूब ठेवण्याचा हुकूम केला. त्रासवाळला आतां स्वराज्य देण्यांत आलें आहे तेव्हां ह्या बाबतींत पुढें मरणान्या त्रासवाळ पार्लेमेंटचा अभिप्राय घेतला पाहिजे ह्या मुद्यावर एलिजनसाहेबांनीं कायद्याच्या तहकुबीचा हुकूम सोडला.

स्वराज्यसंपन्न त्रासवाळच्या नवीन पार्लेमेंटच्या पहिल्या बैठकीचे वेळीं हा का-यदा पार्लेमेंटपुढें आणण्याची कोडे एलिजन यांनीं हा हुकूम काडून अपत्यक्षपणें सूचनाच केलां, अशा एलिजनसाहेबांच्या हुकुमाचा अर्थ करण्यांत आला ! त्रासवाळच्या प्रधा-नकीचीं वल्ले भिळविण्याची त्यावेळीं आ-कांक्षा बाळगणारे सर रिचर्ड चॉल्मेसन यांनीं तर असे ध्वनित केले कीं, हा कायदा पुनः करण्यांत आला तर त्रासवा-ळच्या नवीन शासनसंस्थेतील रिस्तेसन ह्युंज (ह्युंजे वसाहत सरकारनें परकीय लोकांसंबंधीं किंवा आफ्रिकेंतील मुळ यशे-वासांसंबंधीं कायदे केल्यास ते नामंजूर कर-ण्याचा साम्राज्य सरकारनें घालून ठेवलेला हक्क) हा रद्द होऊन कायद्यास वादशाही सरकाराची मंजुरी भिल्लेक. अखेर परिणामही पण तसाच झाला. कायदा पार्लेमेंटपुढें आला तेव्हां हिंदी लोकांनीं दुसरो एक

जाहीसभा भरवून सरकाराबा विनोति केळीं
 कां, हा कायदा संवतोपरी आशेपाहूं व
 अनवश्यक असल्यामुळें सरकारने तो हातांत
 घेऊं नये. हिंदी लोकांचा वसाहतींत गुप्त
 संचार होईल अशी जी भीति वसाहत
 सरकाराबा वाटव होती ती नाहीशी करण्याक-
 रितां व हिंदी रहिवाशांच्या प्रामाणिके इतेंच
 शास्य पटाविण्याकरितां, कायदेशीर रहिवाशांची
 उत्तम रीतीनें ओळख पटेळ कसा प्रकारे
 आपडुधीनें नांवनोंदणी करण्याची आपली
 कडुली हिंदी लोकांनीं सरकारास कळविळी.
 परंतु, हिंदी लोकांचें हें सर्व
 झणणें अप्रत्यक्षरदनवत् झालें. पाषाण-
 हृदयी, स्वार्थीरूपप्रापण व कर्णबंविच वसा-
 हतवाल्यांवर ह्या तडजोडीच्या शब्दांचा
 कांहीं परिणाम न होतां हिंदी लो-
 कांचें सात्त्विक बोलणें असुररुषसेवेप्रमाणें
 निष्कळ झालें. कायदा पास झाला व
 यथावकाशांत बादशाही सरकाराच्या पंच-
 तीचें शिक्कामोहं वही झालें. शासमर्थी, जन-
 रत्न बोधा हे इंगंडबांत होते. वसाहत
 परिषदेमुळें इंगंडबावर त्या वेळीं वर्षाकालांत
 फौजावत जणांच्या नदीप्रमाणें साम्राज्य-
 वादाची दणजे गोरें लोकांनीं यथेच्छ
 रीतीनें इत्यांवर निष्कटक सत्ता चालवावी
 ह्या दुष्ट राजनीतीची प्रचंड लाट इंगंड-
 मर्थें उचळळी होती. ह्या साम्राज्यवादाच्या
 संचाराचा जनक बोधा यानें फायदा
 घेऊन व ब्रिटिश मुत्सद्यांच्या मुळाखती
 घेऊन जनरल बोधा यानें नवीन कायद्याबा
 बादशाही सरकाराची भंडूरी मिळविण्याचा
 प्रयत्न केला. झखेर बादशाही सरकाराची
 संभति मिळालीच. हें निर्वाणांचें अन्न
 मुटल्यावर अर्थांतच मानसन हिंदी लोकांत
 स्वस्य वसवेना, ह्या वेळेपासूनच ट्रान्स्-

वाळांत हिंदी लोकांच्या अप्रत्यक्ष प्रति-
 काराच्या चळवळीस सुरवात झाली,
 आल्पाच्या नैतिक सामर्थ्यापुढें केवळ
 पशुतुल्य मनगटान्या जोराचें कांहीं चालत
 नाहीं, शारीरिक सामर्थ्यापेक्षां नैतिक
 शक्तींचा प्रभाव विशेष आहे हें स्वस्य
 स्वार्थेनेलुप गोऱ्या प्रतिस्पर्धीच्या अनुभ-
 वास आणून देण्याचा हिंदी लोकांनीं
 निर्धार केला. न्यायमूळक नैतिक शक्ति
 व अन्यायमूळक पशुशक्ति यांच्यामध्ये
 प्राचीनकालीं अनेक वेळ झगडे झाले
 आहेत व ह्या झगड्यांत नैतिक शक्तींचाच
 विजय झाला आहे. हें इतिहासप्रसिद्ध स्वस्य
 ट्रान्स्वागतीक हिंदी लोकांनीं आणली
 एकवार अनुभवास आणून दिलें यांत
 संशय नाहीं. सर्व टांसवाळभर नांवनोंद-
 णीची ऑफिस उघडण्यांत आली; परंतु
 हिंदी लोकांनीं त्याकडे लक्ष दिलें नाहीं.
 इ. स. १९०७ च्या सप्टेंबर महिन्यांत
 हिंदी लोकांनीं पांच हजार सद्यांचा एक
 जंगी अर्ज सरकारकडे पाठवून आक्षिप्त
 कायदा रद्द करण्याची आज्ञापूर्वक विनोति
 केळी व आपण होऊन स्वयंप्रेरित नांव-
 नोंदणी करण्याची आपली तयारी त्यांनीं
 आणखी एकदां सरकाराबा कळविळी.
 परंतु ट्रान्स्वाळसरकारानें हा अर्ज धुडका-
 वून काविला. इतक्या अवकाशांत, त्रांस-
 वाळांत येणाऱ्या लोकांची नांवनोंदणी
 करण्याचा कायदा (इमिग्रंट रेजिस्ट्रेशन
 धाकट) पास होऊन, ह्या आयद्याअन्वये
 नोंदणी न करून घेणाऱ्यांस इद्दपार कर-
 ण्याचा सरकारास अधिकार मिळाला, वर्ष-
 अखेरीस सदरहू आकटास बादशाही सर-
 काराची भंडूरी मिळाली व त्याचरोबरच मि-
 गांवी आदि प्रमुख हिंदी पुढण्यांस पकड-

प्यांत येऊन, विवक्षित प्रदत्तीच्या आंत वसा-
हतपार होण्याचा त्यांच हुकूम झाला. हा हुकूम
त्यांनीं मान्य न केल्यामुळे त्यांना बंदिवासांत
टाकण्यांत आले. त्यांच योग्यापार प्रमाणानें
त्यावेळीं राजकीय कैदी मानण्यांत आल्या-
मुळे सकसजुरीची शिक्षा न देतां राहण्या
कैदेची शिक्षा झाली. नंतर, बहुतेक सर्व
हिंदी पुढान्यांना पकडण्यांत येऊन वसाह-
तपार होण्याचा त्यांना हुकूम झाला. घाक-
दपट्याचा कांहीं परिणाम होत नाही असें
पाहून वसाहत सेक्रेटरी जनरल स्मट्स यांनीं
इडेल्बर्गपैचें घोरण सोडून देणेंच आह्वाण-
पणाचें आहे असा विचार करून बंदिवास
योगीत असलेले मि. गांधी यांच्यासो-
सभेपाचें बोलणें चाळविलें व शेवटीं एक
तडजोट ठरविण्यांत आली. सा तडजोटीस
अनुसरून आपण स्वयंप्रेरणेन नांवनोंदणी
करूं ही हिंदी लोकांची सूचना सरकारनें
मान्य केली, आश्रित कायदा तद्द्वारे टेवण्यांत
आला व स्वयंप्रेरित नांवनोंदणीची समाचा-
नकारक रीतीनें पूर्णता झाल्यावर सदरद्व-
कायदा रद्द करण्यांत येईल असें वचन
देण्यांत आले. स्वयंप्रेरणेची ही नांवनोंदणी
दोन महिने चालू होती. इ. स. १९०८
च्या मे महिन्याच्या तिसऱ्या तारखेस
नांवनोंदणीचें काम संपलें व हे काम समा-
धानकारक झाल्याचे सरकारनें कबूल केले.
परंतु अनेक कारणांमुळे कायदा रद्द करण्या-
संबंधांचें आपलें वचन पाळणें जनरल
स्मट्स यांना गैरखोईचें वाटलें ! आणि
पुढें तर आपण हें वचन दिल्याचेंही त्यांनीं
नाकबूल केले ! परंतु, हे वचन देण्यांत
आले आहे व तें पाळलें जाईल असा
समजुतीवरच स्वयंप्रेरित नांवनोंदणी कर-
ण्यांत आली ही गोष्ट त्यांच नाकबूल करित

आली नाही. त्यांनीं एक नवीन तडजोट
सुचविली. सापुटे केव्हांही नवीन रिती
मनुष्यांस-ते शिक्षणासंबंधी असत कडक
असा क्योटिस उतरले तरी-दूनसवाळांत
प्रवेश करण्याची मनाई केली जाईल
असा कायदा पूर्वीच्या कायद्याचे ठिकाणां
स्थानापन्न करावयाची सूचना त्यांनीं
पुढें मांडली व सा अटीवर आश्रित
कायदां रद्द करण्याची खुषी दर्शविली.
हल्लींच्या इमिग्रेशन आक्टप्रमाणें, सुश्रि-
क्षित हिंदी मनुष्यास ज्ञानसवाळांत प्रवेश
करण्याची परवानगी आहे; परंतु, हा
आक्ट व आश्रियादिक आक्ट ही दुकळ
घेतली तर सा जोडगोळीनें हिंदी
लोकांस प्रवेशाची मनाई करण्यांत आली
आहे असा त्यांचा संयुक्त अर्थ तेव्हांच
समजून येईल. अथो. हिंदी लोक एका
अन्यायाचे परिमार्जन दुसरा अन्याय स्वी-
कारून करण्यास व आर्गांतून कुमाट्यांत
पडण्यास तयार नव्हते. त्यामुळे तडजो-
डीचें बोलणें बुट्टेन अपसवष प्रतिकारान्या
चळवळीस प्रारंभ झाला. तडजोट होण्या-
पूर्वीची स्थिति मात होण्याकरितां हिंदी
लोकांनीं प्रयत्न केला व स्वयंप्रेरित नांव-
नोंदणीचे आपले फौसे परत मिळव्यासंबंधी
हुकूम गहावा असा त्यांनीं बादझाही सर-
काराकडे अर्ज केला. परंतु, बादझाही सर-
कारानें असा प्रकारचा हुकूम करण्याचें
नाकारिलें. त्यावरून, दांभिकतेचीं खोटी
वचनें देऊन, स्वयंप्रेरित नांवनोंदणीचीं बी
सर्टिफिकेट लोकांस देण्यांत आलीं होती
त्यापैकी १५०० सर्टिफिकेट हिंदी लो-
कांनीं एक जाहीरसभा भावून जाहीर
रीतीनें जाळून टाकली. आसमयी, दुल्ह-
वालेच जुने पहिवाशी असलेले परंतु सागा-

हून नाताळांत गेलेले हिंदी पुढारी चाल-
वाळांत आपल्या देशबंधूस सहाय्य करण्या-
करितां आले होते त्यांना सरकारनें तुरंगांत
टाकून सऊमजुरीच्या शिक्षा दिस्या. नंतर,
वसाहत सरकारनें एक कायदा पास
करून पूर्वी झालेली स्वयंप्रति नांविनी-
दणी कायदेष्टार ठरविली व
वसाहतीत राहणाऱ्या परंतु लावेलीं
गोरदजर असलेल्या पैवात्य लोकांच्या नांव-
नोंदणीची व्यवस्था घुफार केली. परंतु,
हा कायदा तत्कतः निरपद्रवी स्वरूपाचा
होवा तरी स्यायोगें जुना आक्षिप्त
कायदा रद्द झाला नाहीं किंवा सुक्षिप्त
हिंदी लोकांचा दर्जाही योग्य रीतीनें
टपविण्यांत आला नाहीं. ह्या कारणांसव,
सदाहू कायद्याचा स्वीकार करण्याचे हिंदी
लोकांनीं नाकारिले.

कार्यकारणपरंपरेची येथपर्यंत मजक
थेकन टोपली तेव्हापासूनचा आतापर्यंत
इतिहास केवळ हिंदी लोकांच्या दुःसह
दुःसंयोगाची व अपमानाची कट्ट कथांना
आहे. कारणगृहवास, उपासमार, गृहवो-
रुपाचा नाशनाश, तीव्रातिविर क्लेश, देह-
भंग, हृदयभंग, आशामग वगैरे अनेक
दारुण संकटपरंपरा ते भोगीत आले आहेत व
भोगीत आहेत. परमप्रिय स्नेहसंबंध व कुटुं-
बवैलंब्य बांदून हिंदी लोकांना ओढून काढून
मरामर तुरंगांत टाकण्यांत येत आहे.दक्षिण
आफ्रिकेतील मूळच्या रानटी रहिवाशांप्रमाणें
त्यांना तुरंगांत पशुतुस्य वागविण्यांत येतें.
त्यांज देण्यांत येणारे जेवण व उपासमार
झांत भेद नाहीं, त्यांच्या तक्रारी घुडका-
वून लावण्यांत आल्या आहेत आणि
सहातुमृतिशून्य व दुष्ट अंमकदारांनीं

त्यांना केव्हां केव्हां अंधशोटी आत्यंतिक
अंगमेहनतीचे व असाचे काम करावयास
लाविले आहे. ट्रान्सवाळांत संप्रत
कित्येक हिंदी कुटुंबांना सार्वजनिक वसा-
दायावर दिवस काळावे लागत आहेत.
अनाथ हिंदी स्त्रिया अचणनीय हाल-
अपेष्टेत बाळंत होऊन त्यांचीं अर्भकें
जन्मतांच मरण पावलीं आहेत. नवीन
आसटाखाळीं नांविनोंदणी करण्याचे नाकडूक
केल्यावरून ट्रान्सवाळपार करण्यांत आ-
लेल्या हिंदी लोकांना फिरून ट्रान्सवाळांत
प्रवेश करण्यास प्रतिबंध करण्याकरितां
ट्रान्सवाळ सरकारनें नाताळ व पोर्टुगीज
सरकारांचा गुप्त संगनमत केले आहे.
पोर्तुगीज अधिकाऱ्यांनीं दुसरे एक संगन-
मत ट्रान्सवाळ सरकारनें केले आहे.
ह्या ठरवानुसार अशी व्यवस्था करण्यांत
आली आहे की, हिंदी लोकांना हद्दपार
करण्याचा डुकूम झाला की, हिंदुस्थाना-
कडे यावयास निघालेल्या गळवतात त्यांना
वरून बसविण्यांत येतें. आप्रमाणें, हद्दपार
झालेल्या हिंदी लोकांपैकीं पुष्कळ लोक
असे असतात की, त्यांच्या हिंदुस्थानांत
ओळखी किंवा स्नेहीसंबंधी नसतात.
आपुलें, हिंदुस्थानच्या किनाऱ्यावर उतर-
ल्यावर अन्नवस्त्र व पैसाअडका जवळ
नसल्यापुलें, त्यांचे फार हाल होतात.
अशो; आप्रमाणें, हिंदी लोकांच्या दुःखाची
हृदयद्रावक कथाणी आहे. मानवी सुधानु-
रणेश लाजविणाऱ्या ह्या अमानुष क्रौर्याचे
व रानटी राजकारणाचे परिणाम कित्यो
दुरवर पांचव्याचा संभव आहे, झार्वर्ची
विवेचन करूं.

नं. ४-उपसंहार.

त्याची गाऱ्हाणी, मागण्या व
हालअपेष्टा.

भूतिनीचगृहेषु विप्रसदने दारिद्र्यकोबाहलो
नाथो हन्त सतासत्पथजुवामाशुःसमानां

शतम् ।

इतीति एव वीक्ष्य कोपदहनत्वाज्जटाकोऽ-
पिसिन्कि कुर्वे जगदीश यशुनरहे दीनो

भवानाश्वरः ॥

—भामिनीविलास.

बादशाही सरकारची कर्तव्य-
पारङ्मुखता.

या विषयावरील हा आमचा तूर्तचा
खेवटबा लेख होय, हांत पूर्वतिहासाची
समाप्त होऊन हिंदुस्थानचे कर्तव्य काय ते
सांगितले आहे. वराल तोन लेखांत ट्रान्स्वाळ
प्रकरणाचा इतिहास आर्हा दिवाच आहे.
हा इतिहास संक्षोभकारक व उद्वेगजनक
नाहीं असे कोण हाणू शकेल ? न्यायाची,
भूतदयेची, नीतीची व साम्राज्यविषयक
कर्तव्याची तसें सपकोळ पायाखांबे तुड-
वून ट्रान्स्वाळ सरकारनें निरगंदच मानची
इच्छाकरितां शगदणान्या सालिक हिंदी
कोकांचा जो अमानुष छळ मांडला आहे
ते पाहून हिंदुस्थानींतल सर्व लोकांची
अन्तःकरणे विंग्द होऊन ते क्रोधस्तप्त
झाले असल्यास नवल तें काय ? सृष्टीतील
विचित्र असमानता पाहून, श्री नीचांची
प्रिया होऊन राहिली आहे व सालिक
लोकांचे घरांत दारिद्र्यकोबाहल सुरू आहे
वगैरे प्रकार पाहून जगजाय पंडित
क्रोधायमान झाले; परंतु 'भासें काय चाल-
णार ? मी पामर व तें सर्वेश्वर आहेच'
असे उद्गार काढून त्यांना स्वस्य वसावे

लागले. हिंदुस्थानच्या लोकांची स्थिति
जवळजवळ अर्थाच आहे. त्यांच्या हातांत
राजसत्ता नाहीं; त्यामुळे आपल्यास देश-
वांघवास परराष्ट्रांनी न्यायानें वागवावे
हाणून आपल्या राष्ट्रांस सामर्थ्याच्या जोरा-
वर त्यांना काहीं इलाज करतां येत नाहीं.
अर्थात्, आपल्या साम्राज्यवचस्वालात्म्या
सर्व देशांत दुबळ्या व राजसत्तावाहिरत
हिंदी लोकांना न्यायानें वागविण्यांत यावे
अर्थां व्यवस्था करणें हें ब्रिटिश सरकारचे
पवित्र कर्तव्य आहे. परराष्ट्रांत एखाद्या
इंग्रज मनुष्याला कैद केले किंवा त्याला
वाईट रीतीनें वागविण्यांत आले, कीं
पार्लमेंटांत प्रश्नोत्तरांचा कडकहाट होऊन
अन्यायपीडित इंग्रज मनुष्याच्या
दुःखनिवारणार्थं ब्रिटिश राष्ट्राचें अनेक-
स्वरूपी बळ एकवटतें. ब्रिटिश साम्राज्याची
उभारणी न्याय व समता ह्या तत्त्वांवर
झाली आहे असा अभिमान बाळगणाऱ्या
ब्रिटिश सरकारानें अर्थाच कर्तव्यदक्षता
ट्रान्स्वाळींतल अन्यायपीडित हिंदी लो-
कांसंबंधानें दाखवावयास नको होती काय ?
बोअर युद्धपूर्वी बादशाही सरकार हिंदी
लोकांच्या वतीनें वारंवार मध्यस्थी करित
होतें; परंतु, ट्रान्स्वाळ ब्रिटिश सिंहाच्या
पंजाखाली आल्यापासून आपली पूर्वीची
न्यायसभत व मिष्टसभत भूमिका बादशाही
सरकारनें सोडून दिली आहे. क्रमशः,
ट्रान्स्वाळ सरकारची न्यायबुद्धि पार
अस्तंगत होऊन व वचनभंगाचा फेडेकोट
होऊन भेदार्थ ट्रान्स्वाळींतल हिंदी लोक,
साम्राज्या अंधकारमय दुःखागर्तेच येऊन
पडले आहेत. बादशाही सरकारनें आप-
णस बुद्धिपुरस्सर ट्रान्स्वाळांत आणून
विकले नाहीं तरी उकिरल्यावर केर टाकून

घावा तसे बादशाही सरकाराने आपणाव
 झडून दिले आहे, असे हिंदी लोकांस
 बघून आल्यामुळे त्यास आपली एकंदर
 स्थिति निराशासंचारक वाटत आहे. टान्स-
 वाळतीक हिंदी लोकांच्या तर्फेने अत्यस्कर
 भय्यती करण्याची बादशाही सरकाराचा
 दोनदा अनुकूल संधि प्राप्त झाली
 होती. टान्सवाळला स्वराज्यदायी शासन
 संस्था (Constitution) देण्याचे वेळीं
 तर विनमोक्त संधि आली होती. परंतु,
 बादशाही सरकारने आ संधीचा फायदा
 न घेता युरोपियन वशाहतवात्यांच वारोक्त
 तसे नागवे नाचण्याकारिता—मताधिकार-
 दान करून टाकले. जातिविषयक भेदाभेद
 करणारे कायदे मंजुरीकारितां बादशाही
 सरकारकडे पाठविले पाहिजेत, असे एक
 कडम शासनसंस्थेच्या निबन्धात समाविष्ट
 झाले होते, परंतु टान्सवाळ सरकारावर दाब
 राहण्यासारखे हे कडम नाहीं असे दखणेने
 तेव्हाच दिसून आले. एक युरोपियन जेप्यु-
 टेमान लॉर्ड मिल्न्स यांच्याकडे गेलें होते
 त्यावेळीं मिल्न्सराहेबांनींही सांगितले कीं,
 पूर्वीच्या अमदानीप्रमाणे आलाही रुढ
 झालेच्या जबाबदारीच्या राज्यपद्धतीच्या
 अमदानीत देखील आ प्रतिबंधक कळ-
 माचा विशेष उपयोग केला जाणार नाहीं।
 शिवाय, पूर्वीच्या काऊन कॉलेजीच्या
 अमदानीत खणजे टान्सवाळास स्वराज्य
 मिळाले नव्हतें तेव्हां, बाद-
 शाही सरकारने एकदां टान्सवाळ
 सरकारच्या एका कायद्यास मंजुरी
 देण्याचे अमान्य केले होते. परंतु, स्वरा-
 ज्याची—जबाबदारीच्या राज्यपद्धतीची-
 अमदानी सुरू झाली तेव्हां पैवात्य
 लोकांसंबंधी टान्सवाळ पार्लेमेंटने पाठ

केलेल्या कायद्यास बादशाही सरकारने
 लगेच मंजुरी दिली हे आपण पाहिजेच
 आहे। शासनसंस्थेतील रिक्तवेगान ल्लेत
 केवळ फार्ष अस्त्र्यांचे आपली एक
 उदाहरण घडले. लॉर्ड एल्लिन यांच्या
 मुखाखती वेळून ताजेतवाने होऊन आलेले
 सर रिचर्ड वॉलोमन यांनीं नवीन पार्ल-
 मेंटांत स्वतःच निवडून घेण्याच्या वेळीं
 आपल्या पाहिल्याच माषणांत उद्दामपणाने
 जाहीर केले कीं, शासनसंस्थेचा रिक्तवेगान
 ल्लेज (जातिविषयक कायद्यास बादशाही
 सरकारची मंजुरी घेतली पाहिजे अला
 प्रतिबंधक नियम) प्रत्यक्ष व्यवहारांत
 रद्द झाल्यासारखाच होईल. टान्सवाळालेक
 प्रमुख वर्तमानपत्र 'स्टार' याने तर सर
 वालोमनच्या आ माषणावर असे आभ्य
 केले कीं, सर रिचर्ड वॉलोमन हे लॉर्ड
 एल्लिन यांच्यापासून हा संदेशच वेळून
 आले आहेत कीं, स्वराज्योपभोगी त्रास-
 यालेने हिंदी लोकांविरुद्ध कोणतेही
 कायदे केले तरी ते बादशाही सरकार
 मंजूरच करील!!। पुढे एकदां एक
 सर्वोच्चनिक कर्जे उभाण्यासंबंधांत रमी
 मिळविण्यासंबंधाने टान्सवाळ सरकारने
 बादशाही सरकाराचा विनंति केली होती.
 टान्सवाळ सरकारची कर्जांकरकमेच्या रमी-
 संबंधाची विनंति अर्थात् मान्य झाली;
 परंतु इंदी लोकांच्यातर्फे मारुस्ती करण्याचे
 मात्र बादशाही सरकारास सुचले नाहीं।
 टान्सवाळच्या नवीन अमदानीत हिंदी
 लोकांच्या विरुद्ध आपली कायदे झाले
 त्यावेधी बादशाही सरकाराने मंजुरी दिली,
 टान्सवाळांत परदेसंखून येण्याचा लोकांच्या
 आयमनास प्रतिबंध करणारा कायदा बाद-
 शाही सरकारने मंजूर केला. मात्र, वसाह,

शॉर्टन मनुष्यांस शकून आवण्याचा वसाहत
 से क्रेटरांस वेढगाभी अधिकार देणारे एक
 कळम बादशाही सरकारने रद्द केले. परंतु,
 वसाहतीतील कितिही दिवसाचा रहिवासी
 असला किंवा वसाहतीत त्याचे व्यापारवि
 पयक हितसंबंध कितिही असले तरी तो
 अप्रत्यक्ष प्रतिकारान्या चळवळीत पडला
 की, त्यास वसाहतीत फिरण्याचा ज्यांना
 प्रतिबंध करण्यात येतो अशा लोकांच्या
 पेश्वतीस बसविणारे—व ह्यापुढे हिंदी लोकांस
 मग ते कितिही सुभिक्षित असोत—वसाह
 तीचा दरवाजा बुद्धिपुरसर बंद
 करणारे—कळम बादशाही सरकारने
 रद्द करविले नाही ! पुढे
 करूनही बादशाही सरकारचे समाधान न
 होतां, नांवनोंदणी न झालेल्या लोकांना—ते
 वसाहतीत पुष्कळ दिवस राहिलेले किंवा
 जन्मलेले असले तरी—एका परकी राष्ट्रान्वा
 मदतीने गबदतात बसवून येत हिंदुस्थानात
 इद्दपार करण्याच्या गुप्त व्यवस्थेसही स्थाने
 मंजुरी दिली आहे ! अशा रीतीने इद्दपार
 झालेल्या मनुष्यांना परत टांसवामध्ये
 जाऊन आपल्या माळमत्सेसंबंधी येथे एक
 याचीत करण्याची संधि देखील मिळत
 नाही. आप्तमाणें, हिंदी लोक टांसवाळांत
 राहण्याच्या हक्कास पात्रे होतात एवढेच
 नरेथे तर स्वकष्टानिंत माळमत्सेसही ते मुक
 तात. राबिबन सरकार व टांसवाळ सर-
 कार यांची तुळना केल्यास राबिब्याचाच
 अपमान केल्यासारखा होईक, ही गोष्ट आ-
 वरून उघड होत नाही काय !

टांसवाळ सरकारची वकीकरणशक्ति
 अचाट आहे; कारण बादशाही सरकार
 टांसवाळ सरकारनें भारल्यासारखे दिसत
 असून हिंदी लोकांसंबंधानें स्वतंत्र
 कार्ये किंवा स्वतंत्र विचार करण्याची त्याची

शक्ति नष्ट झाल्यासारखी दिसते. तोरेबाज,
 तरुण व मोहक रूपान्या वायफान्या ताव-
 र्दित सांपडलेल्या कामकेलुप जरठाप्रमाणें
 बादशाही सरकारची शियति झाली असून
 साम्राज्यप्रपंचांत टांसवाळान्या बाबतीत तरी
 त्याचे काहीं चाळत नाही असे आजपर्य-
 त्तच्या अनुभवावरून दिसून आले आहे.
 स्वराज्योपभोगी वसाहतीच्या कारभारांत हात
 घालण्याचा बादशाही सरकारला कायदे-
 शीर एक पोंचत नाही हे विकक्षण तरत
 प्रतिपादन करण्यांत येत आहे; व ह्या
 तत्वास बादशाही प्रचानमंडळ आपल्या
 कृत्यानें अप्रत्यक्षानें उत्तेजन देत आहे.
 हे तरत जर खरे असेल तर जातिविषयक
 कायद्यास बादशाही सरकारची मंजुरी
 घेतली अशा निर्वच झालनसंस्थेच्या निय-
 मांत समाविष्ट करण्याचा दमिफ्रतेचा फावें
 करण्याचे प्रयोजन तरी काय ! स्वराज्योप-
 भोगी वसाहतीच्या अनिश्चित स्वातंत्र्याचे
 तत्त्व जर खरे असेल तर, उद्यां टांस-
 वाळान्या कायदेकौंसलानें तोंत नेटिवां-
 देकी एकाचा उजवा हात सार्वजनिक
 मांगाकडून कापून काढावयाचा नियम
 केल्यास, बादशाही सरकारला ह्या बाब-
 तीत प्रत्यक्ष हात घालतां रेणार नाही.
 परंतु, ह्यापुढे अंदाधुरी माजेक ! असे.
 वसाहतीच्या अनिश्चित स्वातंत्र्याचे तरत
 व्यवहारांत खरें ठरत नाही. उदारणार्थ,
 गेल्या वर्षी देकोतीक मुळान्या राबिबगोर्की
 हमाळाचे काम करणाऱ्या लोकांना दारु पु-
 र्णियासंबंधानें एक विक टांसवाळ सरकारनें
 पाल्नेटपुढे आणले. परंतु, ह्या विकारिबद
 चौहोकेथे ओरड झाल्यापुढे हे विक काढून
 ध्याः त्यास आमची मंजुरी मिळणार नाही !
 असे बादशाही सरकारनें कळविले.
 बादशाही सरकार आहीपुढे गेले आहे;

मेव्या वषी नाताळ पार्लमेंटने हिंदी लोकां-
 विरुद्ध कायसेन्ससंबंधाचे दोन कायदे
 जवळजवळ सर्वांनुमतें पास केले होते;
 परंतु ह्या कायद्यास मंजुरी देण्याचें बादशाही
 सरकारने नाकारिलें. स्वराज्योपभोगी वसा-
 हतोंच्या भरन्याः कारभारांत हणजे अंतर्ह्य-
 वस्थेंत बादशाही सरकारने हात घाळणें
 शक्य नाहीं असें दुसरें एक विधान पुढें
 आपण्यत येतें. हे तत्त्व विदिष्ट मयादेच्या
 आंत बरोबर असेल. परंतु, ज्यांचे प्रतिनिधि
 पार्लमेंटांत नाहींत अशा लोकांसंबंधानें स्वे-
 च्छेनुसार वाटेक तसे कायदे पसार करण्या-
 चा ट्रान्सवालका अधिकार आहे काय ?
 अशी स्थिति असेल तर दहा वर्षांच्या आंत
 ट्रान्सवालकांत तेथील मूळ रहिवाशांवर अत्यंत
 जुलूम होऊन त्यांचें बंड झाल्याखेरीज
 राहणार नाहीं; कारण आफ्रिकेतील मूळच्या
 रहिवाशांसंबंधानें ट्रान्सवालकें घोरण सर्वतो-
 परी प्रतिगामी स्वरूपाचें आहे. उदाहरणांउ,
 प्रिटोरिया शहरांतील प्राणिसंग्रहालयाकरितां
 दरवर्षी जितका खर्च ट्रान्सवाल सरकार
 अंदाजपत्रकांत मंजूर करितें त्याहूनही कमी
 खर्च आफ्रिकेतील मूळच्या १०००००
 (नऊ लक्ष) रहिवाशांच्या मुळांच्या शिक्ष-
 णाप्रित्यर्थ होतो असा अंदाज आहे. परंतु,
 मुख्य मुद्दा हा आहे की, हिंदी लोकांना
 कसे वागवावे हा प्रश्न हणजे ट्रान्सवालका-
 त्यांच्या घरची बाबत आहे काय ? साम्रा-
 ज्याच्या एका भागातील लोकांना दुसऱ्या
 भागातील लोक कसे वागवावे ह्या प्रश्नाचीं
 साम्राज्य सरकारचा अत्यंत महत्वाचा संबंध
 येत नाहीं काय ? ज्या साम्राज्यछत्राखाली
 असल्याबद्दल आझी हिंदी लोकांना घन्यता
 मानावी असे सांगण्यांत येतें, त्याच साम्रा-
 ज्याच्या एका भागांत, परदेशी राष्ट्रीय

अनुभवांत भर घाळण्याकरितां गेलेल्या व-
 ज्यांनीं राष्ट्रीय कीर्ति निष्कळक राहावी-
 हणून अपरंपार कष्ट व दाखण क्लेश सहन
 केले आहेत अशा आमच्या ट्रान्सवालकां-
 तीक हिंदी बंधु—भगिनींना निर्घृण-
 कौर्यानें व आसुरी अन्यायानें वागविण्यांत
 येतें ह्या गोष्टींचा हिंदुस्थानच्या तीस कोटी
 लोकांच्या मनांवर काय परिणाम होईल ?
 हिंदुस्थानांत कोणीही येऊन सांपत्तिक लूट
 करावी व हिंदी लोकांस मात्र हिंदुस्थान
 ज्या साम्राज्याचा एक घटकवाच्य आहे
 त्याच साम्राज्यांतील दुसऱ्या एका भागांत
 नुषतें नीटनेटकें राहण्याची देखील मनाई
 मसवी याहून अधिक दुःखद व अधिकसा-
 म्राज्यविघातक गोष्ट कोणची असू शकेल ?

राजकीय किंवा युक्तयुक्तेच्या विचारां-
 पुढें वस्तुस्थिति हांकून ठेवण्याकडे कोणाची
 प्रवृत्ति असली तरी एक गोष्ट निर्विवाद
 आहे की, आमच्या या गरीब हिंदुस्थानाका
 राजकारणाच्या इतिहासांत अननुभूतपूर्व
 अशा महत्वाचा व आणीबाणीचा प्रसंग
 येऊन ठेपला आहे. बादशाही सरकारच्या
 प्रघाणांकडून अखेर प्रतिपादित झालेले तत्व
 असे आहे की, ब्रिटिश साम्राज्यास साम्रा-
 ज्यपद प्राप्त करून देणाऱ्या प्रबळ हिंदुस्थान-
 नापेक्षां एखादी स्वराज्योपभोगी घसाहत
 अधिक महत्वाची आहे ! ट्रान्सवालका
 स्वराज्याची शासनसंस्था मिळाली असल्या-
 कारणानें एखाद्या परकी राष्ट्रप्रमाणें ट्रान्स-
 वालकांच्या बाबतींत आपणांस हात घाळतां
 येणें शक्य नाहीं, असे बादशाही प्रघाणांस
 वाटतें. अशी स्थिति असेल तर साम्राज्य-
 यंत्राचा कांहीं तरी भाग अत्यंत कमकुवत
 झाला असला पाहिजे यांत संशय नाहीं.
 साम्राज्यानें वस्तुस्थिति असता साम्राज्य-

देशास जडकेका भयंकर रोग दूर करण्याचे साम्राज्याधिकार्यांनी प्रयत्न केले नाहीत तर साम्राज्याचा समान न्यायतत्वाचा पाया केव्हा तरी टासळून प्राचीन काळांतील रोमन, ग्रीक वगैरे साम्राज्याप्रमाणे ब्रिटिश साम्राज्याची टोळेजंग इमारतही घाबकून खाकी आदळत्याखेरीज राहणार नाही,

हिंदुस्थानांतील लोकांचे औदासिन्य.

वसाहतीच्या हितसंबंधापुरते हिंदुस्थानचे हितसंबंध झणजे कस्पटासारखे आहेत ही कल्पना अर्थात् लुकीची आहे आणि हिंदुस्थानच्या लोकांनी वेळोच ह्या प्रभाचा पूर्ण विचार करून त्यासंबंधी आपले मत स्पष्ट रीतीने व पूर्ण ऐक्याने प्रदर्शित केले असते तर ह्या तत्वाचे परिपोषणच झाले नसते. आजपर्यंत पुष्कळ समाभरण्या आहेत व ट्रान्सवाळातील हिंदी लोकांसंबंधाने असंख्य सहाजुभूतिप्रदर्शक ठराव पास झाले आहेत. परंतु सहाजुभूतीची मजळ यापलीकडे पोचलेली नाही. ट्रान्सवाळातील देशबांधवांचे दुःखनिरसन करण्याकरितां एखादी कायमची संस्था स्थापन झाली नाही किंवा ह्या विषयाचे पूर्ण परिचानही कोणी करून घेतले नाही. तसेच हिंदुस्थानच्या परराष्ट्रीय संबंधांच्या प्रभाचा यथासांग अभ्यास करण्याकरितां एखादी देशभक्तांची एखादी सुसंबद्धित राजकीय संस्थाहि अस्तित्वात आलेली नाही. परंतु, सांप्रतच्या आणीबाणीच्या प्रसंगी, हा विषय लोकांच्या लोळ्यांपुढे सदादित असवा एतदर्थ काही काम योजना होणे सर्वतोपरी अवश्य आहे. ह्या बाबतीत अशीच या पुढेही तटस्थ वृत्ति ठेविली तर ट्रान्सवाळातील सांघर्षिक अनैतिक प्रचुर राजकारणाचा संपर्क दक्षिण आफ्रिके-

तील इतर वसाहतींशी होऊन ह्या उदाहरणाचे परराष्ट्रेही अनुकरण करतील. किंवा हुना, ह्या राजकारणाचे विषमय घडके प्राधान करण्याचा हिंदुस्थानावरील अखेर प्रसंग आल्याखेरीज राहणार नाही.

लोकपक्षाची एक कमिटी स्थापन झाली पाहिजे.

ह्या कारणास्तव, हिंदुस्थानाबाहेर राहणाऱ्या हिंदी लोकांसंबंधीच्या प्रभाची माहिती मिळवून योग्य अभ्यास करून त्यांच्या हितसंबंधांचे संरक्षण करण्याकरितां लोकपक्षाची एक कमिटी स्थापन झाली पाहिजे, अशी आझी आमहपूर्वक सूचना करितो. ह्या कमिटीसारख्या दुसऱ्या अनेक कमिठ्या देशभर स्थापन होऊन ह्या कमिटीसंबंधाने परस्परसहाय्याच्या तत्वावर कार्य करावे. शिवाय, सर्व हिंदुस्थानांत जाहीरसभा भरून स्पष्टरूपे राष्ट्रमत प्रदर्शित करण्यांत यावे. ह्या प्रकरणासंबंधाने, वजनदार हेयुटेकान व्हाइसरॉय व गव्हर्नर यांच्याकडे पाठवून ह्या विषयासंबंधाने चर्चा केली पाहिजे. आज ट्रान्सवाल प्रकरण हेच लोकचक्षुंचे व लोकप्रयत्नांचे केंद्र होऊन राहिले पाहिजे; व ट्रान्सवाळातील अन्यायाचा प्रकार बंद झालाच पाहिजे. सर्व हिंदुस्थानांतील लोकांची परिषद् भरविण्याचीही आझी सूचना करितो. दक्षिण आफ्रिकेतील हिंदी लोकांची गाऱ्हाणी व त्यांची सांप्रतची स्थिति ह्या विषयावर परिषदेत चर्चा व्हावी. अशी एखादी परिषद् भरणे अवश्य आहे हे कोणासही नाकबुळ करिता येणार नाही. ही राष्ट्रीय परिषद् भरण्यापूर्वी हिंदुस्थानांत सर्वत्र सभा भरून लोकमत प्रदर्शित केले पाहिजे. ह्या चळवळीने, ट्रान्सवाळाक शस्त्री-

वर आणण्याचे वास्तवित वादसाही
सरकारावरी एका दृष्टीने पाठवळ दित्या-
सारखे होईल.

मुंबापुरीने पुढाकार घ्यावा-

विचारगोभीयं, राजनिष्ठा, एकजुटीने
कार्य करणाची हिमत ह्या गोष्टीबद्दल
विख्यात असलेल्या मुंबापुरीनेच ह्या चळ-
वळीत पुढाकार घेणे अयस्कर आहे.
कारण, दान्त्ववाळां हा लक्ष्येष्टा भोगीत अ-
सेल्या कोकपैर्क पुक्कळ कोक मुंबई राज-
व्यतीतिच आहेत. आपल्या कन्यापुत्रांचा
दुःखवालात अनिवांच्य. व समस्तुष छळ

हीत आहे असे पाहूनही मुंबापुरीने
तटस्थ राहणे कांळनास्पद होईल. वसा-
हर्तीतल्या आपल्या देशवांचांच्या अतु-
भवाची हिंदुस्थानच्या कोकांश जरूर आहे;
सणून त्रांसवाळांतील सांठगिक रोगाचा
विस्तार झाल्यात राष्ट्रावर एक महत्सकट
कोळळयासारखेच होईल. 'चत्रयोगेश्वरः
कृष्णो यत्र पार्थोषनुर्वरः' ह्या वचनाप्रमाणे
त्रांसवाळांतील आपले देशवांचव कायदेशीर
रितीने पंतु करारिपणाने झगडून घनुषं-
राचें काम करीतच आहेत. हिंदुस्थान
योगेश्वर झाल्यात विजयशी प्राप्त होण्याच.
कांहीं हरकत आहे काय ?

THE
CHARACTER
OF THE
BRITISH EMPIRE

BY
RAMSAY MUIR

PRICE ONE ANNA

LAHORE;
"CIVIL AND MILITARY GAZETTE" PRESS.

1918

**THE CHARACTER OF THE
BRITISH EMPIRE**

NOTE.—The following essay is based mainly upon a book by the same author entitled "*The Expansion of Europe*," in which an attempt is made to estimate the part played by various nations in extending the civilisation of Europe over the whole world. A few references are, therefore, given to the fuller treatment of various aspects of the subject contained in the book.

THE CHARACTER OF THE BRITISH EMPIRE

I

NEARLY all the great self-governing nations of the world are now combined in a desperate struggle against the scarcely-veiled military despotism of the Central European Powers, and the object of the struggle has been well defined by President Wilson as the securing of freedom for democracy, so that it shall be safe from the threats of militarist and conquering empires.

In the forefront of the group of States engaged in the defence of democracy stands the British Empire, the greatest dominion that has ever existed in history, which covers a quarter of the earth's surface, and in which a quarter of the earth's population is subject (at any rate, in form) to the rule of two small European islands.

The very existence of this huge Empire seems to many people to stultify in some degree the cause for which the world's democracies are fighting. It seems, at first sight, to be simply the greatest example of that spirit of conquest and of military dominion against which we are striving. This is the view taken by some neutrals. "Imperialism is the enemy," says one Swiss writer; "whatever form it takes, German or Russian, British or French, it is equally the foe of free government." The Germans themselves make great play with this notion. They describe the British Empire as a vast, greedy tyranny, built up by fraud. They assert that the naval supremacy of Britain is far more dangerous to the freedom of the world than the military power of Germany could ever be. Some people even in the allied countries are affected by doubts of this kind. The Russian

Socialists, for whom imperialism has in the past meant nothing but a hideous repression of freedom, are ready to assume that the British Empire, because it is called an empire, must mean the same ugly things. And criticism of the same kind can sometimes be heard in France, in Italy, in the United States, and in Britain herself.

Our purpose, in this short paper, is to examine the truth of these superficial impressions. But before we do so there are two preliminary observations worth making.

The first is that men's minds are extraordinarily easily influenced by mere *words*. The word "Empire" suggests, to many, conquest and dominion over unwilling subjects. In so far as it does so, it begs the question. As we shall try to show, this word is really misapplied to the British realms. The character of their government and of the bond which holds them together would be much better expressed by a phrase which is now being widely used in Britain—the British *Commonwealth of Nations*. Of course, that title also begs the question in a way. But the reader is asked, at the outset, to keep in his mind, while he reads, the question, "Is the title 'Empire,' or the title 'Commonwealth of Nations,' the truer description of this extraordinary aggregate of lands and peoples?"

The second preliminary observation which we shall make is, that there are certain outstanding features of the war which must have thrown a striking light upon the character of the British Empire.

Over a million volunteer soldiers have come from the great self-governing Colonies of the British Empire without any compulsion being imposed upon them. The princes and peoples of India have vied with one another in their generous and spontaneous gifts to the cause, while Indian

forces have fought gallantly in all parts of the world. That is not the sort of thing which happens when the masters of a tyrannical dominion find themselves fighting for their very life: Even the most recently subdued of African tribes have shown no desire to seize this opportunity for throwing off "the foreign yoke." On the contrary, they have sent touching gifts, and offers of aid, and expressions of good-will. It appears, then, that the subjects of this "Empire" have, for the most part, no quarrel with its government, but are well content that it should survive.

II

The creation of the British Empire has been simply a part (though, perhaps, the greatest part) of that outpouring of the European peoples which has, during the last four centuries, brought the whole world under the influence of western civilisation. That is a great achievement, and it has brought in sight the establishment of a real world-order. It is merely foolish to condemn the "lust of conquest" which has driven the European peoples to subdue the rest of the world, though, of course, we ought to condemn the cruelties and injustices by which it has sometimes been accompanied. But without it North and South America, Australia, and South Africa would have remained deserts, inhabited by scattered bands of savages. Without it India would have been sentenced to an indefinite continuance of the sterile and fruitless wars between despotic conquerors which made up the most part of her history until the British power was established. Without it the backward peoples of the earth would have stagnated for ever in the barbarism in which they have remained since the beginning. The "imperialism" of the European nations has brought great results to the world. It has made possible that unification of the political and economic interests of the whole globe which we see beginning

to-day. It is one of the fine aspects of this grim and horrible war that it affects the interests of the whole world, and that the whole world knows this.

The giant's part which has been played by Britain in the conquest of the world by Western civilisation, and the peculiar character of her work, have been due to two things—British institutions and the British Navy.

It ought never to be forgotten that down to the nineteenth century (that is, during all the earlier part of the process of European expansion) Britain was the only one of the greater European States which possessed self-governing institutions. She has been, in truth (this is not a boast, but a mere statement of indisputable historical fact), the inventor of political liberty on the scale of the great nation-state, as Greece was the inventor of political liberty on the scale of the little city-state. And wherever free institutions exist to-day, they have been derived from Britain, either by inheritance, as in America and the self-governing British colonies, or by imitation, as in all other cases.

When the outpouring of Europe into the rest of the world began, the British peoples alone had the habit and instinct of self-government in their very blood and bones. They alone had trained themselves, through centuries, in the management of their own affairs, by all sorts of spontaneous organisations, especially for the purposes of local government. That is why they were able to develop a system of self-government on a national scale at home, whereas other European nations have found this system extremely difficult to establish, and still more difficult to work. One important result of this was that, wherever the British peoples went, they carried self-government with them. *Every* colony of British settlers, from the very first, was endowed with self-governing institutions. *No* colony ever planted by any other nation ever obtained corresponding rights. That is one of the outstanding

features of British expansion. In the eighteenth century, and even in the middle of the nineteenth century, Britain herself and the young nations that had sprung from her loins were *almost the only free States existing in the world*. It was because they were free that they throve so greatly. They expanded on their own account, they threw out fresh settlements into the empty lands wherein they were planted, often against the wish of the Mother Country. And this spontaneous growth of vigorous free communities has been one of the principal causes of the immense extension of the British Empire.

Now one of the results of the universal existence of self-governing rights in British colonies was that the colonists were far more prompt to resent and resist any improper exercise of authority by the Mother Country than were the settlers in the colonies of other countries, which had no self-governing rights at all. It was this independent spirit, nurtured by self-government, which led to the revolt of the American colonies in 1775, and to the foundation of the United States as an independent nation. In that great controversy an immensely important question was raised, which was new to human history. It was the question whether unity could be combined with the highest degree of freedom; whether it was possible to create a sort of fellowship or brotherhood of free communities, in which each should be master of its own destinies, and yet all combine for common interests. But the question (being so new) was not understood on either side of the Atlantic. Naturally, Britain thought most of the need of maintaining unity; she thought it unfair that the whole burden of the common defence should fall upon her, and she committed many foolish blunders in trying to enforce her view. Equally naturally the colonists thought primarily of their own self-governing rights, which they very justly demanded should be in-

creased rather than restricted. The result was the unhappy war, which broke up the only family of free peoples that had yet existed in the world, and caused a most unfortunate alienation between them, whereby the cause of liberty in the world was greatly weakened.*

Britain learned many valuable lessons from the American Revolution. In the new empire which she began to build up as soon as the old one was lost, it might have been expected that she would have fought shy of those principles of self-government which no other State had ever tried to apply in its over-sea dominions, and which seemed to have led (from the imperialistic point of view) to such disastrous results in America. But she did not do so; the habits of self-government were too deeply rooted in her sons to make it possible for her to deny them self-governing rights in their new homes. On the contrary, she learnt, during the nineteenth century, to welcome and facilitate every practicable expansion of their freedom, † and she gradually felt her way towards a means of realising a partnership of free peoples whereby freedom should be combined with unity. Its success (although it must still undergo much development) has been strikingly shown in the Great War.

Thus British institutions—the institutions of national self-government, which are peculiarly British in origin—have played a main part both in determining the character of the British Empire and in bringing about its wonderful expansion. The more the British Empire has grown the more freedom has been established on the face of the earth.

* See "The Expansion of Europe," Chapter IV., where this view of the American Revolution is developed.

† See "The Expansion of Europe," Chapter VI., where the "Transformation of the British Empire" during the nineteenth century is analysed.

The second great factor in the growth of the British Empire has been the power of the British Navy, which has been the greatest sea power of the world practically since the overthrow of the Spanish Armada in 1588.

It is a striking fact that in all her history Britain has never possessed a large army, until the necessities of this war suddenly forced her to perform the miracle of calling her whole manhood from the pursuits of peace to arms. Is not this an astounding paradox, that the power which has acquired dominion over one-quarter of the earth has done it without ever possessing a large army? And does it not suggest that the process by which this empire was acquired must have been very different from the ordinary processes of military conquest? This is a paradox which those who speak of the British Empire as if it were a mere military dominion must somehow explain.

But there has been the supreme British fleet. It has made the creation and preservation of the Empire possible by securing the free transit not merely of soldiers, but, far more important, of settlers, merchants, administrators, organisers, and missionaries. Scattered as it is over all the seas of the world, the British Empire would undoubtedly be broken into fragments if the security of the ocean high-roads by which it is united were ever to be lost. But although the British Navy has made the growth of the Empire possible, and has held it together, it has not conquered it. A fleet *cannot* conquer great areas of land; it *cannot* hold masses of discontented subjects in an unwilling obedience; it *cannot* threaten the freedom or independence of any land-power, it is strong only for defence, not for offence.

There are two aspects of the work of the British Navy during the last three centuries which deserve to be noted, because they also help to indicate the character of the work done by the British Empire during this period.

In the first place, the British naval power has never been used to threaten the freedom of any independent State. On the contrary, it has been employed time and again as the last bulwark of freedom against great military Powers which have threatened to overwhelm the freedom of their neighbours by mere brute strength. That was so in the sixteenth century, when Spain seemed to be within an ace of making herself the mistress of the world. It was so a hundred years later, when the highly-organised power of Louis XIV, threatened the liberties of Europe. It was so again, a century later, when Napoleon's might overshadowed the world. It is so once more to-day, when the German peril menaces the liberty of nations. In all the great crises of modern European history, British naval power has been the ultimate bulwark of liberty.

But how has this power been used in times of peace? The Spanish naval power, which preceded the British, enforced for its people a monopoly of the use of all the oceans of the world except the North Atlantic. The Dutch naval power, which carried on an equal rivalry with the British during the seventeenth century, established a practical monopoly for Dutch trade in all the waters east of the Straits of Malacca. But the British naval power has never for a moment been used to restrict the free movement of the ships of all nations in times of peace in any of the seas of the world. This, again, is not a boast, but a plain statement of undeniable historical fact. The freedom of the seas in times of peace (which is much more important than the freedom of the seas in times of war) has only existed during the period of British naval supremacy, but it has existed so fully that we have got into the habit of taking it for granted, and of assuming, rather rashly, that it can never be impaired.

British institutions, the institutions of self-government, and the British Navy, which has at all times been a bulwark of liberty, and has never interfered in times of peace with the use of the seas by any nation—these have been the main explanations of the fabulous growth of the British Empire. We cannot here attempt to trace the story of this growth, but must be content to survey the completed structure and consider on what principles it is governed.

III.

The vast realms of the British Empire fall naturally into three groups: the great self-governing dominions, Canada, Australia, South Africa, New Zealand, and Newfoundland; the lands of ancient civilisation, India and Egypt; and the wide protectorates (mainly in Africa, but also in Asia and the Pacific) which are inhabited by backward and primitive peoples. There are other regions also, such as the West Indian Islands, or the military posts and calling stations like Gibraltar, Malta, and Aden, which do not fall into any of these three categories. But they are of relatively minor importance, and it will be convenient to concentrate our attention upon each of the three main groups in turn.

Regarding the self-governing dominions, the intelligent reader scarcely needs to be told that they are to all intents and purposes entirely free States, which remain in association with the Mother Country only by their own free will. If they were to claim complete independence, there would certainly be no attempt made by Britain to force them to remain in partnership, though the breach would be a great sorrow to the Mother Country. They make their own laws; they appoint all their own officials (except the Governors, who perform almost purely formal functions, corresponding to those performed by the King in the "crowned

republic" of Britain); they levy their own taxes, and both may and do impose any duties they think fit upon imports from Britain equally with those coming from other States. They pay not a farthing of tribute to the Mother Country. They are not even required to contribute to the cost of the Navy, which protects them all, though some of them make voluntary contributions. The only restriction upon their political independence is that they do not pursue an independent foreign policy or maintain ambassadors or consuls of their own in foreign countries. The responsibility (and the total cost) of this function falls upon Britain. If Britain should be drawn into war, the great dominions are also technically at war, and if Britain were to pursue a warlike or aggressive policy, this would soon alienate some or all of these young democracies. But it is only by their own free will that they take any part in a war in which Britain is involved, and the Mother Country has neither the right nor the power to demand military aid from them. Yet we have seen what whole-hearted and generous aid they have all given. Gradually they are beginning, through their Prime Ministers or other representatives, to take a more and more effective part in the direction of the common policy of the Empire. The meetings of what is called the "Imperial War Cabinet" in 1917 and 1918 (in which representatives of India, as well as of the self-governing colonies, took part) marked a definite stage in this development. It is certain that this method of co-operation will be carried still further in the future.

Clearly, so far as concerns the great dominions, the British Empire is far from being a military domination imposed by force. It is a voluntary partnership or brotherhood of free peoples, a Commonwealth of Nations. It is a wonderful achievement in the combination of unity and freedom, an experiment in the unforced co-opera-

tion of free States such as has never before been seen in human history. If *that* is the meaning of Imperialism who will cavil at it?

It is worth while to ask ourselves what were the circumstances which made possible this remarkable development of self-governing rights in the British colonies; because there has been nothing like it in all history. It was due to three main factors.

In the first place, the colonists belonged to a people who had learnt to be law-abiding not merely in the sense of submitting to the law, but in the sense of actively co-operating to enforce it as a common interest; and that is one of the essential bases of self-government.

In the second place, they had in their bones the habit and practice of spontaneous organisation for the management of common affairs which centuries of usage had bred among the British people; the lack of this has been, in other countries, the greatest obstacle to the establishment and successful working of self-government, and accounts for the breakdown of the premature experiments in that direction made by France and other countries.

In the third place the settlers in these colonies were for the most part united peoples, who felt that they naturally belonged together, and were not divided by any rigid cleavages of race or religion. Where this condition was relatively weak, as in Canada (where there were Frenchmen and Englishmen) or in South Africa (where there were Dutchmen and Englishmen) long troubles resulted, for unity of sentiment and tradition is all but essential to the working of self-government, as the failure of the system among the divided peoples of Austria has shown.

But, in a greater or less degree, the main conditions which make self-government workable were present in the great British colonies, and that is

the principal reason, in conjunction with the readiness of Britain to welcome every such development as soon as it seemed to be ripe, why the British colonies became the freest countries in the world.

Only one series of events has prevented from realising that the spirit of liberty was the spirit in which the British Empire was governed. The South African War made Britain appear, in the eyes of most of the world, a vast, greedy, tyrannical power, which, not content with an already immense dominion, must fall upon and devour two tiny, free republics, merely because they contained gold! But the world did not appreciate the real meaning of the South African War.* In the British South African colonies (the Cape and Natal) the fullest equality of political rights was enjoyed by Dutch and British residents alike, and their institutions were the same as those of other British dominions. But in the semi-independent Dutch republic of the Transvaal and the independent Orange Free State (especially the former) no such equality of rights existed. The ideal they aimed at was that of Dutch predominance, and some of their leaders hoped in time to drive the British out of Africa, and to establish there an exclusively Dutch supremacy. This did not matter so long as the inhabitants of these lands were only a few Dutch farmers. But when the discovery of gold and diamonds brought an immense inrush of British and other settlers, who henceforth produced nearly all the wealth of the country, this denial of equality of rights became serious, and the programme of Dutch conquest, prepared for mainly at the cost of the new settlers, began to seem dangerous. This was the real cause of the South African War. It might, perhaps, have been avoided, and, if so, those who precipitated it unnecessarily were much to blame, whether they were Boers or Britons. There were faults on

* See "The Expansion of Europe," Chapters VI. and VIII., for an analysis of British policy in South Africa.

both sides. But essentially the war was, on Britain's side, a war for equality of rights. What were its results? So far as Britain was concerned, the bones of thousands of her sons lay on the African veldt, and her public debt was vastly increased. She made no direct material gains of any sort: the gold-mines remained in exactly the same hands as before. But so far as South Africa was concerned, the result was that in a very few years, the conquered republics were given full self-governing powers, on the basis of equal rights for both races, and a few years later they and the older British colonies combined in the Union of South Africa, a great, free, federal state, in whose affairs Dutch and British have equal rights, and in which a new nation, formed by the blending of the two races, can grow up. *That* was what British imperialism led to in South Africa.

And now observe the sequel. When the great war began (scarcely more than a dozen years from the time when Dutch and Britons were fighting bitterly) the Germans tried to bring about a revolt among the more ignorant Dutch. It was put down by the forces of the Union, mainly Dutch, led by Louis Botha, who had once been the commander-in-chief of the Transvaal army, but was now the prime minister of a self-governing dominion within the British Empire. And then, still led by Botha, a combined force of Dutch and Britons proceeded to the conquest of German South-West Africa, suffering casualties which, by a happy chance, were exactly equally divided between the two races. And then a South African contingent was sent to East Africa, and the supreme command over them, and over British regulars and Indian regiments and native levies, was assumed by the Dutch General Smuts, once a formidable leader against the British. And, lastly General Smuts came to England to join in the deliberations of the Imperial War Cabinet, and to make speeches of

profound foresight and political wisdom to the British people, in which he sang the praises of the British Commonwealth of free nations as something that deserved every sacrifice from the peoples enrolled under its sheltering ægis.

Is there any parallel to these events in the history of the world? And is the Empire whose spirit leads to such results to be spoken of as if it were a mere ruthless military dominion?

IV.

The second great group of British dominions consists of those ancient and populous lands, notably India and Egypt, which, though they have been able to develop remarkable civilisations, have never in all their history succeeded in establishing the rule of a just and equal law, or known any form of government save arbitrary despotism.

It is impossible to trace here, even in the baldest outline, the steps by which Britain acquired the sovereignty over India and Egypt.* They form two of the most curious and romantic episodes in history, for the strange thing is that in both cases British intervention was begun with no thought of conquest, and in both cases the responsibility of political control was assumed by Britain with very great reluctance. This may sound incredible, but it is an indisputable historical fact. We must content ourselves with a very brief analysis of the character and results of the British dominion.

What, then, has the establishment of British power meant in India? Until the British power was established, India had in all her long history never known political unity. She had seen nothing but an almost uninterrupted succession of wars, an endless series of conquests and evanescent dominions.

* India is dealt with in Chapters III., IV., VI., and Egypt in Chapter VIII. of "The Expansion of Europe."

Always Might had been Right ; Law had represented only the will of the master, and the law courts only the instruments of his arbitrary authority, so that the lover of righteousness could only pursue it by cutting himself off from all the ties of society and living the life of the ascetic. India was the most deeply divided land in the world—divided not only by differences of race and tongue but still more deeply by bitter conflicts of creed and, most sharply of all, by the unchanging, impermeable barriers of caste, which had arisen in the first instance from the determination of conquering peoples to keep themselves free from any intermixture with their subjects. Nowhere in the world are there to be seen, cheek by jowl, such profound contrasts between distinct grades of civilisation as are represented by the difference between (say) the almost savage Bhils or the out-caste sweepers, and the high-bred Brahmin, Rajput or Mahomedan chiefs. One result of these time-worn distinctions is that through all the ages the ruling castes and races have been accustomed to expect, and the mass of humble men to offer, the most abject submission ; so that British administrators have often had to complain that the chief difficulty was, not to make laws for the protection of the humble but rather to persuade those for whose benefit they were made to take advantage of them. Nowhere in the world, therefore, had the three necessary conditions of self-government—respect for law, the habit of co-operation, and the sense of kinship—been more gravely retarded by the accidents of history than in India. To create these conditions was one of the supreme tasks of the British power, but it was bound to be a slow process.

To this divided land the British rule has brought three inestimable boons which have made the creation of these conditions possible ; a firmly organised political unity ; the impartial administration of a just and equal system of law, based on a

codification of Indian usages ; and the maintenance of a long, unbroken peace. To this may be added the introduction not only of the material boons of western civilisation—railways, roads, irrigation, postal facilities, and so forth—but of western learning. This has had to be conveyed through the vehicle of English, because it was impossible to create, in all the vernaculars, a whole literature of modern knowledge. And the consequence is, that all the members of the large and growing class of University-trained students, whose existence for the first time creates an instructed public opinion in India, are able freely to communicate with one another, and to share a common body of ideas, to an extent that has never before been possible in all the earlier history of India.

Out of all these causes, due to the British rule, there has begun to arise in this deeply divided land a sentiment of national unity, and an aspiration after self-government. Neither the sense of the unity of all the Indian peoples, nor the desire for self-government, had ever for a moment existed in India until the influence of Britain made itself felt in the country and the ideas contained in English literature began to be studied by Indian youth. This sentiment of unity and this aspiration after self-government are in themselves excellent things ; their growth is, indeed, the best justification and the greatest triumph of British rule, but the danger is that they may lead to a demand for a too rapid advance. For real national unity cannot be created by merely asserting that it exists. It will not be fully established until the deeply-rooted differences which are only beginning to be obliterated have largely ceased to determine men's thoughts and actions, as they still do in India. And self-government, on the amplest scale of modern democracy, cannot be achieved until the traditionally ascendant classes, and the traditionally subject classes have alike

learned to recognise and to insist upon the equality of their rights before the law. In proportion as these distinctions are broken down, real self-government will grow. But if they break down too rapidly, and the new system of organising society together is suddenly introduced, and the old cement which held society together as suddenly dissolved, chaos may be the result. But the foundations have been made of advance towards these great aims: they are the result of British rule.

There are discontents in India; there is much sharp criticism of the methods of the supreme Government, especially—almost exclusively—among the new class of Western-educated men. But the criticism has not gone so far, except with a very few fanatics, as to assert that British rule is itself unjust or evil; on the contrary, all the best opinion in India desires to see that great land steadily progressing towards greater national unity and greater political liberty under the guidance and protection of British rule; all the best opinion in India recognises that the progress already made has been due to British rule, and that its continuance depends upon the continuance of British rule, all the best opinion in India desires that India, even when she becomes, as she will steadily become, more fully self-governing, should remain a partner in the British Commonwealth of Nations. It was a real satisfaction of one of the aspirations of India when three representatives of the Indian Government, an Indian prince, an Indian lawyer, and a British administrator, came to London in the spring of 1917 to take part in the councils of the Empire during the crisis of its destiny. Criticism and discontent exist. But their existence is a sign of life; and the freedom with which they are expressed is a proof that the Government of India does not follow a merely repressive policy, and that the peoples of India have at last been helped to escape, in a large degree, from that complete docility and submissiveness

which are the unhappy signs that a people is enslaved body and soul.

But it is not only by the development of a desire for national unity and self-government that British rule has helped the political progress of India. As long ago as 1824, Sir Thomas Munro, then Governor of Madras, declared that the aim of British rule must be to enable the Indian peoples to govern themselves ; and this aim has always been present in the minds of the most enlightened directors of British policy. In 1861 Legislative Councils with Indian Members were set up. Then the institutions of local self-government were gradually introduced in towns and rural districts, in the hope that the Indian people would train themselves in these bodies, as the British people had trained themselves, for the higher responsibilities of self-government on a national scale. Local self-government has been rather disappointing in its results. But in spite of that, the powers of the Legislative Councils were very greatly increased in 1909, and a large elective element was included in them. And now we are on the eve of a still more remarkable development.

On August 20, 1917, the Secretary of State for India, made a momentous announcement in the House of Commons, from which the following passages are quoted :—

“ The policy of His Majesty’s Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible.

“ I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility.”

This great proclamation comes from the Mother of Parliaments, from the country which has been the source and origin of the institutions of self-government wherever they exist in the world. After spending a century and a half—not a very long time for so great a work—in giving to India political unity, equal laws and internal peace ; after having thus laid the foundations upon which could arise the sense of national unity ; and after having inspired in the educated classes of India, through the study of English literature and of Western history, a desire for political liberty which had never before existed in Indian history, Britain sets forth to guide the Indian peoples towards full self-government. It is to be a gradual advance, because it can only be a gradual advance if it is to be secure. The British people themselves needed a training of a thousand years before they were ready for self-government, and when they tried to establish it before they were ready, they suffered revolutions and bloody civil wars. The French are a very united nation, but when they tried to set up self-government in a hurry, they paid for their haste by a century of revolutions and wars. The Austrians tried in 1876 to establish a system of self-government, but, because the peoples of the Austrian Empire were deeply divided, this system has brought only misery and tyranny. In the sphere of self-government “ more haste, less speed ”

is a wise motto. But India has set out towards this great goal: whether the journey^s brings her happiness or not must depend upon herself and her leaders.

But even apart from the establishment of the general institutions of self-government, there is a sense in which, under British rule, India has become a self-dependent land.

India does not pay one penny of tribute to Britain: she is the only great Empire in history of which this can be said. She pays the cost of the small, efficient army which guards her frontiers. But it is a smaller army than is kept up by most of the petty states of Europe, less than twenty times smaller than India. Moreover, if any part of this army is borrowed for service elsewhere, the cost falls upon the British Treasury. This rule was, indeed, broken in regard to the first Indian contingents in the present war, but only at the request of the Indian members of the Viceroy's Legislative Council. India contributes not a penny towards the upkeep of the British fleet, which guards her shores. If she were left to herself, and were unable to count upon the protection of her coasts by the Navy, or upon the forces which would be sent to her aid by all the other parts of the Empire in case of need, she would have to maintain an army ten times as large, and ten times as costly, as that which she now maintains, in order to protect herself against the danger of invasion. Nor does she defray any substantial part of the cost of the consuls and ambassadors in all parts of the world who protect the interests of her travelling citizens. She is a self-dependent State, all of whose resources are expended on the development of her own prosperity, and expended with the most scrupulous honesty and economy. Her ports are open, of course, to British traders, but they have hitherto been open on precisely the same terms to the traders of all other countries;

there is no special privilege for the British merchant. Recently she has entered upon a policy of fiscal protection, with a view to the development of cotton manufactures. This policy was directed primarily against Lancashire. But because Indian opinion demanded it, it has not been resisted, in spite of the fact that the bulk of British opinion holds such a policy to be economically unsound. Nor have British citizens any special privileges in other respects. It was laid down as long ago as 1833, as an "indisputable principle" that "the interests of the native subjects are to be consulted in preference to those of Europeans, wherever the two come in competition." It must, of course, be admitted that this principle has not been always honoured in every detail. But the British Government has honestly tried to act up to it. And it may safely be asserted that there is no parallel in all history to the assertion of such a principle by a ruling state in regard to the people of a subject dominion. Can any one imagine the Germans promulgating such a principle in regard to any of the lands which they have conquered?

India, in short, is governed, under the terms of a code of law based upon Indian custom, by a small number of picked British officials, only about 3,000 in all, among whom highly-trained Indians are increasingly taking their place, and who work in detail through an army of minor officials, nearly all Indians, and selected without respect to race, caste, or creed. She is a self-contained country, whose resources are devoted to her own needs. She is prospering to a degree unexampled in her history.

She has achieved a political unity never before known to her. She has been given the supreme gift of a just and impartial law, administered without fear or favour. She has enjoyed a long period of peace, unbroken by any attack from external foes. She has set her feet fairly upon the path which will lead to full self-government if the opportunity is wisely used. Here, as fully as in the self-governing

Colonies, membership of the British Empire does not mean subjection to the selfish dominion of a master, or the subordination to that master's interests of the vital interests of the community. It means the establishment among a vast population of the essential gifts of western civilisation—rational law, and the liberty which exists under its shelter.

What has been said of India might equally be said of Egypt, *mutatis mutandis*, but space does not permit of any detail on this theme. Enough to say that the achievements of the short period since 1882, when British occupation began, in the rescuing of the country from bankruptcy, in the abolition of the hideous tyranny under which the mass of the peasantry had long groaned, in the development of the natural resources of the country, in the introduction of Western methods of government and education, in the removal of the peril of returning barbarism which threatened from the Soudan, and in the establishment of a just and equal system of law, is something which it would be hard to match in the records of history.*

Both in India and in Egypt lands of ancient civilisation have been rescued from a state of chaos and set upon the path which leads to unity and freedom. And in both countries, if the kind of political liberty which consists in the universal diffusion of a share in the control of government has not yet been established, it is because the peoples of these countries are not yet ready for that, and because the premature establishment of it, by enthroning afresh the old ruling castes, would endanger the far more real gifts of liberty which *have* been secured—liberty of thought and speech, liberty to enjoy the fruits of a man's own labour, freedom from subjection to merely arbitrary superiors, and the establishment of the elementary

* The causes of the British occupation of Egypt, and the development of Egypt under British control, are discussed in "The Expansion of Europe," Chapter VIII.

- rights of the poor as securely as those of the powerful.

Empires, like men, are to be judged by their fruits.

V.

Lastly, we come to the vast regions inhabited wholly or mainly by backward or primitive peoples. Most of these are territories of comparatively recent acquisition. And it is here, and practically here alone, that the British Empire comes into comparison with the recently created empires of other European states, France, Germany, Italy and Belgium; none of which possess any self-governing colonies, or any extensive lands of ancient civilisation like India, unless the French colonies of Algeria and Annam are to be regarded as falling within the latter category.

The establishment of European control over most of the backward regions of the world has been, for the most part, a very recent and a very rapid development.*

The rush for extra-European territory which has taken place since 1878 is frequently regarded as a merely sordid exhibition of greed and of the lust for power; and indeed, some features of it deserve condemnation. But it ought to be recognised that this huge movement was, in the main, both necessary and beneficial. It was necessary because modern scientific industry needed the raw materials produced in these lands, and the primitive savagery of their occupants could not permanently stand in the way of the triumphant march of material progress. And it was (or was capable of being made) highly advantageous, not only to the industrial world, but to the backward peoples themselves, who, apart from it, might never have emerged from the unchanging barbarism in which they have mostly rested since the beginning of time. Whether

* On these events see "The Expansion of Europe," Chapter VII.

that was to be so or not, depended, of course, upon the spirit, in which the task was undertaken. We have seen some hideous examples of depraved cruelty in the treatment of backward peoples, as in Leopold of Saxe-Coburg's administration of the Congo (which improved beyond recognition as soon as it was taken over by the Belgian Parliament), or as in the ruthless German slaughter of the Hereros in South-West Africa. But on the whole, and with exceptions, the establishment of European control has been as beneficial to its primitive subjects as it has been advantageous to the development of modern industry.

In spite of the vast extent of her Empire in other regions, Britain has taken a far larger share of this work than any other single power; perhaps, all things considered, she has taken as great a share as all the rest put together. What are the reasons for this?

The first reason is that Britain had begun long before any of the other powers. Both in Africa and in the islands of the Pacific, the work of exploration was mainly done by British travellers; British traders had almost alone been known to the native populations; and British missionaries, who were extraordinarily active during the nineteenth century, had planted themselves everywhere, and played an immensely important part in civilising their simple flocks. Wherever the missionary went, he undertook the defence of the primitive peoples to whom he preached, against the sometimes unscrupulous exploitation of the trader. It was the constant cry of the missionaries that the British Government ought to assume control, in order to keep the traders in order. They, and the powerful religious bodies at home which supported them, did much to establish the principle that it was the duty of Government to protect the rights of native races, while at the same time putting an end to such barbarous usages as cannibalism, slavery, and human sacrifice, where

they survived. Often, too, native chieftains begged to be taken under British protection; while the better type of traders were anxious to see civilised administration set up, because it is only under civilised administration that trade can permanently thrive. Thus the British Government was under continual pressure from all sides, while the governments of other European countries as yet took no interest in colonial questions. The British Government was extremely loth to assume additional responsibilities, and did its best to avoid them. But some annexations it could not avoid.

Thus before the great European rush for colonies began, Britain, and Britain alone, had acquired a very wide experience in the government of backward peoples, and had worked out fairly clearly defined principles for the government of such peoples. What is more, in all the regions of this type which she controlled—indeed, throughout her whole Empire, everywhere save in the self-governing Colonies—it had become the practice of Britain to throw open all her ports and markets to the trade of all nations on exactly the same terms as to her own merchants. She is, in fact, the only great colonising Power which has uniformly adopted this principle.

The British method of administering backward regions as worked out before 1878 was therefore based upon two principles, firstly the protection of native rights, and secondly the open door to all trading nations; and Britain may fairly be said to have learnt to regard herself as being, in these regions, a trustee—a trustee on behalf of her subjects, and on behalf of the civilised world. Is it not true that if these principles had been universally adopted, half the bitterness which has been due to the rivalry of the European Powers for colonial possessions would have been obviated? To-day these principles are being advocated by many earnest men as representing the only mode by which

the supremacy of Western civilisation throughout the world can be reconciled with the avoidance of bitter rivalry and war between the civilised states ; and they are preached as if they were a new doctrine of salvation. Yet they have been consistently practised by Britain during the greater part of the nineteenth century, and they are still practised by her to-day.

When the great rush began, the main object of the European states which took part in it was to obtain a monopoly-control of the regions which they annexed. But in all the available regions of the world, British trade had hitherto been preponderant. British traders saw before them the prospect of being absolutely excluded from lines of traffic which had hitherto been mainly in their hands, and they were naturally urgent that the only means of protection available should be taken, and that the areas in which they had been most active should be brought under British administration. If the new colonising Powers had been prepared to follow the policy of the open door, to which Britain had so long adhered, there would have been no reason to fear their annexations ; rather there would have been every reason to rejoice that other nations were taking their share in the work of giving civilised government to these regions. But since their object was monopoly and exclusion, it was inevitable that Britain should undertake great new responsibilities. Her doing so was, indeed, the only practicable way of preserving the trading rights, not merely of her own subjects, but also of all the other trading Powers which had not themselves joined in the rush, or had only a small part in it. Yet even now the British Government was extremely unwilling to take action, or to expand still further the already vast domains for whose good governance it was responsible. It had to be forced into action, mainly through the activity of trading companies.

In the vast new acquisitions of the period since 1878 (which were mainly in Africa), as in the earlier acquisitions, the old principles long pursued by Britain in the government of these backward regions were still maintained—protection of native rights and the open door. And thus it has come about that to-day these British realms present almost the only undeveloped fields to which all nations may resort on equal terms and in whose development all may take a share. The Germans have made a very large use of these opportunities.

Another point ought to be made. Immense as these regions are, and recently as they have been turned from barbarism, order and peace are maintained within them by extraordinarily small military forces: only the absolute necessary minimum. Yet they have been on the whole extraordinarily free from unrest or rebellion, such as has repeatedly disturbed the German colonies in Africa. There has been in their history no episode like the ruthless slaughter of the whole Herero race in German South West Africa, after long, desperate, dragging campaigns. And while it would be absurd to claim that no abuses of the power of the white man over his coloured subjects have been known in them, at least there have been no outstanding or notorious atrocities. Their subjects are loyal, and are reconciled to peace, because they recognise that they are justly treated. That, it may fairly be claimed, is what the British Empire has meant in the backward regions of the earth. And if it be true that the institution of civilised government in these regions was necessary in the interests at once of modern industry and of the backward peoples themselves, it is equally true that there are no other backward regions in which the interests of the native subjects have been more solicitously considered, and none in which the interests of all the industrial nations, and not merely of a single dominant race, have been so steadily held in view, as in these regions of the British Empire.

VI.

If we now turn to consider as a whole the character of this vast Empire,* whose principal regions we have been examining, the first thing that must strike us is that, while it is by far the biggest of all the world-dominions which have come into existence in modern times, it is also the most loosely organised of them all. It is rather a partnership of a multitude of states in every grade of civilisation and every stage of development than an organised and consolidated dominion. Five of its chief members are completely self-governing, and share in the common burdens only by their own free will. All the remaining members are organised as distinct units, though subject to the general control of the home government. The resources of each unit are employed exclusively for the development of its own welfare. They pay no tribute; they are not required to provide any soldiers beyond the minimum necessary for their own defence and the maintenance of internal order.

This Empire, in short, is not in any degree organised for military purposes. It is strong for defence so long as it is sure of the command of the sea, since it is open to attack at singularly few points by land. But it is incapable, by its very nature and system of organisation, of threatening the existence of any of its rivals or of making a bid for world-supremacy. For, vast though its population and resources are, they *cannot* be made available for war except under the impulse of a great enthusiasm simultaneously dominating all its members, like that which has led them all to share in this war; and if its directors were to undertake an aggressive and conquering policy, not only could they not count upon general support, but they would probably bring about the disruption of the Empire.

* The passages in this section are mainly quoted directly from "The Expansion of Europe."

The life-blood of this Empire is trade ; its supreme interest is manifestly peace. The conception of the meaning of empire which is indicated by its history is not a conception of dominion for dominion's sake, imposed by brute force. On the contrary, it has come to be regarded as a trust, a trust to be administered in the interests of the subjects primarily, and secondarily in the interests of the whole civilised world. That this is not the assertion of a boast or of an unrealised ideal, but of a fact and a practice, is sufficiently demonstrated by two unquestionable facts, to which we have already referred, but which cannot be too often repeated. The first is the fact that the units of this empire are not only free from all tribute in money or men, but are not even required to make any contribution to the upkeep of the fleet, upon which the safety of all depends. The second is the fact that every port and every market in this vast empire, so far as they are under the control of the central government, are thrown open as freely to the citizens of all other States as to its own.

Finally, in this Empire there has never been any attempt to impose a uniformity of method or even of laws upon the infinitely various societies which it embraces ; it not only permits, it cultivates and admires, varieties of type, and to the maximum practical degree it believes in self-government. It includes among its population representatives of almost every human race and religion, from the Australian Bushman to the subtle and philosophic Brahmin, from the African dwarf to the master of modern industry or the scholar of universities. Almost every form of social organisation known to man is represented in its complex and many-hued fabric. It embodies some of most democratic communities which the world has known. It finds place for the highly organised caste system by which the teeming millions of India are held together. It preserves the simple tribal organisation of the

African clans. To different elements among its subjects this Empire appears in different aspects. To the self-governing dominions it is a brotherhood of free nations, co-operating for the defence and diffusion of the ideas and institutions of freedom. To the ancient civilisations of India or Egypt it is a power which, in spite of all its mistakes and limitations, has brought peace instead of turmoil, law instead of arbitrary might, unity instead of chaos, justice instead of oppression, freedom for the development of the capacities and characteristic ideas of their peoples, and prospect of a steady growth of national unity and political responsibility. To the backward races it has meant the suppression of unending slaughter, the disappearance of slavery, the protection of the rights and usages of primitive and simple folk against reckless exploitation, and the chance of gradual improvement and emancipation from barbarism. But to all alike, to one-quarter of the inhabitants of the globe, it has meant the establishment of the Reign of Law and of the Liberty which can only exist under its shelter. In some degree, though imperfectly as yet, it has realised within its own body all the three great political ideals of the modern world. It has fostered the rise of a sense of *nationality* in the young communities of the new lands, and in the old and once decaying civilisations of the most ancient historic countries. It has given a freedom of development to *self-government* in a variety of forms, to which there is no sort of parallel in any other empire that has ever existed. And by linking together so many diverse and contrasted peoples in a common peace it has already realised, for a quarter of the globe, the ideal of *internationalism* on a scale undreamt of by the most sanguine prophets of Europe.

Long ago, in the crisis of the American Revolution, when the faithfulness of Britain to her tradition of liberty seemed for an unhappy moment to be wavering in the balance, the great orator Burke

spoke some glowing sentences on the character of the British Empire as he conceived it. They read like a prophetic vision of the Empire of to-day; linked by ties which, in his words, "though light as air, are strong as links of iron," yet joining in an heroic comradeship to defend the threatened shrine of freedom. "As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But freedom they can have only from you. This is the commodity of price, of which you have the monopoly. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve, the unity of the Empire. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English Constitution that gives all their life and efficacy to them. It is the spirit of the English Constitution which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the Empire, even down to the minutest member."

The spirit of Burke was wounded in 1775; it is rejoicing to-day.

Young Liberal Series Pamphlet No. 1.

V2w M56

Tilak Paranjape ^{FO}
Controversy.

(As it appeared in the Bombay Chronicle.)

1920.

Printed by C. S. Deole, at the Bombay Vaibhav Press, Servants of
India Society Building, Sandhurst Road, Girgaon, Bombay.

Published by T. A. Kulkarni for the Young Liberals, Servants of India
Society's Home, Sandhurst Road, Bombay.

Mr. Tilak & Mr. Paranjpye.

SIR,

I would like with your permission to explain to the readers of your widely circulated journal the reasons for the step we took in publishing to the world our objection to the giving of an address to Mr. Tilak on behalf of all the citizens of Poona. Our step has been misconstrued on many sides as showing both a want of patriotism and a want of taste. As regards the first I need only say that our work for so many years is before the public and unless patriotism only means saying ditto to all popular cries and in particular on intense and often an unwearing idolisation of Mr. Tilak we can hardly be charged with unpatriotic or selfish motives. As regards taste I may ask, on the contrary whether the organisers of the address, knowing full well that there is a definite though numerically small party in Poona opposed to the policy and methods of Mr. Tilak and his followers, showed the right taste in insisting that the address should purport to come from all citizens without exception. The tactics followed in connection with this meeting exemplify their usual methods. Last Tuesday's "Kesari" announced that the address was to be from all citizens. On Thursday we held a meeting protesting against this; we adopted a manifesto explaining our differences with Mr. Tilak and our future lines of work. On Friday, the organisers announced that the address was to be from his admirers only and this announcement was officially made in Saturday's papers, of their own party. We therefore asked the men of our party, not to attend the meeting and arrangements were made to publish this announcement in our organ, the "Dnan-Prakash" on Sunday morning. When we had thought that everything was satisfactorily arranged, on Saturday night, at about 6-30 P. M. came a letter to us saying that the meeting was again changed

in character and was to be on behalf of all the citizens and we were asked to be present if we liked. It was obviously too late to make an effective protest by getting together whatever strength we had and we wrote to the president that we were not going to attend. It was absurd, therefore, to call upon us to speak and the few people that attended did so without our knowledge. These facts about the meeting speak for themselves.

But leaving the meeting and its organisers aside I would take this opportunity of showing exactly where our differences are. We in Poona know more of Mr. Tilak than men who see him only from a distance. Our first objection is to the one-sided nature of his propaganda. He has been always directing his energy to the criticising of Government and to that alone. While the creation of a sense of National self-respect is an important work, the workers have to see that it does not degenerate into mere chauvinism. If it tends to the belief that everything in our country is the best and can't be improved and that all our ills are due to foreign rule only, all avenues to progress are blocked once for all; a logical result, though one not advocated or even meant by Mr. Tilak, would be to secure the expulsion of the British Government and whether anarchical methods are to be used to achieve this object becomes a mere question of tactics. In the controversy relating to the Surat split, Mr. Tilak was continually advocating " unadulterated swarajya " as opposed to colonial Self-Government as advocated by Mr. Gokhale. He has now accepted the latter as his goal but we cannot forget the various positions he took and the effect they produced on the half educated readers. The party that we represent have not been backward in criticising and in no sparing terms, the measures and actions of Government. The most effective critics of Government have been Metha and Gokhale from our party in recent years. But we leave the fundamental question of the existence of

British Government alone; we believe that our national consciousness has been created by our contact with England, that the influence of western nations has been on the whole for the good of our country and that its elimination for the present and even so far as any practical statesman can foresee would be a direct disaster. What will happen two hundred years hence need not concern us now; and continual harping on ideals distant and visionary is calculated to make the man in the street oblivious to the work immediately before him. We realise to the full the disadvantages of a foreign rule, we feel as bitterly as anybody the recent outrageous treatment of our countrymen in the Punjab, we are opposed to any restriction on our personal liberty of thought and expression that is imposed by Government, and let me say in passing that this liberty of ours is often invaded in social matters by Mr. Tilak and his followers themselves. But we feel that this political work is only a fraction; and probably the smaller fraction; of the work of our national reconstruction. We do not believe Mr. Tilak for one moment when, he says "Give me Swarajya, and I shall effect all kinds of social educational and industrial progress in no time." Unfortunately his boast cannot be put to proof otherwise he would have found that his followers melt away like snow in the hot sun when he sets his hand to this work.

In my opinion his want of appreciation of this need of work among ourselves for our own uplift shows the bankruptcy of his statesmanship and the futility of the claim made for him as the great national leader. I grant that in these days of specialisation of functions one man cannot generally be an active leader in all movements though the late Mr. Ranade nearly approached this Catholic position. What we however expect in a leader is an attitude of general sympathy towards all such movements for our uplift and a helping hand when it can be

done without patting him out very much. What for instance has been Mr. Tilak's record in connection with such movements as co-operation and other kinds of social service, industrial expansion and temperance? On the last he once engaged only in a campaign of picketing which may be attributed perhaps to his wish of acting against Government but in the more effective method of moral suasion against drink his work is absolutely *nil*. Certain members of the Servants of India Society who concern themselves with co-operation and similar social welfare movements have met with nothing but ridicule at his hands. He has been putting himself forward as the representative of Labour in opposition to Mr. Joshi who has several years of very valuable work to his credit on behalf of the workers of Bombay. But in matters of social reform in the narrower sense of the term his record has been most disappointing and even discreditable; and on enumeration of some facts will amply justify us in our unwillingness to do him honour. He first came into more than local prominence in connection with the agitation against the Age of Consent Bill about the year 1890. One could then understand his position that social reform must come from among ourselves though it is difficult to see how some reforms can be obtained without the help of legislation. But a leader who takes this position is bound to take steps to make his work good, to do something to show that his own method is more practicable and effective. If he sits silent and does nothing afterwards his opposition can hardly be considered absolutely honest. Needless to say Mr. Tilak does not stand this test. From this time onward he fell more and more into the arms of the orthodox party and a most discreditable episode was his opposition to the holding of the social conference in the Congress pandal at Poona in 1895 and the threat daily held out that if this intention was persisted in the pandal would be burnt down. Mr. Ranade showed true statesman-

ship by abandoning the idea. For ten years before 1895 and ever since 1896 no objection has been raised to this course and no harm has occurred from it to either movement. All parts of the country have by their action shown clearly their real opinion about the childish nature of this opposition. Two years later the plague broke-out in this country and of its political effects in Poona, I do not wish to speak now. Everybody was terrified by this fell disease. A remedy was discovered in inoculation which was of course not in the beginning as perfect as it now is. There were some ill-effects produced from it on some constitutions and the plague commission on which Mr. Gokhale served did not shut its eyes to them. But in a short time the great bulk of medical opinion was favourable to inoculation but Mr. Tilak chose to conduct a vigorous campaign against it for many years and even now many people are found quoting, parrotlike, many phrases from Mr. Tilak's pseudo-scientific articles on the subject and inoculation is not quite as popular in the Maharashtra as it might have been but for this opposition. The question of widow marriage is not now such a pressing question though his opinion on it would show the innate love of an individual for all sided liberty. Mr. Tilak's part in this question was very halting to say the least and his paper was generally strongly opposed to it.

On questions relating to different castes and communities his attitude has been equally unsatisfactory. He, it was who invented the public celebration of the Ganpati festival, which was till then a merely domestic function except for the final immersion of Ganpatis, after the Hindu-Mahomedan riots of 1893. His object was to widen the gulf between Hindus and Mahomedans by weaning the Hindus away from the Muharrum Celebrations in which they till then took part, by affording them an alternative *tamasha* of a like character. For many years this festival was an orgy of anti-Moslem and, later, of anti-

Government and anti-social reform demonstrations and only recently has it subsided into a more or less religious festival though the religious nature of many of the lectures delivered on the occasion can be more than doubted. The late Mr. Ranade with statesmanlike insight was altogether against this transformation of the Gunpati festival. The evils of caste and the desirability of removing them have been brought home more and more to our countrymen. The main obstacle in the way of political reform at present would not have stared us in the face, if we had taken measures early enough to stamp out these evils. But Mr. Tilak and his school have been harping on the blessings of Varnashrama Dharma and the institution of the four castes as recorded in the *purushasukta* and the *bhagwatgita*. No attempt was made by him to look at the aspirations of the backward castes in a sympathetic spirit. Ridicule and abuse have been poured on those who inveighed against the caste system. In the *vedokta* controversy when the Mahrattas claimed the use of *vedic* rites as against *puranic* rites as proper to their status as Kshatriyas, Mr. Tilak who writes learnedly on Sanskritic topics opposed their aspirations though I am sure that in his heart of hearts he must have considered the whole controversy altogether childish. What sense is there in opposing the use of the Vedas by the Mahratha when for a few rupees the whole body of the Vedas can be brought even by the lowliest mahar? Surely he must understand that the days when molten lead was poured in the ears of a man from the depressed classes who heard the *vedic mantras* are gone never to return. His attitude on the Patel Bill and on intercaste marriages has been equally unsatisfactory, but the matter is of too recent a date to need detailed discussion in this place. When in recent years the backward classes began to claim communal representation he contemptuously asked whether you have to handle the plough or hold the grosers' pair of scales in the legislative

councils. The remark only shows the want of any sympathy with the backward classes without whose advance India is bound to always remain backward in spite of Swarajya. The solution of the question of communal representation by means of reserved seats in plural constituencies has on the other hand been whole heartedly accepted and perhaps even discovered by our party and now I suppose he will claim that he has been advocating that all the time! The question of the depressed classes is perhaps the saddest in our whole body politic. What little work is being done on their behalf has not received any help from Mr. Tilak and his party which has treated it with contemptuous silence. Once and once only did he speak in their favour and that was last year in Bombay at the anti-untouchability conference. But while his paper the "Kesari" prints long accounts of his minutest speeches and trifling actions everywhere, it preserved studied silence about this important speech. Not only that, but he personally refused to sign an anti-untouchability manifesto committing the signatories to disregard untouchability so far as they are concerned. Mr. Tilak wields great influence over his followers; should he not use it in such a matter? If he did not, is it so very uncharitable to conclude that his one solitary pronouncement at Bombay was for the purpose of enabling him to say before Labour audiences in England whither he was soon going with a clear(?) conscience that he was not opposed to the elevation of the depressed classes?

This catalogue of his sins of omission and commission is long but it can easily be extended still further. But let us now turn to his methods. Even his admirers admit that these have not been characterised by any fairness towards opponents which is such a pleasing feature of the successful democracies of the west. Abuse of his opponents in season and out of season contempt and ridicule have been his invariable weapons. If these are used aga-

inst real evildoers they may be justified; but when they are used against people who are no whit less patriotic than himself, who work for the good of their country though perhaps in unpopular directions, it only lowers the man who uses them. Nobody of any prominence in the country and especially in our part has escaped. To name Indians only. Ranade, Gokhale, Pherozeshah Mehta, Sir Dinshaw wacha. Sir Ramkrishna Bhandarkar. Dadabhai Naoroji, Sir Narayan Chandavarkar, Sir/Bhalchandra Krishna. Prof. Kathavate, Telang; Agarkar, my humble self, not one has escaped abuse at his hands. He wields a vigorous pen, writes a taking style, can use all the weapons of sneer, ridicule, innuendo, but above all abuse. In sum of these he has been imitated and even surpassed by some of his followers; but this degradation of journalism is due mainly to his influence. The taste of Marathi readers is nowadays so vitiated that a journal can succeed now only by these means. Rational argument and fairness towards opponents are not found in his armoury. He hardly tries the fire of reason; the butt end of personal imputations and attribution of motives is his most effective weapon. Can we honour a man simply for his abilities regardless of the use he makes of them?

But we are told he has done great work in England. First of all we do not know the exact nature of the work. His attitude on the Montagu-Chelmsford Reforms has been continually changing. He began with "The dawn has come but where is the sun?" Then he swore by the Congress mandate but was prepared to give it the go-by in some points while messrs. Horniman and Patel stood literally by it. He parades a letter from President Wilson. I have a suspicion that it is merely a polite acknowledgement of the receipt of his letter from Mr. Wilson's private secretary. He has hobnobbed with the labour leaders and says he has got them to his side. Will he tell us when the Labour members in Parliament were not in favour of

Indian aspirations ? The late Mr. Dadabhai was very friendly with them. Most of the labour members of Parliament had joined the Indian Parliamentary committee of Dadabhai and Wedderburn. In this case again the complete accounts are not available. But we would like to see exactly what definite undertaking Mr. Henderson has given him on behalf of his party and when he comes into power how he will redeem his promises for there is always a great difference between promise and performance. Here again I mention that he has continually poured ridicule on Gokhale and others for their work in England. He has told us that they wasted a great deal of India's money which, let me say by the way, was given them by rich friends and not collected from the very poor. He has told us how many works of real utility could have been done with that money in India, how many educational institutions or industrial concerns could have been financed with it. He hinted that Mr. Gokhale's visits to England were merely to enable him to have a good time there and were only cloaked under public political work. He twitted Gokhale with being too fond of seeing officials like Morley and trying to influence them for India's good. Is it unfair to say that Mr. Tilak on his own showing saw, not officials in esse but, only officials in posse when he saw the leaders of the labour party ? Is there such a world of difference between their methods that Mr. Gokhale's work is to be styled " beggary " while Mr. Tilak's is to be called political ambassadorship ? Is he now prepared to render justice to Mr. Gokhale's memory for the work that he did and which he vilified in season and out of season ?

His recent speech about Mr. Montagu's work is of a piece with his usual ways. Dispassionate observers must acknowledge the sterling work that he is doing in the cause of Indian reform. No other man would have done what he has done, and fought almost single-handed aga-

inst enormous odds. It was necessary to cheer him by a word of gratitude and appreciation. But these are not to be found in Mr. Tilak's dictionary. To him Mr. Montagu is doing his best to deceive us by giving us the very least that is possible and not the utmost that he can in the circumstance. Mr. Montagu is to be given no credit for it; it is only the time spirit that has done it. We are all creatures of antecedent circumstances, of time if you will. But if the past Karma of a man made him the son of his father, is he not on plea of the necessity of Karma to revere his father? To ordinary people who do not believe in metaphysical subtleties such reasoning would appear to deserve a different name.

One word more. We are living in the days of democracy. Mr. Tilak hails its advent and says he works for it. We ask in all seriousness if such idolatry of an individual is consistent with true democracy. Should such blind unreasoning faith in one man be encouraged? Should the man himself accept it even if his followers are prepared to give it? The habit of worshipping a living individual is harmful to the worshippers as to the worshipped. In France true democracy is said not to prosper and is likely to be subverted as by a Napoleon the little etc., or a Boulanger, because they regard the man as more than his principles or actions. We who opposed the meeting in Poona on behalf of all citizens look to principles and record of actions. We may be a minority but our principles are clear. By saying on what points we disagree from Mr. Tilak I have indicated what our own lines are. It was no pleasure for us to take an unpopular line especially on a personal matter; but we thought that only by doing so shall we get an opportunity of laying down fairly our own policy. Apologising for the length of this letter, I remain, yours etc.,

Sir,—I am much indebted to the Hon. Mr. Paranjpye for preparing and publishing a catalogue of my sins of

omission and commisison through your columns. The work is done evidently with great labour, but it is done in an atmosphere, exclusively his own, and under irritation caused by the reent events in this city. Everybody is welcome to his own views, and as I don't claim to have pleased all and everybody, whether in Poona or outside, I am not surprised at the occasional display of bad temper and bad taste of my opponents like Mr. Paranjpye. All that I have to say againts him is that the publication of his views at this time is utterly irrelevant and inopportune. The address which was given to me was never intended to be literally from all and every citizen of Poona. It was a public address and like all public addresses it meant an address only from a majority of the Poona public though of course in this case a very overwhelming majority as Mr. Paranjpye himself was well aware. The organisers of the meeting were quite willing to make and had actally made all arrangements to give Mr. Paranjpye an opportunity to put forward all that he had to say before the Poona public who would have, I am sure, given them a patient hearing. But Mr. Paranjpye and his party had not the courage to accept the challenge though they had full twenty-four hours' notice to do so. Mr. Paranjpye speaks of the original intentions of the organisers to call a meeting of those who appreciated my work. But knowing this, Mr. Paranjpye and his party thought it fit to send a challenge to the organisers to make arrangements for giving them a hearing at the public meeting. The challenge was accepted. The public who know both Mr. Paranjpye and myself would have been glad to patiently hear whatever Mr. Paranjpye would have liked to say on the platform. But he knew, as he now admits, that he and his party were a small minority in Poona, and, believing prudence to be the better part of valour, transferred the work of oposition at the meeting to a young boy reserving for himself the use of your columns for

emptying the phials of his long accumulated wrath, under the pretext of justifying the position of himself and the handful of his followers on the present occasion.

My views on political and social matters are well known to the public, and there is nothing new in Mr. Paranjpye's statement, except perversions and misrepresentations usual to his party which call for any remarks from me. His great charge against me is that my activity and propoganda is one sided. Well, supposing it is so,—I fail to see how Mr. Paranjpye's conclusion can be legitimately drawn from it. It is a well-known fact that I differ from Mr. Paranjpye and his party in matters social. I don't hold that a social reconstruction must be undertaken prior to political emancipation, I attach greater importance to the latter. Without the power to shape our own destiny our national regeneration, in a large sense, cannot, in my opinion, be effected and I have throughout my career tried to preach and emphasise this view. When I opposed the Age of Consent Bill I did so mainly on this ground. I did not think, nor do I think now, that a legislature which is not wholly responsible to the public is competent to deal with social questions. Another point involved in that controversy was Dr. (now Sir) Bhandarkar's interpretation of certain Sanskrit texts. It is well known that Government obtained the opinions of their own Pandits on the matter when they were found to be in my favour. Government eventually decided rather to be wrong with Dr. Bhandarkar than right with myself. It is useless to comment upon this decision, especially as we now know that Government very often prefers deliberately to follow a wrong course, sometimes even an absurdly wrong course, for special reasons.

Mr. Paranjpye roundly charges me with doing only destructive work. But he very cleverly ignores all that I did before I took part in this controversy as Editor of the "Kesari". I refer to the establishment of the New

English School, the Deccan Education Society and the Fergusson College of which Mr. Paranjpye is now the Principal. It is a fact well-known in Poona, that having done all the fighting necessary to the establishment of an independent national institution, I had to sever my connection with it after eleven years of work, because my colleagues would rather fall in with Government instead of boldly taking up an independent stand as originally planned. I am quite sure that if the original intentions of the founders had been carried out there would have been no necessity for a movement of National Education started during the last few years. Let me inform Mr. Paranjpye that it was his friends and his party who failed in this first attempt at establishing a National College on a strict popular and independent basis. In his catalogue of my sins he has scrupulously avoided to refer to this matter, though with a little care he could have known the whole truth from documents in his possession. This speaks volumes for his fairness; and yet my work is destructive as opposed to the constructive work of himself and his party.

Let me now take up some of the allegations, made against me for views published in the "Kesari" from time to time in social matters. Mr. Paranjpye is probably unaware of the fact that I took the sole charge of the "Kesari" only after 1890. It is only that I made it an organ exclusively for the political propaganda which I wanted to preach. I don't deny it but at the same time, let me point out that the political awakening in the Maharashtra since then is more the work of the paper and my party than Mr. Paranjpye and men of his ilk. The Moderate school of thought, mostly led by Government servants and pensioners in those days, never thought of going beyond a mild and diffused criticism of some detailed measures of official administration with a view to get them redressed. They had not then the courage to put forward the ideal of Self-Government.

before the people and to educate public opinion in accordance therewith. On the contrary they tried to obstruct the work of the nationalists in this behalf by misrepresenting them wherever possible. The word Swarajya—yes unadulterated Swaraj—as used in the “Kesari” was mistranslated by them as meaning complete independence which the “Kesari” never advocated. The Anglo-Indian papers, ever natural enemies in this matter, patted the Moderates on their back for this service to the Anglo-Indian cause. And the Nationalists were overwhelmed with the opposition engineered by this unholy alliance, until at last the Grand Old Man of India, Dadabhoj Nowrojee, in 1906 declared from the Congress platform that Swaraj should be our goal, and that it meant nothing more or less than complete self-government within the Empire. Mr. Paranjpye is probably ignorant of the fact that the Moderate leaders for whom he possesses to have unbounded respect, were not prepared at the time to take up this ideal for practical work and accept any scheme, however moderate, for the realisation thereof. There has been a lot of misunderstanding, sedulously created and persistently kept up, regarding the unfortunate Surat Split. On behalf of the Nationalists I was then pressing for a Resolution embodying a very very moderate scheme of self-government for immediate adoption by the Congress. I have still in my possession a manifesto of the Nationalist party issued at that time, and shall be glad to show it to Mr. Paranjpye if he cares to investigate into these matters. What did it ask for? (1) complete autonomy in local matters, (2) effective voice and control in Provincial Administration or a greater portion thereof, and (3) an adequate representation in Imperial Administration. The manifesto says:—“Nothing less than this to begin with, will satisfy the aspirations of the people”. It is well-known how the Moderate leaders like Mr. Gokhale received such a proposal at that time, and how, after

ten years of continued fight and agitation by the Nationalist party, it was adopted by Government and now passed by the House of Commons. This will clearly show that my only fault at that time was to anticipate, by a few years, the Government and the Moderates, and to continue to educate popular opinion thereon in spite of the retrograde attitude of Mr. Paranjpye's party. If any fighting had to be done, let me remind Mr. Paranjpye, it was all done by the Nationalists. It is useless to convince a man of Mr. Paranjpye's type, who is determined to shut his eyes to these plain vivid facts. But the country knows the services rendered in this behalf by the Nationalists, and, whatever Mr. Paranjpye might say in regard to my attitude towards social matters, it is I believe, impossible to hoodwink the public as regards the work which my party and myself have done in this behalf. It is a clever party misrepresentation, to ignore these facts and paint the Split as a simply destructive work. The Moderates had no constructive programme at that time except that of going back on the bald declaration of Mr. Dadabhoj. And if anybody was mainly responsible for defeating a constructive programme of the Nationalists outlined above, it was the party of Mr. Paranjpye. The acceptance of official view under the disguise of Moderation has always been the motto of the Moderates in such matters, and one need not be surprised if they are trying to play the same game in regard to the present reforms. Mr. Paranjpye is utterly misinformed about my alleged differences with Mr. Patel and Mr. Horniman while in England. His information may be from a friendly source, but it is not accurate. I have never changed my attitude regarding the Montagu-Chelmsford Reforms. In India my work consisted in bringing round the majority in the Congress to my view and once this view was settled, my work in England consisted in representing that view as it then was the view of the Indian people. In India we have a kind of

formative work to perform, while in England we have to faithfully present its results to the British Public. I am sorry that a clear brain like Mr. Paranjpye's is unable to see this distinction. But perhaps a warped intelligence, smarting under irritation of discomfiture, cannot be expected to rise higher.

Mr. Paranjpye has, I am sorry, no clear idea of the principles of Nationalism and has thus misunderstood the character and the nature of the Nationalist opposition to the Social Reform Movement, as conducted by his party. A true Nationalist desires to build on old foundations. Reform based on utter disrespect for the old does not appeal to him as constructive work. He therefore tries to maintain and foster a distinct national interest before undertaking any reform. A similar charge has come over Irish Politics. Those that started political agitation in India in the early forties or fifties of the century thought more of the political privileges than of regeneration of nationality. The Nationalist party of to-day looks upon the question from a different stand-point altogether. We don't want to anglicise our institutions and to denationalise them in the name of Social and Political Reforms. We mean to progress and wish our country to occupy a position of equality among the civilised nations of the world. But whereas men of Mr. Paranjpye's party would ask us to adopt alien methods, even in offering our prayers to God, we the Nationalists desire to emphasise and preserve the national sentiment by giving due credit to all that is good in the old system but without detriment to progress and reform needed for our national uplift. If Mr. Paranjpye had cared to bear this difference in mind, he would not have misrepresented my activities towards social reform. The Shivajee Festival and the Ganapati Festival are in reality means to keep up and maintain a proper pride in the doings of our ancestors, and it is sheer misrepresentation, I don't care to inquire whether

conscious or unconscious, to stamp these movements as calculated only to strengthen orthodox prejudices. I think Mr. Paranjpye knows that both in Scotland and Ireland similar movements are inaugurated for similar national purposes. But men like him are so denationalised as to look upon every honest opposition to the old school of reform as emanating from personal jealousy and other worse passions. Let me remind him that while the widow marriage movement was at its height, it was myself who proposed to the reformers to come to a compromise with the Shankaracharya and the leader of the Hindu orthodoxy on a reasonable basis. In my opinion the evil of prohibition of widow remarriage is not a general one, but is confined to only Brahmins and such other castes as have thought fit to initiate Brahmin customs and manners. What I proposed therefore was that though widow remarriage is sanctioned by the later Hindu law, yet a compromise could be adopted by including it in the forms of marriage sanctioned by Shastras and thus removing, with the sanction of the orthodoxy, all disqualification arising from social ostracism. I even offered and was prepared to fight this battle myself, but the reformers would not accept my proposal. In the matter of the depressed and the lower classes I had commenced to act long before Mr. Paranjpye had emerged out of his teens by giving in the Ganapati Festival an equal status to all backward classes. The fact is well-known in Poona, except possibly in the circle of Mr. Paranjpye's friends. As for the Vedokta I supported the extension of it in the case of the Kolhapur chief and never objected to its extension to non-Brahmin classes. Mr. Paranjpye has utterly misunderstood the question. Extension of Vedokta ceremony was not the real bone of contention. The question was whether an orthodox Brahmin priest should be forced and compelled against his wish on pain of forfeiture of Inams, granted to him under the old system to perform Vedic rites in all non-Brahmin

families. The very principle of personal liberty on which Mr. Paranjpye lays so much stress would be violated if we answer the question in the affirmative. I know that every community can freely resort to Aedokta rites if it chooses, but no one can justify the forfeiture of ancient Inams granted by old rulers and under different understandings. Can the British Government claim the right to forfeit Devasthana Inmas, because the state-religion is now different? Mr. Paranjpye knows full well that I am for removing all caste distinctions regarding inter-dining or untouchability. I have said so many a time, but I am not prepared to take up the work of actual propàganda in this matter as my own, and I refuse to sign a manifesto which would have clearly thrown that responsibility on me. To compare small things with great will, Mr. Paranjpye be prepared to ignore the other work of any American statesman simply because he declined to take a prominent part in the emancipation of negroes in the United States? I am glad to see that he admites the necessity of specialisation in such movements. But I am sorry that he does not see his way to apply that to me.

There are various other matters to which Mr. Paranjpye has referred in his catalouge of my sins, and it would take much space to refute all that he has said against me. For instance, my attitude against plague measures and inoculation was not peculiar to me. Our friend the late Mr. Agarkar's paper, the "Reformer" (Sudharak), wrote perhaps more violently than myself against plague measures; and if that paper was not taken to task for it like myself, it was probably because Government preferred to take a victim from the Nationalists as opposed to the Moderate party. The "Kesari" fully recognised the scientific value of inoculation, but opposed only its compulsory introduction, especially in its experimental stages. Mr. Paranjpye has a strange idea of his own regarding newspaper controversies and attacks. He is prepared to credit

me with a trenchant style so as to better enable him blame me for vigorous attacks on persons taking the opposite view. But let me ask him one question, a most important question, how many of our leaders, whether Nationalists or Moderates, have not been grossly attacked by the Anglo-Indian Press for entertaining views differing from those of the ruling class? Neither Mr. Dadabhoy Nowrojee nor Mr. Justice Ranade nor Mr. Gokhale escaped from the attacks of the Anglo Indian Press. Has Mr. Paranjpye ever complained against the Anglo-Indian writers' efficiency in wielding a vigorous and forcible style? Why! It is the first necessity of the journalistic profession. But I need not go to the Anglo-Indian parallels. My friend, the late Mr. Agarkar's own brilliant literary abilities, were all devoted, in those days to pour on my head all the invective and abuse that he could place, originate or copy; and Mr. Gokhale's papers in later days have been doing the same kind of work for Mr. Paranjpye's party. In fact without a sense of egoism I may say that I am the most abused man in this respect in the Maharashtra. If I replied to these attacks in self-defence and in defence of the cause it was a matter of sheer necessity for me, and those conversant with modern warfare know fully well that victory in such matters will always rest with those who can use guns of longer range than those of their enemies backed up by solid support of an invulnerable rampart of sound Logic. Mr. Paranjpye has, therefore, absolutely nothing to complain of the nature of my writings. Bigger guns were in the service of his party and if they failed to demolish the Nationalist cause it was not because who had the monopoly of literary merit, but because their cause itself was weak, both in principle and practice. Marathi readers know the truth very well, but I doubt whether Mr. Paranjpye is a Marathi reader at all. Mr. Paranjpye blames me also for not supporting communal representation and the Patel Bill. But here I may tell him that I stand in good company. The

value of representation consists in the vote and not in the caste of the representative selected, If Mr. Paranjpye's party has adopted the opposite view, it is possibly for the purpose of getting more recruits rather than out of love for the principle itself. Such alliances are not unknown in England. As for the Patel Bill my opposition does not rest on social or religious grounds; but on the economic law of succession and it betrays a want of careful reading and judgment on the part of the Moderates to cite it as an instance of my illogical views. I never put myself as a representative of Indian Labour until I was elected so by the Bombay Labour Unions, as against Mr. Joshi, the Government nominee of the Servants of India Society. That Society was, so far as I know, established for carrying on political work. But it has practically given up that work and has compelled some of its members, who adopted the Home Rule propaganda to resign and yet we find that when Lord Sydenham asked Mr. Shastri whether the latter in giving evidence was not going against the constitution of the Society established for social service, the latter replied in the negative.

I think I have exceeded the normal space usually allotted for a reply; but let me say one word in conclusion regarding the methods of our party. We don't want to pose as self-constituted, wise leaders of the people. We have our plan, our goal as open and constitutional as that of the Moderates. We shall do our best to educate the public in our views and doctrines in open competition with the moderates. If we carry the majority of the people with us it would be idle for any one to complain of our action in these democratic days. We shall stick to our guns and if these prove to be of a longer range than those of our opponents, they must take the defeat in good grace. Personal jealousies or boasts of superior wisdom are out of place. One may differ and differ from the view of the majority as much as he likes. But let him remember that

it is a free fight and it to his own fault if he cannot win the fight. There is nothing in Mr. Paranjpye's letter which shows that he realises or appreciates this principle of public work.—Yours, etc.

I am glad that Mr. Tilak has attempted to answer many of the points mentioned in my letter of the 11th instant. That letter has called forth various opinions in different journals and I am considered to have been guilty of *laesa majestas* or even sacrilege in saying or writing anything against him. But a discussion of the points on which we differ from him is sure to be interesting and instructive if it is conducted in a proper spirit. Of course as you said recently in another connection no public leader likes to be charged with inconsistency; but to escape this charge one must have been actually consistent, or if one has indeed changed one's opinions the change must be frankly acknowledged. I am going in this letter to deal only with Mr. Tilak's reply to mine as most of the other communications regarding my letter do not deserve a serious reply. They shortly amount to this, though in such polite language, "Mr. Tilak is admired by thousands of people; therefore he must be right, and any attack on his opinions or actions is deserving of all the hard words that one can command". The few days' delay in sending you this rejoinder was due to unavoidable engagements and to the necessity for finding the *ipsissima verba* in Mr. Tilak's organ.

I did not refer to his part in starting the New English School and the Fergusson College as it was mainly a personal matter and if his services in their foundation have to be acknowledged, an adequate discount has also to be made for the broken pledge of life-membership for twenty years and for the innumerable attacks, veiled and unveiled, that have been made against them in Mr. Tilak's organs and by the people of the party he leads. Mr. Tilak resigned his life-membership in 1890 nearly eleven years after the

school was started. He hints that his resignation was due to a change in the policy of the institutions, but in no place is that policy explained in detail. The object of starting the institutions was "to cheapen and facilitate education" and the public can judge whether that object has not been steadily followed. In references made to the object of the institutions on various occasions while Mr. Tilak was in the body this has always been mentioned as their object. He tries to make a point about the independence of the institutions. As to this it is enough to say that Government grants were received both for the school (from 1883) and the college while Mr. Tilak was in the body and long before any of the present members joined it, and in his letter of resignation occur the following words "Both the school and the college were registered for grant-in-aid by the Educational Department", and again, "You know how we fought for Government grant at first." So far as one can see from the documents the main object was to show that Indians can conduct such institutions efficiently by indigenous agency and we have not deviated from this object in the least. The following extract from the same letter of resignation will be interesting to your readers as showing his ideas at that time on educational reform "The proposal to add a technical branch to the school proceeds from the same cause (an alleged laxity). I do not mean and never meant that technical education is not a necessity, but the only way of accomplishing any object is to keep it steadily before our eyes and not allow ourselves to be drifted anywhere by the force of circumstances. If one thinks that he can work up another aim better, the best thing is to do it separately and not to mix up the two things together to the prejudice of both. Our aim, as has been declared so many times, is to *make liberal education indigenous* (the italics are mine R. P.) and it is necessary that all of us should keep it steadily in view." The letter of resignation is often thrown in our face as if we do not.

know it. If it is published it will only rake up old personal quarrels between men most of whom are now no more; but this may have to be done in self defence. Suffice it to say that when Mr. Tilak resigned, only one other life-member resigned with him and the services of the late Mr. Namjoshi who would neither resign nor continue to work, had to be dispensed with. The Council of the Deccan Education Society then presided over by Principal R. G. Oxenham passed the following resolution proposed by Prof. Selby and seconded by Dr. Bhandarkar: "That upon a careful examination of all the papers, the Council is of opinion that a charge against his former colleagues of being prepared, if necessary, to do what was dishonest, cannot be maintained." We need refer to this episode no more.

Mr. Tilak next claims that the ideal of self-government was not put before the people by anybody but himself and his own party. The claim is indeed very strange, to use no stronger word. The late Mr. G. V. Joshi who presided at the Dhulia Conference in 1908 and was intimately acquainted with the late Mr. Ranade and also with Mr. Tilak said in his presidential address as reported in the "Kesari" "Mr. Justice Ranade with his prophetic vision saw that in a unified India a representative system of Government would come into force as in Australia and Canada"; and Mr. Ranade died in 1901. In the preamble to the rules of the Servants of India Society which was founded in 1905 Mr. Gokhale had written the following words: "Self-government within the Empire for their country and a higher life generally for their countrymen is their goal" (*i. e.* of the members). Mr. Gokhale had told me of his idea of founding the Society when he was in England to give evidence before the Welby Commission in 1897. Several similar references can be easily given but these two would suffice to show that this is not Mr. Tilak's patent as he claims. But while both Ranade and Gokhale thought

that work among ourselves was as necessary for the attainment of this object as agitation in England and India, Mr. Tilak pinned his faith to the latter only. The world will judge which is the more statesmanlike attitude.

Then Mr. Tilak says that I have misrepresented him when I said that he advocated "unadulterated (*nirbhel*) Swarajya" or complete independence. He apparently thinks that the files of the *Kesari* have altogether disappeared from the world and that nobody can now get hold of them. But *scripta verba manent*. In the *Kesari* of the 9th April 1907 there is a leading article on self-government and good government and he therein explains fairly the idea of self-government as advocated by Dadabhai Novroji and others, and shows that it means Government in which people have control and is not incompatible with the presence of a few foreign officials. But next year after the Surat split he boldly advocates independence (*swatantrya*) as opposed to self-government (*swarajya*). Several articles treat of the difference between them as *e. g.* on Feb. 18, 1908 and in two numbers that follow. He is vehemently opposed to the creed of the Congress as defined after Surat. "The real cause of the split," he says, "was the insistence upon the conditions that the members of the Congress should be only those who profess a particular view viz., the creed and that no others should find a place there (Feb. 18"; and again "the old party should give up fixing the ultimate aim of the Congress" (March 3.) In the Dhulia Conference held at the end of April 1908, Mr. Tilak moved a resolution to appoint a Committee to consider how arrangements could be made to reconcile *all* parties in the Congress. The following is an extract from his speech on the resolution and I reproduce it from the *Kesari* of 5th May. "There is going to be moved an amendment to this resolution. It is to the effect that the word *all* should be omitted and that all who ask for unlimited independence should be excluded from the Congress.

What! don't we who say that our country should have unlimited independence (amaryad Swatantrya) belong to the country? Who has a right to say that we should not be in the Congress? Our party may be small but it will grow and perhaps the other party may crumble to dust. Why should it have impudence enough not to take in the others? The Congress will not longer be *national* if that party is excluded. The country cannot say 'sign and then you will be admitted. You cant say that, that party should be excluded which contains Babu Bipin Chandra Pal and Babu Aravinda Ghose and in which I am included.' Passages like these can be quoted to any extent but they are, I believe, sufficient to show that he did advocate independence, and it is now ridiculous for him to assume a look of innocence and say that he never did it. It is possible he may have now really changed his views, though in the Dhulia speech he hinted that the moderates were then professing the creed merely to "save their skins"; at any rate he now signs the creed when he attends the Congress. But let him acknowledge this change frankly and without beating about the bush.

On many other points referred to by him a similarly complete answer can be given. The starting of the Gana-pati festival in the very year of the Hindu-Mahomedan riots (1893) is not denied. He says he did it for infusing a "proper pride in the doings of our ancestors", but I ask why this infusion had to be begun in that very year if it was not done to alienate the two races who till then celebrated the Mohurram festival together, a practice by the way which has come down from the times of our ancestors. Passages from the *Kesari* and from songs composed in the early years of the festival and sung before Mr. Tilak himself can be easily cited to support this view. As regards inoculation he tries to befog your readers in a similar way. So far as I know, no responsible person had advocated the compulsory inoculation of every body.

There was a preponderance of medical opinion in its favour and in 1907-08 a plague committee had been organised mainly by the members of the Servants of India Society for affording relief in various ways to the stricken people. Among other measures, the Committee recommended inoculation and Government had placed at their disposal a grant of Rs. 30,000 to help them in their work. The *Kesari* was very wroth at this and chose to say that it was a bribe to the leaders to press inoculation and that Mr. Gokhale had done something heinous in getting this grant. Not only did the *Kesari* not give publicity to the activities of the Committee in its columns and thus inform the public how to obtain some help in distress, but it did not even accept a paid advertisement from the Committee. Curiously enough in January 1908, Mr. Tilak had himself moved a vote of thanks to the then Governor Sir George Clarke (now Lord Sydenham) who had asked press representatives to visit the laboratory where the serum was made and he then admitted that he was satisfied about the care shown in the process; he of course added cryptically that there were other considerations which that was not the occasion to discuss; was it, I wonder, the presence of experts on the occasion who had to be convinced and not of unscientific people who could be easily roused by mere words?

I need not say much on his attitude towards social reform. He practically admits the charge that he has not done anything for its progress. As regards his attitude on widow marriage, he says he proposed a certain course to some who were advocating it, but as they did not agree with him he gave the cause up; as if the justice or otherwise of a course depends upon the practical measures proposed by some of its advocates! He defends his refusal to sign the anti-untouchability manifesto by saying, "I am not prepared to take up the work of actual propaganda in this matter as

my own, and I refuse to sign a manifesto which would have clearly thrown that responsibility on me." I wonder if he has never expressed views favourable or unfavourable on any question unless he was prepared straightway to do actual propagandist work in the matter. Even a child can see on reading the terms of the manifesto that it committed him to no such thing but that his signature was simply requested with a view to influence men who attach great weight to his opinions and that the men who have so far signed it, including several of his own followers have not accepted any such responsibility as Mr. Tilak is afraid will be thrust upon him by his signature. I am glad that in this letter at least he has openly expressed his opinion on the point and that I have been the means of getting his avowal grudging though it may be, out of him.

On the Age of Consent Bill and the Patel Bill he says he wants social legislation to be undertaken by popular representatives and not by Government. May I then ask why he imported the cry of religion in danger on both these? The *Kisari* opposes the Patel Bill because it was opposed to *Varnashrama dharma*, that it would confuse the *gotras*, etc. The advocates of the Bill have always been ready to accept any reasonable constructive suggestion on the rights of inheritance, especially by collaterals, so far as they would relate to persons married under the Patel Bill. Further it is instructive to observe that the Bill has been introduced by a popular representative who is a Secretary of the Congress, that its supporters only ask that Government should remain neutral and allow the Indian members to settle the question themselves, and that it is Mr. Tilak's own organ that calls upon Government to use its official votes to throw the Bill out. Of course I can see that when thus driven into a corner he will maintain the present elected members are not the representatives of the people at all. But if that is so, how can the position taken

by them on some other questions be necessarily regarded as the considered opinion of the people at large even when that opinion agrees with that of Mr. Tilak ?

I do not wish to say much about his methods again as he practically admits the charge, though he says he was only imitating others. Readers of Marathi papers of olden days will form their own opinions of the writings of Messrs. Agarkar and Tilak. Mr. Tilak says that he is only using guns of a longer range. If the range has reference to the virulence of abuse, his is doubtless longer. But just as in war there are some weapons whose use is forbidden like dum-dum bullets, poisoning of wells, and abuse of the white flag, in public controversy also similar weapons should be forbidden by public opinion and discouraged by the leaders. Mr. Tilak on the other hand glories in being a great adept in their use. But I would respectfully tell him that they are not so very difficult to handle. Two can play at the game and the result will only be a further degradation of the public taste. He might have had some experience of it already in a recent controversy between two Marathi dailies of his own party. Whatever might have been formerly the case he is now great enough not to require such weapons and even to stop their use by others of his party if he will. Bad taste in journalism and public controversy soon disappears without something to feed upon.

Mr. Tilak has not cared to answer my very important allegation about his change of attitude about work in England. He also makes the statement that the Servants of India Society was started for doing political work and that it has now practically given that work up. It is well-known and can be seen from the rules of the Society that Gokhale divided the activities of the Society into various branches and their members are doing their best in these various directions considering their numbers. It is only Mr. Tilak who can venture to refuse the term *political*

to the work of Messrs Shastri, Kunzru, Vaze, Dravid, etc. Of course, if political work means only that done according to the lines laid down by Mr. Tilak and under his wing, then this charge may be true and even Gokhale, Metha and Dadabhai were not politicians; but lexicographers have not yet accepted this meaning of the word.

In this letter I have only controverted by chapter and verse several of the arguments used by Mr. Tilak in answer to my last. The constructive programme which our party desires to follow is that of all-sided progress. Social regeneration on the broad principles of justice and humanity and in keeping as far as possible to the spirit of our ancient civilisation without however making a fetish of everything old, is regarded by us as important as political reconstruction and herein we follow only men like Gokhale, Ranade and Telang. Educational progress among the masses and an increase of their self-respect *vis-a-vis* not only the ruling race but the higher caste as well we regard as a *sine qua non* of such regeneration. If Mr. Tilak and his party choose to consider this programme as a mere trick to get more recruits for our party, he is welcome to that conclusion.—Yours. etc.

R. P. PARANJPYE.

Poona, Dec. 20.

NATIONAL LIBERAL CLUB

POLITICAL AND ECONOMIC CIRCLE.

Transactions: Part 97.

The Recent International Finance Conference at Brussels.

ADDRESS

HENRY BELL

(OF LLOYD'S BANK)

*At the One Hundred and Twelfth Dinner of the
National Liberal Club Political and Economic Circle*

25th FEBRUARY, 1921.

CHAIRMAN:

THE RIGHT HON. SIR DONALD MACLEAN, K.B.E., M.P.

London:

P. S. KING & SON,

Orchard House, 2 & 4, Great Smith Street, Westminster, S.W.1

Price Sixpence Net

NATIONAL LIBERAL CLUB
POLITICAL AND ECONOMIC CIRCLE.

COMMITTEE

GEORGE LEDGER, *Chairman*;
ALFRED MILES, M.A., D.LITT., *Vice-Chairman*

C. J. MELFORD

A. J. MURPHY

E. R. NORTON

R. G. RICHARDS

S. T. FRANK UNWIN

JOHN HENDERSON *Secy*

Whitehall Place

LONDON, S.W.1

The Recent International Finance Conference at Brussels.

AN

ADDRESS

DELIVERED BY

HENRY BELL

(OF LLOYDS BANK),

AT THE ONE HUNDRED AND TWELFTH DINNER

OF THE

NATIONAL LIBERAL CLUB

POLITICAL AND ECONOMIC CIRCLE,

25TH FEBRUARY, 1921.

CHAIRMAN:

**THE RIGHT HON. SIR DONALD MACLEAN,
K.B.E., M.P.**

The toast of "The King" having been proposed from the Chair, and loyally honoured,

The Chairman: Ladies and gentlemen,—I have enjoyed my dinner immensely, but the enjoyment of the occasion was very much added to by the stories which were told to the right, to the left, and in the centre of the table; but I regret to say that by far the majority and the most pointed of the stories were those which referred to Chairmen who made speeches which were far too long; so I have taken the hint.

Our guest here to-night is Mr. Henry Bell, who is to speak

to us on the recent International Financial Conference at Brussels. Mr Bell is a banker, and we all like to dine with our banker. ("Hear, hear.") Perhaps not all of us, it depends upon the state of your account, but even under the adverse conditions in which I dine with Mr. Bell, because he happens to be, though he may not know it, my banker and I know that I am overdrawn to-night—I hope he will not make enquiries to-morrow morning—I have enjoyed myself. Mr. Bell is peculiarly qualified to speak to us to-night upon the topic which he has chosen, because he is the leading banker in one of the greatest banking institutions in the world, and he took a prominent and persistent part, if I may say so, in attendance at any rate, at the Conference about which he is to speak to us. Mr. Bell knows his subject from A to Z, because he knows the banking world from A to Z. He is a man who has carved his way solely by merit to the great position which he at present occupies. In addition to that I may say, in view of the fact that to-morrow is Saturday—he is a great golfer, at any rate I am told he will play anybody level! Furthermore, Mr. Bell is a man whose knowledge of literature is very wide, and he has always taken a deep and a serious interest in the social conditions of his fellow citizens. I know that he has been deeply affected and moved to the very centre of his being by the wartime through which we have passed. Mr. Bell is also a poet, and I will conclude what I have to say at the moment—I may say a word or two later on—by reading to you two verses of a poem which appeared in the *Times* very nearly a year ago :

“ The times are grave and wise men mourn
 The ancient Wisdom and her ways,
 The quiet folk are overborne
 Nor simple sense has any praise,
 Debt counts as wealth and pulp as gold,
 Hard work is shame and thrift is greed,
 Only the bad are overbold,
 Take heed ! Take heed !

“ We need our fathers' nobler ways,
 Old virtues founded on their Faith
 Their quiet homes, their ordered days,
 Their joy in work, their calm in Death.
 Shall we who love them, not proclaim
 Their merits for the present need,
 Their censure on our modern shame ?
 Take heed ! Take heed ! ”

Mr. Bell: Mr. Chairman, ladies and gentlemen,—I was reminded on hearing the kind words which Sir Donald has just said of me to-night, of a story which I hope you will allow me to tell before I proceed with my address. There was a gentleman coming over in a Cunarder from New York: on the first night out he called the steward and he said:—“Steward, will you please bring me a bottle of Rothenstein and one of Steinitz,” and the steward said:—“I beg your pardon, sir, but you have got hold of the passenger list, not the wine list.” (Laughter.) So when I heard my virtues recounted by the Chairman, I thought he had got hold of the wrong person. However, one is always glad to have a little kindly praise, and I thank him and you.

Now, ladies and gentlemen, we left, if you will remember, in September or October of last year to attend the Financial Conference at Brussels, the three Delegates being Lord Chalmers, Lord Colwyn, who had been the Governor of the Bank of England, and myself. We stayed some sixteen days in Brussels, and we had a very strenuous time. It was not that easy picnic which some people are inclined to think. We were not extravagant at the expense of the State, and I really think we worked very hard. Lord Colwyn on one occasion got to bed at about half-past 3 o'clock in the morning after attending a Committee and working away as hard as he could till that late hour. We had had sent to us before we went a very considerable quantity of literature of all descriptions. I have at home now, as a memento of the Congress, a great tin box which is filled with all kinds of papers. I will just read to you a few of the subjects with which those papers were concerned. They were very ably drawn up. They had been invited in some cases from anybody who cared to send in his or her views to the Delegates before they proceeded to Brussels. We had papers and statistics upon Public Finance, Note Issues, Taxation, Expenditure and Revenue, Foreign Exchanges, Imports and Exports, Gold Reserves, the Position of Silver, Discount Rates, Commodity Prices, Coal, Transport, and Relief and other Credits. There really was a vast amount to read and study. I do not know if anybody in the whole world, with the exception of my friend Paish, could have remembered all those figures without having them in his pocket and handy. At all events we had to sit with that great bundle or box of papers which we took over with us, and we were greatly assisted, of course, by those who came with us to help us in anything which we required from time to time during the Congress. The League of Nations did admirably for us in

respect of having the clearest possible Agenda, and in giving us later on in the day or the next morning, a printed account of all that had taken place during the few hours preceding. We sat from about 11 o'clock till 1, and then again from 3 to 5. I suppose we had five good solid hours, and with the figures and the difficulty of following everything, it was almost as much as we could do, especially as we had later on to attend Committees between times and in the evenings. We had, seated in this Hall of Delegates, a semi-circular Hall like a horse-shoe with benches coming down, the Representatives of thirty-nine Nations. Of course every Nation had three Delegates, and each of those Delegations brought with it a very considerable clerical staff. In one or two cases only one or two Delegates attended, but, for the most part, there were three. Just in front of us were the Belgians. A little to the right we were interested to see the three German and the three Austrian Representatives. I do not want this too carefully reported, if any reporter is kind enough to do me the honour, because I want to speak to you with some confidence to-night and tell you some of the personal and interesting points of the Conference, which perhaps might be considered rather dull without those personal touches. The German and Austrian Delegates were very quiet. They spoke almost at a minimum. They took part in the Committee meetings, but they were very quiet. Another Delegation interested me very much on the other side of the room, the American Delegation. The American Delegation, I think I may say without any uncharitableness—and I think they would agree at once—rather withdrew themselves in atmosphere from the deliberations of the Conference. Their spokesman chilled the meeting on one occasion when he rose to say that the state of Europe and the question of financial help was not within the region of practical politics until it became a business proposition. Everybody was chilled. It may have been right, I think possibly it was right. We had to say very much the same thing, though we did not go that length at all events. That was the attitude of the Americans, who withdrew themselves very much from any active participation, although I must say they sat upon the Committees and lent their advice and counsel to what was going on, but it was always with a sense that they themselves were really not coming in. We were greatly impressed by one of the most remarkable men I have ever met in my life, M. Ador. He is a Swiss gentleman. He appeared to be nearly 70. I do not think he speaks English. He spoke French. He had the most remarkable grasp over that

Assembly of thirty-nine Nations, three Representatives of each. He had a remarkable grasp over the proceedings as they went along. He had some power which I was always trying to define. I was interested in this gentleman sitting up there on a high seat and facing us. He never, as far as I know, substituted one word for another. From his lips came short sentences, uttered *staccato*, which impacted themselves, if I may invent that verb, upon us all, and everybody seemed to follow him. He went through the whole of the fortnight or more with the entire concurrence of the audience, and only on one occasion did I see him a little bit discomforted. There was the Representative of Luxemburg there, a very nice old gentleman, the single Representative of Luxemburg, and when he came to make his Financial Reports, which had, in the case of England, France, Germany, and every other Nation, to be restricted to ten minutes, he went on for thirty-five minutes, rather disproportionate for Luxemburg. M. Ador used to look over to the old gentleman to see when he was going to stop. He was very merciful, however, and never did stop him, and at the end of the thirty-five minutes we had heard all about the finances and budgets of Luxemburg.

We were surrounded by Reporters, seated up above us in the gallery, who very soon lost interest. They, not unnaturally, lost interest in the early days of the Conference. That, I think, was inimical to some extent to the complete success of the dissemination of the views of the Conference, but it arose in this way. Each Nation was asked, through its spokesman, to give a ten minutes' *exposé* as it was called, a Report, as we have it, of the budgets of the country which he represented. They each came forward—Lord Chalmers, the French Minister, the Belgian Premier, Serbia, Esthonia, Bulgaria—everybody came forward—and for ten minutes or a little more told us just exactly what their budgets were and what their monetary position was. I made it a great point of being present the whole of the time, because I had gone out with almost an *idée fixée*. I had been reading for months before these Reports, and out of all this mass of miscellaneous literature I began to gather an idea, one central idea which I began to see burning like a light, as it appeared to me; so I listened with very great care to what was read by these different Representatives of their Nations. All the proceedings were bilingual. If somebody spoke in French the Englishmen were provided with an English translation; if the speaker was going to speak in English, there was a French translation prepared. That did away with the

tedious process of reading everything twice, but when prints had not been obtained everything had to be done twice, that is to say, if it had been in English it had to be repeated in French, and if it had been in French it had to be repeated in English.

I found there at Brussels a remarkable set of men, men who were not entirely translators but men who have a peculiar ability in rising and repeating the exact phrase and the exact meaning of the phrase which had been uttered, for instance, in French into the very best English, and English into the most felicitous French, and there was not that difficulty in understanding one another's speech which there is bound to be in the most exact translation. I spoke to them about it. I complimented the leader. I said to him:—"This is very wonderful, have you any special ability?" "No," he said, "I suppose it grew, I began to do it and I found I could do it." He had the most wonderful faculty. He would hear a comparatively long speech by, say, M. Ador which had not been prepared, he would listen and hardly take a note, and then he would get up and repeat it all in English in the same order—an effort of memory and of translation which was very interesting.

Now, to return to my subject, the *idée fixée* which I had had when I went out was this. I had read these rather formidable statistics and tables, which I am sure would bore many of you to death. I suppose they would bore the ladies even very much more than the men. They did not appear to be very interesting. They appeared to be interminable and very difficult to follow, but I thought I had got the track of something, and I am perfectly clear that I had. I do not know whether you will agree with me when you speak afterwards. I took out for my own guidance (and listened to each speaker as he spoke and checked my figures as far as I could) the expenditure of each Nation upon warlike objects, the expenditure of each Nation upon ordinary civil expenditure, and the deficit. I only asked for three factors—warlike expenditure, non-warlike expenditure, and deficit. I have to warn you, as I have warned others with whom I have spoken, that the figures which I hope you will pardon me giving you—they are very few—may be inaccurate, but that is not my fault. We had statements made by the Representatives of the countries themselves, Finance Ministers and others, and they themselves said they did not know if they were quite accurate; in some cases they would put a note at the bottom of the statement:—"This may have to be adjusted." They also in many cases mixed up certain expenditures, and there-

fore it was very difficult to know how much precisely was war expenditure and how much was what might be called normal peace expenditure.

Now, most of these budgets were for 1920. Then again some of the Nations were short of a budget: they had not had a budget since 1919, and they did not know when they would have a budget for 1920. These were some of the budgets for 1920. I will only take a few, because I do not want to bore you.

Belgium, for instance, had 8,900,000,000 francs of expenditure other than war; the expenditure on armaments or arising directly out of the war was 6,000,000,000 francs—fancy that for little Belgium—and a deficit of 5,000,000,000 francs; that is to say, for every nine spent on peace six was spent on war and five deficit, which means that if that happy time could ever be arrived at where you did not have that expenditure of 6,000,000,000 francs, you would not have this 5,000,000,000 deficit in the budget. ("Hear, hear.")

In the case of New Zealand—and here I might be put right at once because I had figures which were mixed up—I estimate £52,000,000 ordinary non-military expenditure, £28,000,000 estimated military expenditure, with a deficit of £25,000,000. That is probably a little overstated, but that is not my fault; it is the fault of the way in which the budget is presented.

Then Spain. Curiously enough, we were much interested and not a little amused by the Spaniard, who I think had the largest Delegation of anybody at the Conference, coming forward and saying that of all the woes that fell upon the world, the unmerited woes, the Nations that had suffered most had been the Neutrals, and they put it to us, who were so wealthy and had suffered comparatively little in the war, that a Nation like Spain really deserved our most sincere commiseration for what she had suffered. Spain does not estimate her war expenditure, so I will not quote it.

I will come to the larger figures—Germany, 52,400,000,000 marks non-military expenditure. The war expenditure is not stated specially. The resultant deficit is 24,500,000,000 marks. France has the most remarkable figures of all, 49,000,000,000 francs peace expenditure, 35,000,000,000 francs for war, with a resultant deficit of 27,000,000,000 francs, and that was after taking into account 21,000,000,000 francs owing from Germany which had not been received, but which had none the less been put into the budget. Otherwise the deficit, instead of being 27,000,000,000 francs would have been 48,000,000,000 francs. You can understand what the position of France is to-day—deplorable and lamentable.

It was curious that Neutral Nations even like Switzerland had spent 300,000,000 francs on war expenditure. She had had to mobilize an army while at peace to watch her boundaries, to guard her frontiers in case anything happened while there was this war raging, and to provide bread for her own nationals. The cost of her food had gone up although she was profoundly at peace, or might have been supposed to be profoundly at peace.

And the same in the case of Norway and Sweden.

I do wish each lady and gentleman here would make it her and his duty to provide herself and himself with these figures—there are only ten or a dozen of them—just to see what it means in reality.

These statements seemed to me so grave, as I sat there day after day listening, that I thought: Well, if there is ever another war there will never be another Brussels Conference, the thing is too silly, too stupid, and unless the statesmen of the world and the peoples of the world fix upon one thing, a reduction of warlike expenditure, I believe Europe is going inevitably into bankruptcy. I am not a Pacifist. It may be that in life one would sometimes rather go into bankruptcy than suffer some wrong which was intolerable. I quite agree. What I am arguing is this—Cannot we all agree that we will go on without killing one another? I seem to hear a Great Voice coming from Heaven, which I still believe in these days, a Great Voice saying:—"You funny little people living upon that round globe, you are separated by a different *patois* in some cases, a few mountains and rivers sometimes intervening, you might be supposed to trade with one another, to exchange with one another your views, to read one another's books, to look at one another's pictures, to visit one another in your different countries, to see the beauties of your different countries, you might be supposed to have been created to be friendly, you have taken a different view of the creation of the world than that apparently, you have supposed it to be your duty to cultivate the earth, to make profits from your business but to waste and spend a very large proportion of them in getting cannon and gun to fight one another as soon as the opportunity comes along." I do not think we shall ever get any economic peace or any economic rehabilitation until this soaks itself into the minds of men and women.

The curious paradox to-day is this, that the country which, in my judgment, killed our sons, is being saved this economic waste. We are saying to Germany and to Austria: "You must not spend any money on war preparations, we

will spend it, you are absolutely safe, nobody is going to attack you." I do not think anybody who dislikes any of these nations wants to go and attack them wantonly. Nobody would allow Germany to be wantonly attacked, but we say to them:—"You must not spend any money, you must use all your money on economic objects, we will go on spending £327,000,000 per annum," and other nations too—not that we are necessarily worse than other nations—but we say to Germany:—"You must not." If there was one absurd thing economically—it is very humiliating nationally, I agree—but if there is one thing economically foolish it is to say:—"You must rehabilitate yourself as soon as you can by not having this great expenditure, while we, on our part, will delay our rehabilitation economically by persisting in this expenditure."

Now, after making these various Reports, we were divided off into four Committees. One Committee talked about that difficult question of Currency, that is, the making of bank notes, how many bank notes you ought to make, and what you ought to do if you have too many, how many you may be allowed to create, as it were, in a certain economic emergency—another talked upon Public Finance, another upon Trade, and another upon remedial measures which are known by the title of Foreign Credits. I wish you ladies and gentlemen would read those Reports again. I know that I am imposing a duty upon busy people, but they are very short and there are only four of them.

Then we had a remarkable address by the son of one of the Speakers of the House of Commons, Mr. Brand. It was really very nice to hear an Englishman reading, from an uplifted position near M. Ador, a most remarkable and able Paper, as I thought, upon Public Finance or some kindred subject, and everybody thought very highly of it. I would like to say, if I may with all modesty, (and I am not referring to myself for a moment or to the other Delegates), that it was a little touching that a great deal of deference was paid to British opinion. You have no idea, ladies and gentlemen, how England is looked up to on the Continent to-day, or how its weight tells, or how its Finance is judged. They think we are a very remarkable people. I do not know if they love us, but they say so at all events, and I really think they were honest and straight. Nothing had to be said that was smoothing and flattering; nobody attempted that. They said what they thought perfectly frankly, and said what they had to think. There was that feeling in the Conference. We went about our duties in the Committees and there we

sat ; we heard nothing brighter, nothing more helpful there. We said :—“ We have no palliative, we cannot help it. The position is this : there is a sick man lying in bed ”—we did not put it in this way, but we put it to ourselves—“ he calls for a doctor, he says to the doctor : ‘ I must, please, be got up out of bed by Monday week, I have an appointment and many important things to do, and I must be up by Monday week. ’ ” We have all been at some time in our lives in a similar position, and we all know what the quack doctor says, and what the wise doctor says. The quack doctor says : “ Very well, I will see that you will get up all right.” The wise doctor says : “ I am sorry, you cannot be up on Monday week, and there are certain conditions only upon which you will ever get up ; for instance, you may have to be very sparing in your food, you may have to be very tenderly looked after, you may have to cultivate sleep, you may have to get up shortly under convalescence, and then a good deal will depend on you yourself ; I shall require you to do this and that, I shall require you to take a certain amount of exercise, I shall require you to abstain from something.” That is the honest way in which a doctor talks to his patient. If my parallel is right, that is the only honest way to speak to other sufferers in other spheres. At all events, that is the way we judged and, as a banker, I will never depart from what I think right if the whole world is against me, if I think economic truths are not followed. I am still going on to state them as I see them.

Now, about Austria we heard some strange and wonderful things at the Conference. In Austria, when the great armies came home from the war and there was nothing to do—industry was shattered—the State was confronted with millions of men who were perforce idle and without any means of livelihood. What did they do ? Among other things, where there was one railway porter they put six or eight, and those men had to be paid the rate of wages of the day ; there was no money to pay them, and so the printing press was brought in and turned round so many hours day and night until bits of paper were produced to pay the men who were doing nothing on the railway but had to be kept. Very shortly these pieces of paper became more or less valueless, and these men said :—“ We cannot buy tea, bacon, bread, and sugar, we cannot pay our rent, we cannot feed our children, we cannot clothe our wives and ourselves with these particular numbers of pieces of paper, we must strike for double that number of pieces of paper.” Very well. Then the printing press went on again and double the numbers of

pieces of paper were produced—not things, symbols, which did not mean things.

I had in my bank the other day one of the very latest of those who have got away from Russia. He said:—"Before I left I paid £36, pre-war price, for a glass of milk; I gave £400, pre-war price, for a loaf of white bread; my living expenses were £8,000 per month, or £96,000 per year, pre-war price, in paper to enable me to live; and the Russian Government, seeing that it was objectionable to have every pocket in a man's suit bulging with paper enough to pay for a loaf of bread or a cab drive, or any of the small necessities of life, are printing now pieces of paper, bank notes, of 25,000 and 50,000 denomination of roubles to save carrying more notes.

We had evidence, I am very sorry to say, not only of great disorganization but of something worse, dishonesty. I am not an apologist for any Old *Régime* on principle, but it is the case that the New *Régime* of Europe is not as honest as the Old *Régime*. The Americans brought from America hundreds of thousands of pounds' worth of tinned goods, milk and other things, to Austria. They were put in trains at the ports to be taken to Vienna, where the Austrian children were dying. Those trains were held up at every junction until a bribe was paid to the stationmaster, in order to let the trains go through. You could not buy fresh milk in Austria, and American milk had to be brought over; but across the frontier, thirty miles away, farmers were feeding their pigs on fresh milk. We had to say something about this. It was not said openly, it was said largely in conversation. To those Nations we said: "Now look here, you have had old quarrels, old grudges, you will not part, one with his pigs which are wanted there, and the other with his milk which is wanted there; you perforce require other nations to bring thousands of miles these commodities which you require; they are not going to do it, you will have to get busy and exchange your commodities and resolve all these ancient grudges." The answer was: "Well, we might exchange certain commodities for others, but we are not, in this country, going to sell our milk for a number of notes which are worth nothing to us and with which we can buy nothing when we have them." And so the exchanges were all demobilized.

We then came to the one remedial point which we wondered if we could settle upon. There was a remarkable gentleman, a Mr. ter Meulen, a modest banker, if such a thing is possible, of Amsterdam, of the great firm of Hope & Co., who came forward with a recommendation which I would like you to read at some time, but which I ought not to trouble you with

to-night. The idea, very shortly, is this—that people belonging to the poor nations should go to their Government, and, on terms, get bonds from them, and with those bonds should come over to nations like ourselves and seek to buy goods, and in exchange for a promise to pay for those goods in twelve months' time, leaving the bonds behind them as a pledge for the money, get ploughs, agricultural implements, and other kinds of commodities which they want. The problem was—will the English buyer, the man in London or Birmingham, or anywhere in England, part with his goods on the promise merely of this man to pay in twelve months if, in addition, that man also left behind him certain bonds issued by, say, Serbia? Well, the merchant in London or elsewhere might say. "I might get paid at the end of twelve months by my creditor, but supposing he does not pay, what can I do with this piece of paper, this Serbian bond?" The League of Nations, at the suggestion of Mr. ter Meulen, said: "Well, we will do our best to make that bond a good bond; we will get the nation which issues it to secure it, as far as it is possible to secure it in these circumstances, by some definite revenue, railway receipts, import receipts at the ports, some specific charge, some monopoly on tobacco or what not, which produces a revenue and which will be always certain of its interest coming along to meet the interest on the bond, and which will make that bond to some extent a good bond; we will not allow those bonds to be issued for an unnatural amount; we will allocate a certain amount to each nation; we will not let them be used for buying pearls in Bond Street; they must be used for buying the real necessities of life, and we will do all in our power by moral pressure and by proper supervision to make that bond a good bond, so that the Englishman may feel fairly well assured when he sells his goods that he will eventually get paid."

We are trying to better that Scheme. The Government is really trying hard, and I think the banks are trying hard, notwithstanding what might have been said. It is a difficulty of degree and proportion and how just to do it best. That I think may come round. We hope, therefore, in Brussels to be something actually remedial, and I still have hopes that that measure, or some such measure, may be found to be practicable.

What good did this Brussels Conference do, apart from that? We did, in a human way, get to know one another. We have all experienced, I suppose, meeting a great number of people and feeling: Well, we shall never get to know these people; who is the old gentleman with the white beard,

who is the young man who looks particularly intelligent, who is this and that, and all that kind of thing. But it is remarkable how the human mind in a fortnight gathers to itself impressions and puts something definite to those impressions; you get to know people, you meet them and talk with them, and they say: "When you come to our country come and see us," as we say, "When you come to our country come to see us." I have had, I suppose, eight or ten of such people from many curious parts of the world coming in since, even in a few months. Of course most of them come to London at some time or other to talk over things, and to see if it is possible to do any business. At all events, there was a very kindly feeling among all those people.

The Reports of those four Committees dealt with hard work, which is the greatest necessity of our time, everybody putting his back into it, honest good work, trying to avoid extravagance and a great many other things. When we brought those four Reports to M. Adol, he explained them and read them over to the whole Conference, and every one was agreed to unanimously. We parted in a friendly way. I believe there is some idea that in another year we may meet again, that is, after an interval of two years, to see how things are going on and if we can be of any good.

I am afraid, ladies and gentlemen, I have detained you at a shocking length, but I hope you have been interested. (Applause.)

The Chairman: Ladies and gentlemen,—I ask you to drink the health of our guest, Mr. Bell, with our heartiest and most grateful thanks for his splendid, instructive and eloquent address—Mr. Bell.

Ladies and gentleman, I understand it is the custom of those who occupy the Chair at these delightful gatherings to say a word or two at the conclusion of the address of the guest of the evening. In compliance with that command I should just like, if I may, to make a comment or two. The first one arises from a remark of Mr. Bell towards the end of his address with regard to Bankers and the Government. He claimed that the bankers were doing their best. I am quite sure that they are. It is sometimes as difficult to defend a banker as it is a lawyer. It is enormously to their self-interest that Europe should be got going, that any means which are at all practicable should receive their warmest support, even to the very margin of the risk which they can possibly take. But after all we must remember that our great banking institutions are the very linch-pin of our national

financial safety. Once the public got it into their minds that the banks were not in a thoroughly rock-like condition with regard to stability you would get that horrible thing called a run on the banks, and once that started no man or woman could see the end of it in such days as those in which we are at present living. The first duty of a banker, I quite admit, is to his depositor. The bank cannot work without the depositor. The bank simply comes to an end unless it can retain the confidence of its depositor. You cannot expect bankers to launch into schemes and to take risks which they in their judgment—and they have world-wide knowledge of these matters from daily contact with every centre of commerce and industry—feel that they are not justified in taking. I am quite certain of this, at any rate, that the bankers of London and of this country are influenced not in the slightest degree by what is known as Party Politics; they are acting solely and absolutely in the interests, not only of those great institutions which are given into their charge, but of the nation itself.

There are one or two things which our guest said to-night which I confess stirred me deeply. The first point was his remarkable statistics with regard to military expenditure. Staggering they were. But let us take a lesson unto ourselves. Mr. Bell says that Europe is looking to us. These little people, many of them only just enfranchised from the slavery of centuries, are burying themselves in huge deficits caused by military expenditure. They are looking to us. What sort of a lead are we giving them? In the last two years we have spent on our Military, Naval, and Air Forces no less a sum than 882 millions. ("Shame.") It is a shame. Mr. Bell talked of a moral lead. Unless this nation grips this cancer which is eating out the heart of any hope for the future, the days yet to come are dark indeed.

Another point which our guest made which came home to me very forcibly was this—the hope that he expressed that the Statesmen or the people would take this matter in hand. I do not aspire to belong to the class of Statesman myself, but if I did I would speak just as frankly as I do now. Statesmen are hopeless in the matter. It is the people who must take it in hand. The tops of the pyramids have been in communication with each other all these centuries, old gentlemen who are decorated by all the Orders with which their country can dignify them, have met in secluded rooms and talked in dark corners of what they call foreign politics, and a nice mess they have made of it. Europe drenched still with blood, tears rolling down the faces of the nations

of the world to-day, because of the muddle they have made of it. In our foreign policy, unless we see to it that the people themselves, the men and women, become politicians in the true sense of the term, and the women of the world understand that foreign policy is their business as much as that of the greatest Statesman who ever lived in Downing Street, I tell you there is no hope for the avoidance of another catastrophe. The world is whirling in that direction to-day. How often in the last two years, to my own knowledge, have we been on the verge of another catastrophe. We do not know of it, and unless things are altered the people will not know of it until they hear the guns again. I say, Sir, you are right. Unless the people take hold, unless everybody makes it their business to take their share of responsibility in these matters, we shall never repair the ravages of the war.

The last point I wish to make is this. It is delightful to hear a great master of finance talking about high finance. All those little simple illustrations, as they seem to us, of what currency means and what paper means, are high finance. All the principles upon which great things move are perfectly simple—"Hear, hear."—and unless we can get it into our heads that the future of nations, financially as well as in other respects—but we are only dealing financially at the moment—is based upon the same simple principles that govern the ordinary man or woman living in a £20 a year house—unless the nations run their finances upon the same simple principle of honesty and fair dealing we shall never get right again. All the talk about stabilizing the exchanges and that kind of thing will never make up for that. We must get down to the realities of the situation. What the nations of the world are confronted with is the awful results of not facing the facts. It is the facts that matter, and the fact is, whether we like it or not, that we are thousands of millions poorer to-day than we were in 1914. The Government does not realize it; the opposition does not fully grasp it; the people in the street do not realize it, but the grip of unemployment is beginning to bring home the lesson to us.

As to the future, our guest touched upon the question of the future of the world in and through the League of Nations. There they were, men speaking various tongues, strangers to each other, former enemies, and he tells us that by meeting together and talking together there grew up, notwithstanding the bar of language, a note of human understanding. How interesting that was. I could almost see it myself, I could feel the atmosphere of it, a note of common human understanding and a method by which to find a way

out of the world's tragedies. It cannot be done by arms and hostilities. As I speak to you here to-night the picture flashes into my mind of a visit I paid to the Front while the war was still raging. Driving back to headquarters—it was a moonlight night, about half-past 10 or 11 o'clock—we passed through a part of the devastated territories, and as the car sped along at a breakneck pace there flitted by the window nothing but the ghosts of towns and villages and tiny hamlets. We slowed up, and as we passed through one of them I looked out of the window and I saw walking through the runs of a group of houses a young French soldier hand in hand with a French maid, and the words came to my mind—“Love amongst the runs,” the hope of the future was those who loved and trusted each other. Ladies and gentlemen, that kind of trust and confidence between one nation and another is the only way out.

I join with you once again in thanking most heartily and warmly our guest for his speech to us to-night. (“Hear, hear.”)

Sir George Paish : Sir Donald Maclean, Mr. Bell, ladies and gentlemen,—I did not come here to-night to make a speech, but I would like to express my very great gratitude to Mr. Bell for the address he has given. That address has been most excellent, not merely in matter, but in spirit. (“Hear, hear.”) It is that which I think we appreciate most. What the world needs at the present moment is the spirit of benevolence, and Mr. Bell has that spirit. If we could only endow the world with benevolence at the present time so that we could lose our hatreds, it would be the first step towards reconstruction. We have not reached there yet. We still hate each other and we are going deeper down into the pit of trouble and of misery.

With regard to reconstruction, it is essential that we should all recognize that reconstruction depends upon each one of us. Mr. Bell referred to the Ter Meulen scheme which is based in large measure upon the receipt of foreign Government bonds in exchange for the goods that we might sell; that is, if the merchant who buys our goods is unable to get the exchange; and we have to provide it. It means just this, that in order for Europe to be reconstructed the investors of the world must find the money. It would not be right for the bankers to buy these foreign Government bonds, the risks are too great. I do not mean to say, especially with regard to certain countries, that they are more than the normal, but it is not the business of bankers to buy bonds, it is the business of

bankers to lend their money on most approved security, and to have a very large margin between them and possible loss. It is the business of investors to buy bonds, and this great sum of money which Europe will need for reconstruction must come from the investors of the world. You will remember that during the war when we needed money, when the Entente nations needed money, the money came out of the pockets of investors. Our Government issued Government Loans, and in subscribing for those Government Loans we were paying our exporters for goods supplied to the other Entente nations for which they could not otherwise get paid. The American Government did the same thing. It issued Liberty Loans, and out of those Liberty Loans American exporters got paid for the produce they sold to the Entente nations of Europe including this nation. Since war came to an end it has not been possible, or even desirable, for the Governments to issue Government Loans to finance the sales of our exporters, and the consequence is that the trade of the world is, in a measure, falling to pieces. Stocks of goods all round the world are now accumulating in a most extraordinary manner, but they would have accumulated long since if it had not been for the bankers of the world. As soon as the Government stopped issuing bonds to investors traders had to go to their banks and borrow, and the bankers of the world have done right royal service in preserving the world from mischief in the last eighteen months, or two years. The American bankers in twelve months found 800 millions sterling of additional credit; the British bankers in a single twelve months found over 400 millions; and in about eighteen months they found nearly 600 millions sterling. If you recollect that before the war they only found additional money to the extent of 30 or 40 million pounds a year, you will realize that for them to find nearly 600 million pounds of additional credit in eighteen months was a service for which we cannot be too grateful. They have enabled us to get through up to now. The task, however, is too great for the bankers; they cannot go on; and it is for investors in this country, and in other countries, to find the credit which Europe needs for reconstruction and to buy our goods as well as the goods of other nations. It is because that credit at the present time is not forthcoming that those goods cannot be sold. I sincerely hope that this Ter Meulen plan will be a success and that when these bonds come forward our investors will buy them. But it depends on whether we have savings that will enable us to buy; and that in very great measure will depend upon how much

our Government is spending. ("Hear, hear.") At the present moment the Government is spending so much that there is practically no saving in the country, very little at any rate. It was possible for us to spend great sums of money upon Government during the war when we were creating paper. We were able to spend those great sums when we were issuing some 2,000 millions of debt in the course of a year; but we had to stop issuing debt, and now that the issue of loans is stopped, we cannot find those great sums out of our income. It is not possible. We must get our expenditure down. We have to get it down in order to balance our own Budgets, and we have to get down in order to be able to finance Europe, to help to finance reconstruction and so enable Europe to pay ultimately in goods for goods. Until that time comes the situation will be exceedingly unsatisfactory. Unless we assist Europe to recover you will have starvation on the Continent on a great scale, and if there is starvation then we lose our markets for ever. It is essential from every point of view that we should do our utmost to help to finance Europe and so preserve ourselves not only now but throughout the future. ("Hear, hear.")

The Chairman: Gentlemen, the discussion is now open.

Mr. Lupton: Mr. Chairman and gentlemen,—I should like to make two or three general observations. I have listened with immense delight to the speeches that have been made at the table to-night, particularly to the noble declaration by Mr. Bell about the necessity of the nations being friendly one to another, to your own declaration, Sir, about the urgent need for economy in the Government, and I need hardly say to Sir George Paish, because I always sit in great humility at his feet and admire everything that he says, and on this occasion I am quite sure that the whole of this audience will agree that no admiration can be too great. Now is the time for the British nation to show that it can do great things in the way of doing good. It has done great things in the war; it has shown itself to be the most powerful military country in the world; now it can show itself to be the most powerful saviour in the world. I do not wish to say more powerful than our friends across the Atlantic, more powerful than that great and glorious nation in America which sprung from us 200 years ago, not more powerful nor better than that, but we are here on the spot, and if we help as advised from the head of the table to give the starving nations of Europe that aid which is necessary to enable them to work,

to enable them to buy from us that machinery and those goods which are necessary to clothe them, to save them from destruction and to promote their agriculture—if we do that, not only shall we be a great saviour nation, but, as always happens to people who do good with the right mind, we shall save ourselves; we shall put an end to unemployment stalking through the country in such great strides. I do not know that this country has fully realized that we are now at the greatest epoch in the history of the human race. We have heard speeches about the League of Nations, but has it been fully realized that a League of Nations was not possible until quite recent times, when the steamships, the railways, and the telegraphs have made communication all round the world so easy until we can communicate with Peking more rapidly than we could communicate with Edinburgh a hundred years ago. Now for the first time in the history of the human race has it been possible to have that League of Nations, that League of Nations which says to the peoples of every country, "Now then, bring your differences to us and we will settle; your honour lies not in your swords and your bayonets, your guns and explosive mines, your honour lies in bringing your little disputes to us, the Tribunal, the great Parliament of man." Let us think what a glorious epoch we are privileged to live in when now, thanks to President Wilson, the League of Nations has been established, when, thanks to the energies of this country, the League of Nations will be improved, and when we are privileged to witness the birth of this great new era in the world which will, I think, reform men's minds and mark out a new civilization which will last for many thousands of years.

Mr. Emery: Mr. Chairman, ladies and gentlemen,—After the last speaker I feel somewhat diffident in making a criticism upon Sir George Paish, but it did strike me that it is necessary in addition to having money which, of course, is an absolute essential, that people should have confidence. I do not think it is of much use asking the British public, or that part of the British public favoured with any surplus of income, to invest money either at home or abroad unless they are satisfied of two things, first, that their capital is reasonably safe, not absolutely, but reasonably safe, and, secondly, that they are likely to get some adequate return for the investing of that capital. Unfortunately, whatever we may wish to do with regard to European Powers, and other Powers outside home, the security at the present time is not such that would warrant an ordinary prudent man

putting very much money into it. Even taking our great Ally, France, I daresay there are people here who were induced to support the French Loans. If so, they will know from painful experience that the return they are getting now is totally inadequate, and that their money is none too safe. You ask them to put further money in. It seems to me that unless our financiers, our bankers, our Statesmen, can guarantee that there shall be something like adequate security, it is not very much use putting before the investors of this or of any other nation a great International Loan.

That, Sir, brings me to what I believe is after all the only solution, that you have to get the solvent nations agreed so that they will on their part guarantee the loan, and that you must entrust to them the powers without which the solvent nations would not give a guarantee; powers to enable them to enforce payment on the part of the nation to whom credit is given; in other words you must give them power, if necessary, if the interest is not forthcoming, to appoint a Receiver.

There is one criticism that I would like to make—and I do it with great diffidence—of our Chairman. He has told us that in the future we must look to the people. Yes, quite true. But do not let us, democrats as we are, forget that the people must always speak through representatives and they must always be influenced by leaders. I trust the British public if they are instructed and properly led. I do not trust the British public unless they are so led. No one with any knowledge of recent events can doubt that the average ordinary British public, men or women, are so taken up with ordinary every-day affairs of life that many of them have no time or inclination to study these problems and, therefore, they must always be more or less directed and led by people who make a speciality of these things. We need Statesmen. A Statesman is not some one who listens to what people are saying at the time, but is some one who, knowing the past, appreciating the difficulties of the present, and looking at the clouds that may be gathering in the future, is able to instruct the British people and lead them. I think that what we need at the present time is more Statesmen, not less. We want more teachers, and only in that way can you have an instructed democracy. It is not a question of Statesmen *versus* people, but a question of Statesmen leading people and not mere politicians who may be listening to what people have to say and, therefore, using them for their own particular purposes at any particular moment. We have seen too much of that sort of thing, too much of what-will-go-

down-with-the-people. What we want is to see that the people have the facts put fairly before them, and I hope and trust that we shall have many others like our Chairman this evening who will see that they do, and that we shall have financiers and men who have made a speciality of their own particular branch of politics and finance who will come forward, as our guest to-night has come forward, and speak to us and entrust us with a message which we all shall pass on to those with whom we come in contact, and thus in ever-widening circles get the people instructed how ultimately to vote on these matters, at any rate knowing something about them and because they have confidence in the people whom they have chosen as their representatives.

Mr. Marlow Reed: Mr. Chairman and gentlemen,—I am very sorry that my wife is not here to-night. I had a letter this morning telling me that I had been put down to propose your vote of thanks to the Chairman. When I told my wife that, she said "Yes, I suppose you think that is a very important thing; I am always bored stiff with these little things." Now, I am perfectly certain that I could not pay a greater compliment to Mr. Bell and to Sir Donald than to say that if my wife had been here to-night she would have appreciated every word that they said. That is a test of good speaking. When these great people can talk down to ordinary minds and be appreciated, well, they are sufficient Statesmen for my purpose, at any rate on the present occasion. We have been favoured very much in this Club this week. Two of the greatest speeches, without any oratory, or without any warning, but pulsating with actual fact, have been delivered in this Club this week. I only wish to God that the whole nation could listen to them. One never realized that there was so much emotion and morals and ethics under these figures until one had them put forward to-night.

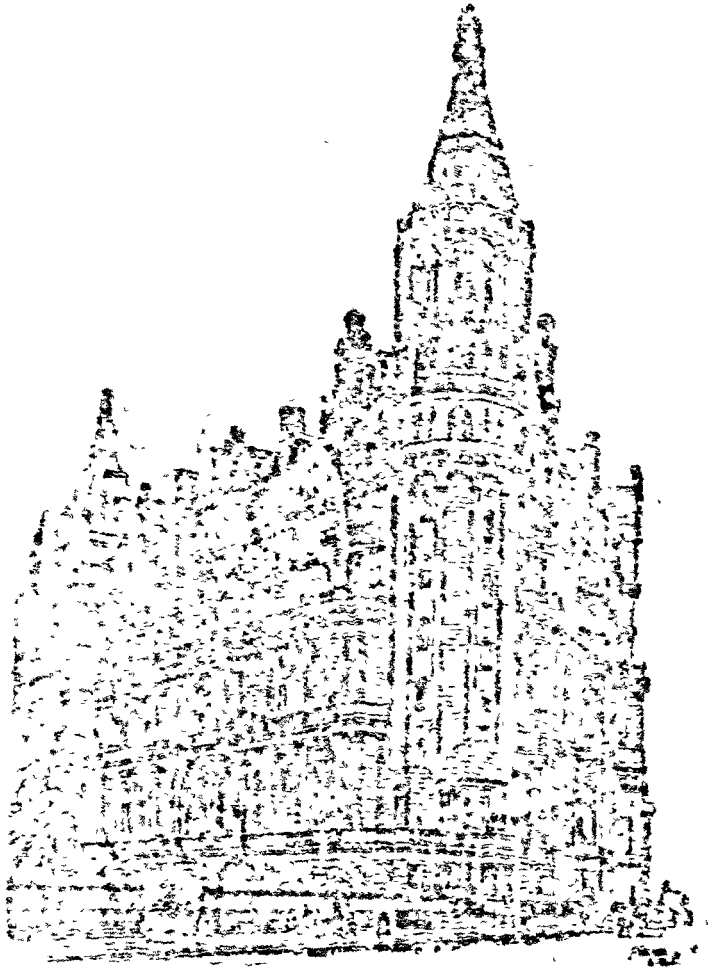
My task is to ask you to drink, if you have got anything left to drink, the health of Sir Donald Maclean, who has performed to-night a very splendid function in his analysis and emphasis of the real spirit and point of the address that Mr. Bell gave. Really we have not had much of Sir Donald in this Club, but upon my word, I think he is the right man in his place in the House of Commons. He has got a very small party to be Chairman of—I understand that that is his title—but I can see very well that he can make up a good deal for lack of numbers so far as intellectual force is concerned. I am sure that this toast—it is not a resolution, and I am glad that it is not, because every resolution that I move in this

Club is always turned down, and I thought when I got Mr. Henderson's letter—Now here's the chance of a lifetime. I have got a resolution to-night that will be carried unanimously; and, of course, I shall claim the credit for it, but it will be the subject of my resolution to whom it is due.

Ladies and gentlemen, will you drink with me, please, the good health and continued prosperity of our good friend, Sir Donald Maclean.

The Chairman: Mr. Marlow Reed, ladies and gentlemen,—I thank you for the kind vote of thanks which you have passed. Mr. Marlow Reed very kindly said that I had not been seen very much in this Club. Well, I hope to remedy that in the future. There are other duties which, I am sure you will agree, claim the attention of those who have the political beliefs which most of us here at any rate have. I do not know what are the politics of our guest of to-night. I only know this, and it is a sheet anchor to me, that he is a good Free Trader at any rate. Thanks are not due to me at all. It has been the greatest possible pleasure to me to come here to-night and I have—I repeat it—thoroughly enjoyed the speech which has been addressed to us to-night by Mr. Bell, and if he will allow me, I should like at the close of these proceedings to tender him once again our most grateful thanks for his presence and speech to-night.

Mr. Bell: Mr. Chairman, ladies and gentlemen,—I will not detain you at all now, you have been so kind to me, and so good, and you have thanked me so much by listening, and, as you know, that is the very greatest compliment you can pay to a speaker. I am obliged to you.



NATIONAL LIBERAL CLUB

100, WHITEHALL PLACE, LONDON, E.C. 4

Telephone Number:
ENTRANCE WHITEHALL, LONDON.

Telephone Number:
4051 REGENT (5 Lines)

The Madras Parliament Transactions

We bring the Light that saves, we bring the Morning Star.
Freedom's good things we bring you,
Whence all good things are.

386

No. 3

Madras Panchayats Act

Act 1 of 1916

With the Speech of the Secretary of the Local Government Board,

(MR. T. RANGACHARI, B.A., B.L.)

On the Second Reading of the Bill

On November 27th, 1915

THE COMMONWEAL OFFICE

ADYAR, MADRAS, INDIA

1916

MADRAS PARLIAMENT TRANSACTIONS

ACT I OF 1916

THE MADRAS PANCHAYATS ACT

INTRODUCTION

IN the Madras Parliament, an institution recently started by Mrs. Annie Besant for training Indian adults in the art of Parliamentary debates, it fell to me to prepare a Bill for organising and establishing Village Panchayats in this country. I had therefore to study the subject carefully and, as a result of that study, the conviction is forced on one's mind more than ever that the art of Self-Government in this country, at any rate in the southern parts among the Dravidian races, was prevalent in all its vigour and so completely, that the statement of Sir Thomas Munro that the villages were "small Republics in themselves," was no mere figure of speech. I am indebted very largely to an esteemed countryman, the Hon. Sir C. Sankaran Nair, C.I.E., who has made a special study of the subject, and had collected and arranged most of the materials available, and he placed them freely at my disposal for my study and use. Having regard to the times through which we are passing, I have thought it right not to indulge in criticism to any large extent, but propose to content myself with stating the facts such as they appear to be on investigation, and giving extracts from notable utterances and merely suggesting the possible inferences. A true perception of the causes which have led to the disruption of this ancient institution is necessary for making a successful attempt at

reviving it. It is with that object in view that references are made to the state of affairs which prevailed in the first half of the last century under the East India Company's rule. The Bill introduced by me is based very much on the provisions in the existing laws here and in other parts of the country, and may be described as a modest measure. Before the inherited instinct of the people for Self-Government is altogether extinguished (one may almost say we have reached that stage already), it behoves those in authority and the people to exert themselves to secure the passing of some measure conceived most liberally and worked sympathetically. The success of the Co-operative Movement indicates that the inherited instinct for Co-operation is not altogether dead. So we may safely predicate, it is not yet too late. The provisions for supervision and control have been thought necessary in the present state of affairs, though they are objectionable from one point of view. The functions allotted to the Panchayats are those which by ancient usage of the country they have been always exercising, certainly till the beginning of the last century. The financial responsibility for the upkeep of these institutions and for the carrying on of the functions allotted to them has been thrown on the central Government in this Bill. The justice of that course will be apparent if regard is had to the fact that such expenses were usually met from land which was set apart for the purpose, free from any claim for assessment or taxes. A chapter on the Land Revenue policy would form an useful adjunct, but I have refrained from including it in this, though the materials are ready with a view of reverting to it later on. Since drafting the Bill which is contained herein, I came

across, in the High Court Library, the report of Mr. T. L. Strange, presented to the Madras Government in the year 1860, strongly advocating the adoption of a measure similar to this in many respects. He was a member of the Law Commission for Judicial Reform. A few extracts are included in the appendix as illustrative of the materials available.

T. RANGACHARI

CONTENTS

	PAGE
INTRODUCTION	i
MADRAS PANCHAYATS ACT I OF 1916	vii—xxxiii
<hr style="width: 10%; margin: 10px auto;"/>	
THE COUNTRY WAS DIVIDED INTO VILLAGES	1
THE VILLAGE ASSEMBLY GOVERNED THE VILLAGE	4
KINDS OF VILLAGES	5
ORIGIN OF VILLAGES.	6
TYPES OF VILLAGES "SHARES"	6
INAMS	9
AGRAHARAMS	9
RARE CASES	11
KING'S OWN	11
JOINT FAMILIES	12
COMMUNAL OWNERSHIP	13
EKABOGAM	14
OFFICIALS OF THE EAST INDIA COMPANY	15
JUDGMENT OF SUPREME COURT	15
KARIEDU, THREE KINDS	18
TANJOBE	19
CHINGLEPUT	19
TINNEVELLY	20
S. ARCOT, MADURA, SALEM, TANJOBE	21
EVIDENCE FROM INSCRIPTIONS	22
IS IT PARTNERSHIP?	24
POINT BEFORE US SELF-GOVERNMENT— <i>Irrigation</i>	24
REVENUE	25
CARLIAMBHIE	25
AYAMS	27
CRIMES	27
JUSTICE	47
RAJBOGAM	53

	PAGE
ABANDONING OF VILLAGE ESTABLISHMENTS	71
HEADS OF VILLAGES.	71
RANGA CHARLU	74
KARNAMS.	75
SHEPHERDS	79
POLICE	79
TALAYARIS	81
LABOURERS	85
IRRIGATION	88
TEMPLES	91
DEVA DASIS (SERVANTS OF DEVAS)— <i>Dancing Girls</i> .	93
CHARITY	95
TEACHERS	97
ARTIFICERS	98
WASTE	99

APPENDIX

	PAGE
PAPERS ON MIRASI RIGHTS, PAGE 274, NO. III.	115
PAPERS ON MIRASI RIGHTS, PAGE 294, NO. IV.	120
REMARKS	122
PAPERS ON MIRASI RIGHTS, PAGE 301, NO. XI.	123
REMARKS	125
PAPERS ON MIRASI RIGHTS, PAGE 304, NO. XII.	125
REMARKS	131
PAPERS ON MIRASI RIGHTS, PAGE 327, NO. XXIII.	132
REMARKS	135
SOUTH INDIAN INSCRIPTIONS, VOL. II, PART I, PAGE 112, NO. 22.	135
NOTES	141
EXTRACTS FROM NO. 368 OF 1911	143
EXTRACTS FROM NO. 259 OF 1911—KUMBHAKONAM	144

MADRAS PANCHAYATS ACT I OF 1916

Preamble :—An Act for authorising the institution of Village Panchayats, and District Panchayats, in the Presidency of Madras and for amending laws in relation thereto and relating to Village Courts.

It being desirable to revive the ancient institution of Panchayats, with a view to diminish the expense of litigation and to render the principal and more intelligent inhabitants useful and self-reliant by employing them in the work of local government and of administering justice to their neighbours

It is hereby enacted as follows :

Preliminary :—Title :—1. This Act may be called the Madras Panchayats Act I of 1916.

Commencement :

2. It shall come into force at once.

3. It extends to the Presidency of Madras, provided that the Local Government may by notification exempt any district or portions of district, any area or portions of area, from the operation of this Act for a period of 5 years from the commencement of this Act, provided also that it shall be further competent to the Local Government to extend the period for a further period of 5 years if authorised therefor by a resolution in the Council for making laws and regulations.

3(a). In this Act and the Rules thereunder unless there is something repugnant in the subject or context :

(1) Panchayat means a Panchayat constituted under this Act, and includes a District Panchayat or a Village Panchayat.

Panjab Panchayat Act VI of 1912.

(2) Bench means the members of a Panchayat nominated for the trial of a suit under this Act.

(3) District Munsif and Subordinate Judge shall mean a District Munsif and Subordinate Judge within the meaning of the Madras Civil Courts Act III of 1873.

(4) Revenue Divisional Officer means a Revenue Divisional Officer within the meaning of the standing orders of the Board of Revenue.

(5) Registrar includes an Assistant Registrar and means the Registrar of Co-operative Societies.

(6) Immovable property does not include growing crops or grass.

(7) Prescribed means prescribed by rules made under this Act.

Panjab Panchayat Act VI of 1912.

(8) Village includes a village so declared under this Act.

(9) District Board shall mean a District Board constituted under the provisions of Act V of 1884.

(10) Public Road means a road within the meaning of Act V of 1884. And Street includes public pathways.

(11) Village Munsif means a Village Munsif within the meaning of Madras Act I of 1889.

CHAPTER I

CONSTITUTION AND JURISDICTION

4. (a) The Local Government may from time to time by notification declare any village or villages or portion or portions thereof to be a village for the purposes of this Act.

s. 5 of Act V, 1884, Madras L. B. Act.

(b) The Local Government shall by notification establish a Panchayat or Panchayats for each village or group of villages declared to be a village under the Act and fix the maximum number of members for each Panchayat provided however that there shall be a minimum of five members on each Panchayat.

s. 3 of the Panjab Panchayat Act VI of 1912.

5. The members of a Panchayat shall be appointed in accordance with the rules under this Act and shall hold office for a period of 3 years, provided however that for the present not less than two-thirds of the members shall be appointed by election by the inhabitants. Inhabitants shall mean adult resident owners or occupiers of house or land in the village, and includes a member of a joint Hindu family, trustee, or guardian of infant householders or land-owners.

s. 4 of the Panjab Panchayat Act VI of 1912.

The Village Munsif of each village shall ex-officio be a member of the Panchayat.

6. (a) The Local Government shall also by notification establish a District Panchayat or Panchayats for each District within the jurisdiction of a District Munsif under the Madras Civil Courts Act III of 1873 and fix the maximum number of members for each District Panchayat.

s. 6 of the Madras Local Boards Act, 1884.

(b) Members of the District Panchayat shall be appointed in accordance with the rules under the Act and shall hold office for 3 years.

s. 4 (a) of the P. P. Act.

7. Subject to such rules as may be made from time to time, no person shall be made a member of a District Panchayat who has not been a resident of the district for one year or proprietor of land or local agent therein for such proprietor.

8. (a) Every Village Panchayat shall appoint every year from among their own number such committees consisting of such number of persons as may be prescribed by the rules for the purpose of carrying out the administrative powers and duties vested in the Panchayat by this Act, provided that no member shall be entitled to sit on more than two committees.

(b) The proceedings of every such committee shall be recorded in writing and submitted to the whole Panchayat at least once every year on a day to be specified by the rules hereunder.

9. Subject to such rules as may be framed no person shall be appointed a member of a Village Panchayat unless he be resident in such village for 3 years or be a proprietor or holder of land therein

or his local agent, provided that such proprietor or local agent shall not be appointed unless he be a resident within one mile from some part of such village.

s. 7 of the Bengal Chankidari Act of 1870.

10. Every Panchayat shall elect once a year their own chairman from among their own number any person not being the Village Munsif or Karnam, who shall be ex-officio chairman of each committee and each committee shall elect every year a vice-chairman from among their own number any person not being a Village Munsif or Karnam of the village.

s. 123 of the Madras L.B. Act of 1884.

11. The District Judge or Subordinate Judge having jurisdiction in their respective areas may, by order in writing, suspend or remove any member of a Panchayat, subject to such appeal, if any, as may be prescribed by the rules.

s. 126 of the Madras L. B. Act of 1884.

12. The Local Government in each village or group of villages in which there is a Panchayat established shall provide an office for the transaction of its business.

s. 129 of the Madras L. B. Act of 1884.

13. If any person appointed to be a member of a Panchayat shall refuse to undertake the office or wilfully omit to perform the duties thereof and shall not within 30 days from the date of his appointment or from such omission show grounds to the satisfaction of the Subordinate Judge for such refusal or omission, he shall be liable to a penalty which may extend to Rs. 25, provided that every person who shall have paid any penalty under the provisions of this section shall thereupon cease to be a member and shall not

be liable to be reappointed a member of a Panchayat for the space of 3 years from the date of payment of such penalty.

s. 8 of the Bengal Chankidari Act of 1870.

14. No member of a Panchayat after the expiry of his term of office shall be again appointed a member of a Panchayat without his consent till after the lapse of 3 years.

s. 9a B. C. A. of 1870.

15. Every Panchayat shall, subject to such rules as may from time to time be prescribed, have jurisdiction to exercise all or any of the functions and powers administrative or judicial hereby conferred upon it.



CHAPTER II

ADMINISTRATIVE POWERS

16. To enable the Panchayat to carry out the purposes of this Act, all public roads, streets, drains, tanks, wells, minor irrigation sources, ferries, burning grounds and burial grounds, bathing ghats, village pasture grounds, playgrounds, minor reserves in forests, and other public places in the village shall be under the control and management of the Village Panchayat.

ss. 49-50 M. L. B. A., 1884.

17. Every Panchayat shall in the village under its authority, subject to such rules as may from time to time be prescribed and so far as the funds at its disposal permit, have the control of and provide for the following matters :

ss. 95 and 141 M. L. B. A., 1884.

- (a) Lighting of public roads and streets ;
- (b) constructing, repairing, maintaining and cleansing the public roads, streets, bridges and other means of communication, tanks, wells, drains, minor irrigation channels, bathing ghats, burning grounds and burial grounds, and other public places in the village;
- (c) constructing and repairing tanks and wells and such other works as will supply the inhabitants

of the village with a sufficient supply of water for domestic use ;

(*d*) the establishment and maintenance and repair of hospitals, dispensaries, choultries, markets, cattle pounds, slaughterhouses, latrines, water works and the payment of all charges connected with the objects for which such buildings have been constructed ;

(*e*) the diffusion of primary education including elementary manual instruction, and with this view the construction and repair of school houses and workshops establishment and maintenance of schools either wholly or partly by grants-in-aid, organisation, management and development of local industries ;

(*f*) the maintenance and repairing of the minor irrigation channels and irrigation sources in the village ;

(*g*) the maintenance, preservation and control of the minor rural forest reserves within the boundaries of the village concerned ;

(*h*) the management and control of fairs and ferries ;

(*i*) the establishment of village relief works in times of famine and scarcity and the distribution of famine relief funds and control of such village famine works ;

(*j*) the distribution of agricultural loans and taccavi advances ;

(*k*) the control and supervision of the village police and petty village servants ;

(*l*) the preservation, maintenance and control of village sites, threshing floors and all other communal properties and the organisation and conduct of village charities and village trusts usually managed by village communities ;

(m) all other measures of local public utility calculated to promote the safety and material advancement health comfort and convenience of the people generally ;

(n) recommending for the guidance of the Revenue authorities claims for remission or suspension of Land Revenue ;

(o) regulating the distribution of water within the village limits for purposes of irrigation.

18. (a) Every Village Panchayat shall so far as may be, subject to the control of the District Board, have and exercise all the powers conferred on the Taluk Board and its president by sections 99, 100, 101, and 117 and also the powers under sections 129, 134, 143 (a), and 143 (b) of the Madras Compulsory Labour Act, Act V of 1884.

- s. 99, closing and cleaning of wells.
- s. 100, directing owners to fill tanks, etc.
- s. 101, cleaning unwholesome buildings.
- s. 117, private latrines.
- s. 134, appointment of servants.
- s. 143 (a), filthy buildings.
- s. 143 (b), wells in bad order.

(b) The Chairman of the Village Panchayat shall have all the powers conferred on the head of a village under Madras Act I of 1858.

19. The Panchayat may from time to time, subject to such general rules that may be framed by the Local Government in consultation with the District Board, for carrying out of all or any of the purposes recited in the aforesaid sections also frame its own bye-laws not inconsistent with the provisions of this Act or rules made thereunder by the Local Government, which after approval by the District Board, shall be published in the District Gazette and in such other manner as it may deem expedient and thereupon such bye-laws shall have the force of law.

20. The Local Government in consultation with the several District Boards shall have power to frame rules and bye-laws of general applicability throughout the respective districts in the matter referred to in s. 17.

21. *Mode of transacting business* :—

(a) The Panchayats or the committees thereof shall meet for the transaction of business at such time and place as may be prescribed by the rules ;

(b) the Chairman or the Vice-chairman shall preside at each meeting and in his absence the members of the Panchayat shall elect one of their number present to preside thereat ;

s. 130 (i) M. L. B. Act 1884.

(c) all questions coming before a meeting shall be decided by a majority and in the case of equality of votes the Chairman or presiding member shall have a second or casting vote ;

s. 130 (ii) M. L. B. A., 1884.

(d) no business shall be transacted unless at least one-third of the Panchayatdars be present not being less than 3 in number.

s. 130 (iii) M.L.B. A., 1884.

22. (a) Minutes of resolutions passed at each meeting shall be recorded in a book kept for the purpose and shall be signed by the Chairman or the member of the Panchayat who presides and shall be open to inspection by the inhabitants of the area of the Panchayat ;

s. 131 M. L. B. A., 1884.

(b) copies of the resolutions shall be sent by the Chairman in 3 days after the passing thereof to the President of the District Board.

s. 132 (i) and (ii) M. L. B. A., 1884.

23. (a) The resolutions of the Panchayat shall be carried out by the Chairman in whom the entire executive power is vested and who shall be directly responsible for the due fulfilment of the purposes of this Act.

(b) Any Chairman may with the previous consent of the Panchayat and on his own responsibility authorise any member of the Panchayat by order in writing to exercise for not more than four months any of the powers conferred on the Chairman by this Act and may cancel or modify such authority.

24. (1) The Chairman may by order in writing require the Karnam of the village comprised within the Panchayat limits, to furnish within a reasonable time any statement, account, or return in respect of such village for any of the purposes of this Act.

s. 133 M. L. B. A., 1884.

(2) Any Karnam who, without reasonable cause disobeys such order shall, be liable, on conviction by a magistrate, to a fine of not more than Rs. 20.

25. If on complaint made or by other means the District Board has reason to consider that any Panchayat has passed any resolution order or proceeding in excess of its authority the President of the District Board may by notice in writing call upon the Panchayat to show cause to the satisfaction of the District Board, within such time as shall be specified in the notice, why such resolution, order or proceeding shall not be set aside.

s 135 (i) and (ii) M. L. B. A., 1884.

(2) If the Panchayat fails to show such cause within the time specified to the satisfaction of the District Board, the District Board may by a resolution passed to that effect at a meeting and supported by not less than two thirds of the members for the time

being of such Board set aside the resolution, order or proceeding of such Panchayat and may pass such other orders as it may deem fit.

26. (1) The District Board may from time to time employ such officers as may be required for the purpose of superintending and inspecting the working of Panchayats within the District or may authorise any officer of Government in that behalf.

s. 136 M. L. B. A., 1884.

(2) Any officer so employed or authorised may at any time, inspect any property, accounts, books and other documents under the control of the Panchayat and may record such remarks as he may deem necessary for the information of the Panchayat and shall submit a copy of such remarks for the consideration of the District Board.

27. In cases of emergency the Revenue Officer in charge of the division of the District wherein any Panchayat is situated or any person duly authorised in that behalf by the Governor in Council may provide for the execution of any work or the doing of any act which the Panchayat is empowered to execute or do and the immediate execution or the doing of which is, in his opinion necessary for the service or safety of the public and may direct that the expense of executing or doing the act shall be paid by the Panchayat.

s. 137 M. L. B. A., 1884.

(2) If the expense be not so paid the Revenue Officer may make an order in writing directing the person having custody of the fund at the disposal of the Panchayat to pay the same in priority to any other charges against such fund except charges for the service of authorised loans or for the establishment. Such person shall, so far as the funds to the

credit of the Panchayat admit be bound to comply with such order.

(3) A report of any action taken under this section shall at once be forwarded by such Revenue Officer or other person to the District Board and to the Panchayat.

28. (1) If at any time it appears to the District Board that a Panchayat has made default in performing any duty imposed upon it by this Act, the President may by an order in writing fix a period for the performance of such duty.

s. 138 M. L. B. A., 1884.

(2) If the duty is not performed within the period so fixed, the District Board may appoint some person to perform it and may direct that the expense of performing it shall be paid within such time as he may fix to such person by the Panchayat.

(3) If the expense be not so paid the District Board may make an order in writing directing the person having custody of the fund at the disposal of the Panchayat to pay the same in priority to any other charges against such fund except charges for the service of authorised loans or for the establishment. Such person shall so far as the funds to the credit of the Panchayat admit be bound to comply with such order.

CHAPTER III

JUDICIAL : CIVIL

29. All suits pending in the courts of the Village Munsif at the time of this Act coming into force shall be deemed to have been instituted under this Act and all decrees passed by Village Munsifs before such date may be executed under the provisions hereinafter contained relating to execution of decrees passed under this Act.

s. 3 of Madras Village Courts Act I of 1889.

30. The Village Panchayat or any Bench thereof shall be deemed to be a Village Court within the meaning of the Madras Village Courts Act I of 1889.

31. All suits instituted before the Village Panchayat shall be tried by a Bench of 3 members therefor nominated as provided herein.

32. A list of persons forming the Village Panchayat shall be prepared by the Chairman of the Panchayat and shall be hung up in the office of the Panchayat and in such other places of public resort as the Panchayat may direct.

s. 9 (ii) of Madras Village Courts Act I of 1889.

33. (1) In any suit which may be instituted before the Panchayat of any village the plaintiff in his plaint or the defendant in his answer may nominate as a member of that Bench any person named in the list

mentioned in s. 32, provided that such person is not his servant, dependant, relative or tenant or otherwise personally interested in the result of the suit.

s. 9 (iii) of Madras Village Courts Act I of 1889.

(2) When either party has nominated such a person the other party shall be required to nominate one also.

s. 9 (iv) of Madras Village Courts Act I of 1889.

After two clear days from the date of service of the requisition under this clause, if it has not been complied with, the Chairman shall select by casting lots from the list a person to serve on the Bench on behalf of the person so making default.

34. The Chairman shall summon the two persons thus chosen to sit together with himself, and if either party objects to his taking part in the Bench, some other person mentioned in the list and agreed to by both parties or chosen by casting lots from among the persons in the list shall take the place of the Chairman.

s. 9 (v) of Madras Village Courts Act I of 1889.

35. (1) The Chairman or the member chosen in his behalf shall be the President of such Bench and shall regulate the procedure and issue all summonses notices and the like in his own name, but the decree shall run in the name of all the three members of the Bench. If the members of the Bench cannot agree, the opinion of the majority shall prevail.

s. 9 (vi) of Madras Village Courts Act I of 1889.

(2) No person summoned under this section to serve on a bench shall be bound to sit for more than 5 days in any month; provided that every such person shall be bound to attend the trial of any case

which has been commenced before him until its completion.

s. 9 (vii) of Madras Village Courts Act I of 1889.

(3) Whoever being duly summoned under this section to serve on a Bench, without reasonable excuse declines or omits to do so, shall on proof of the default before the District Munsif of the locality be liable to a fine not exceeding Rs. 20.

s. 9 (viii) of Madras Village Courts Act I of 1889.

36. (a) The Chairman of a Panchayat shall keep a register of suits preferred to the Panchayat and shall write the proceedings of the Court and it shall be the duty of the village Karnam if so required to assist in keeping such register and in writing the proceedings of the Court.

s. 10 of Madras Village Courts Act I of 1889.

(b) It shall be the duty of the village servants usually employed in carrying messages to serve all summons, notices, orders issued under this Act and to act under the orders of the Chairman in seizing, and selling movables attached under this Act.

s. 11 of Madras Village Courts Act I of 1889.

(c) It shall be competent to the District Board, subject to the consent of the Governor in Council, to appoint any person in lieu of or in addition to the village Karnam or village servants mentioned in ss. 36 a & b.

s. 12 of Madras Village Courts Act I of 1889.

37. The following are the suits which shall be cognisable by Panchayat Courts, *viz.* :

(1) claims for money due on contract or for personal property or for the value of such property when the debt or demand does not exceed in amount

or value the sum of Rs. 100 whether on balance of account or otherwise:—provided that no action shall be brought in any such Court :

s. 13 of Madras Village Courts Act I of 1889.

(1) on a balance of a partnership account unless the balance shall have been struck by the parties or their agents ;

(2) for a share or part of a share under an intestacy or for a legacy or part of a legacy under a will ;

(3) by or against Government or public officers in their official capacity ;

(4) by and against minors or persons of unsound mind.

38. With the written consent of both parties executed before the Court, a Panchayat may hear and determine suits of the nature described in s. 37 to any extent in value subject to such rules as may be prescribed by the Local Government from time to time as to Court fees and other fees.

s. 14 of Madras Village Courts Act I of 1889.

39. Subject to the provisions contained in s. 40 every suit brought under this Act shall be instituted in the Court of the Panchayat within the local limits of whose jurisdiction all the defendants at the time of the commencement of the suit reside or carry on business or personally work for gain, and in cases where all the defendants do not so reside or carry on business or personally work for gain the suit shall be instituted in the place where the cause of action arose.

s. 15 of Madras Village Courts Act I of 1889.

Explanation :—A Panchayat Court shall be deemed to be the Court of the lowest grade for the purpose of s. 15 of C. P. C. of 1908.

40. No member of a Panchayat shall try any suit to which he is a party or in which he is personally interested or shall adjudicate upon any proceeding connected with or arising out of such suit.

s. 16 of Madras Village Courts Act I of 1889.

41. No Panchayat shall try any suit brought on a cause of action which has been heard and determined by a Court of competent jurisdiction in a former suit between the same parties or those under whom they claim.

s. 17 of Madras Village Courts Act I of 1889.

42. Every suit instituted in a Panchayat shall include the whole of the claim which the plaintiff is entitled to make in respect of the cause of action but he may relinquish any portion of his claim in order to bring the suit within the jurisdiction of such Court.

s. 18 of Madras Village Courts Act I of 1889.

If a plaintiff omit to sue in respect of or intentionally relinquish any portion of his claim he shall be precluded from bringing a fresh suit for or in respect of the portion so omitted or relinquished.

43. If in the decision of a suit cognisable by a Panchayat under sections 37 and 39, it becomes necessary to decide incidentally any matter in dispute between the parties to the suit concerning title to immovable property or the legal character of either of them or of those under whom they claim or the existence of any contract or obligation which if it had been the immediate subject matter of the suit would not be cognisable under this Act by a Panchayat, it shall be competent to the Panchayat to decide such question of title, legal character, contract or obligation as far as may be necessary for the determination of such suit but such decision shall not be

evidence of such title, legal character, contract or obligation in any other action though between the same parties or their representatives.

44. The provisions of the Indian Limitation Act IX of 1908 shall apply to suits and applications under this Act.

s. 20 of Madras Village Courts Act I of 1889.

Provided that no suit or application shall be entertained by a Panchayat after the expiration of three years from the time when the right to sue or make the application first accrued.

45. The District Munsif may on the application of any of the parties, withdraw any suit from a Village Court and try the suit himself as if it had been instituted in his Court or transfer it for trial to the District Panchayat within the limits of his jurisdiction provided that any party applying to have a suit withdrawn from a Panchayat shall before any order of transfer is made pay the amount of fees payable in respect thereof under the Court Fees Act.

s. 21 of Madras Village Courts Act I of 1889.

Provided also the District Munsif may for sufficient cause, instead of transferring the suit to a District Panchayat, try the suit himself if in his opinion the suit involves the decision on intricate questions of law or refer it for trial to a Court competent to try the suit and such Court shall be bound to try the suit as if it had been instituted in that Court.

46. (a) The District Panchayat shall always consist of an odd number never less than three nor more than five and the majority shall decide. The District Panchayat shall sit at the station where the District Munsif's Court is held.

s. 3 (i) of Reg. VII of 1816.

(b) The parties shall each name one member chosen from a list of persons appointed for the purposes of this Act and published in accordance with the rules hereunder and the District Munsif shall nominate the rest of the Bench.

s. 3 (vi) of Reg. VII of 1816.

(c) If either party object to one or more of the members nominated to compose the District Panchayat and the District Munsif considers such objection to be well grounded he shall withdraw such members and shall appoint others chosen by casting lots from the list of persons maintained therefor.

s. 3 (v) of Reg. VII of 1816.

(d) The District Panchayat being formed in the manner herein prescribed shall be assembled by the written summons of the District Munsif.

s. 6 (1) of Reg. VII of 1816.

(e) The District Panchayat shall so far as may be proceed to determine such suits in the manner and subject to the rules in the Village Courts Act I of 1889.

47. In suits filed before the Village Panchayat the stamp duty payable shall be half an anna in the rupee up to Rs. 100 and for amounts more than Rs. 100 the duty payable shall be that fixed by the rules framed hereunder.

48. The provisions of chapter IV to VI of the Village Courts Act shall so far as may be held applicable to Panchayats.

c. iv. Institution and framing of suits.

Issue of summons to parties.

Adjournments and appearances.

c. v. Hearing, withdrawal or compromising of suits, and summoning of witnesses.

c. vi. Decree and execution,

49. The District Munsif may on a petition being presented within 60 days from the date of any decree or order of any Panchayat Court by any party deeming himself aggrieved by such decree or order set aside such decree or order on the ground of corruption, gross partiality or misconduct of the Panchayat Court,

s. 73 M. V. C., 1889.

or of its having exercised the jurisdiction not vested in it by law,

or otherwise acted illegally,

or with material irregularity,

provided that no decree or order of a Village Court shall be set aside without notice to the other party; pending disposal of any such petition the District Munsif may stay execution of the decree or order.

A petition under this section may be entertained after 60 days by the District Munsif if he is satisfied with the cause shown for the delay provided also that the District Munsif shall refer all suits to the Subordinate Judge or District Judge in cases where the value exceeds Rs. 2,500.

50. The District Munsif shall assist the District Panchayat in the trial of suits by rendering the necessary assistance for enforcing the attendance of witnesses and production of documents and in such other ways as may be necessary, and shall also subject to rules to be framed by the High Court incur all expenditure in that connection as part of the expenditure of his Court.

51. Any person refusing to attend on a requisition by the District Munsif without proper cause shall be liable to a fine which may extend to Rs. 50.

MISCELLANEOUS

52 (a) All Civil Courts shall on the application of either party transfer all suits or claims arising out of disputes relating to religious or social or caste matters to District Panchayats and the District Panchayats shall try and determine such suits in the ordinary way.

(b) All Civil Courts shall have power on their own motion or on the application of either party to refer for trial and determination of suits or claims regarding lands or crops the validity of which claims may depend on the determination of disputed boundaries and also suits arising out of disputes respecting irrigation of land between private persons to District or Village Panchayats and the Village or District Panchayats shall have power to try and determine such suits in the same way as ordinary suits instituted therein or transferred thereto.

Madras Village Land D Regulation XII, 1816.

CHAPTER IV

JUDICIAL: CRIMINAL

53. The Panchayat or a Bench thereof consisting of not less than three members shall in cases of trivial nature such as abusive language and inconsiderable assaults or affrays and petty thefts where the value of the property does not exceed Rs. 20,

s. 10 (x) Regulation XI of 1816 (Police).

s. 6 (i) Regulation IV of 1821.

have the power and authority on a verbal examination either to dismiss the parties or if the offence charged shall be found to have been committed by the persons accused of it and shall appear deserving of punishment to confine the offending parties in the village choultry for a time not exceeding 12 hours or impose a fine not exceeding Rs. 10.

54. The Heads of villages and Karnams shall be bound to assist the Panchayats in the performance of the duties imposed on the Panchayat by the previous section.

55. It shall be the duty of the Chairman of a Panchayat to arrange a Bench of the Panchayat for the disposal of complaints under s. 53 and the same procedure as in civil suits for the constitution of the court shall be followed.

CHAPTER V

FINANCE

56. In each village, there shall be constituted a fund called the Village Fund, and unless otherwise appropriated under this Act there shall be placed at the credit thereof

s 56 of Madras Local Boards Act, 1884.

(1) The whole of the proceeds of house taxes now levied or hereafter to be levied, in the village under Act 5 of 1884 and half of the proceeds of the taxes and fees now or hereafter to be levied by the District Board under this Act in that area.

(2) All fines and penalties levied under the provisions of this Act within the area of the village.

(3) Cattle pound receipts.

(4) All contributions received from the District Boards and Municipal Councils and all moneys which may be received by the Panchayat in trust for all or any of the purposes of this Act.

(5) All Court fees levied in suits filed before the Panchayat.

(6) Realisations from village pasture fees, village forests, fishery income, and ferries and fairs as by the rules to be framed by the Local Government the Panchayat may be empowered to collect.

(7) The incomes from charitable or other trust funds or village communal funds which may have been set apart for communal purposes of the village of which the Panchayat has the control and management.

(8) All funds which may be collected in the area for education.

57. The village fund may be lodged in such Co-operative, Society or other bank as the Chairman under the rules framed by the Governor in Council may be authorised to lodge in.

s. 56 (i) of Madras Local Boards Act, 1884.

58. All expenses incurred by the Panchayat shall be paid out of such fund and all orders and cheques on that fund shall be signed by the chairman or in his absence by any person authorised by him in writing in that behalf and the bank in which such funds are lodged shall so far as the funds to the credit of the Panchayat admit pay all such orders and cheques so signed.

s. 56 (ii) Madras Local Boards Act, 1884.

59. The Local Government shall provide the Village Panchayats with the necessary funds for the purpose of carrying out the duties imposed on the Panchayats under this Act and shall also render all reasonable assistance to the Panchayats to perform their duties by issuing suitable instructions to their officers in the various departments concerned and by delegating so far as may be such powers as they or their officers possess under Madras Act I of 1858 for compulsory labour and under Boards Standing Order No. 86 and under the Laws and Rules relating to forest, ferries fairs and markets.

60. Every Panchayat shall furnish to the District Board at such time and manner as may be prescribed

by the rules an estimate of their probable receipts during the next financial year and of the expenditure for the next ensuing year and of the time thereof and the District Board may at its meeting modify it or pass any orders it thinks fit.

CHAPTER VI

MISCELLANEOUS

61. It shall be the duty of the Registrar and Assistant Registrar of Co-operative Societies as also of the Collector, and Revenue Divisional Officers in the course of their inspection to inspect the Village Panchayats and report on their working to the Local Government.

62. On the receipt of such report it shall be competent for the Local Government to exercise the powers contained in the proviso to s. 128 of the Madras Act of 1884.

63. The Governor in Council may from time to time with the approval of District Boards frame rules consistent with this Act

s. 144 Madras Local Boards Act V of 1884.

i. as to the qualification of electors and of candidates, the appointment as members of a Panchayat by election and the method and time of appointment of members of a Panchayat by election and in regard to the following matters :

(a) the division of the village or a part thereof into wards ;

(b) the number of representatives for each ward ;

(c) the provision if any if made for the special representation of any classes of the community ;

- (d) the registration of elections ;
- (e) the nomination of candidates at the time of election and the mode of recording votes ;
- (f) any other matters regarding the system of representation and of election.

ii. As to the qualifications of members of a Panchayat to be appointed chairman by election and the method and time of appointment of such chairman.

iii. As to matters connected with and mentioned in ss. 4 to 9, 11, 15, 17, 19, 27, 46, 47, 50, 56-cl. vi, 57 59 and 60.

iv. As to the formation of committees and powers of committees.

v. As to the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of Panchayats and as to authority by which and the conditions subject to which such plans and estimates may be sanctioned.

vi. As to the accounts to be kept and as to the manner in which such accounts shall be audited and published.

vii. As to the preparation of estimates of receipts and expenditure and the authority by whom and the conditions subject to which such estimates may be sanctioned.

viii. As to the returns statements and reports to be submitted and the authorities if any through whom they ought to be submitted.

ix. As to the mode in which Government Officers are to advise and assist Panchayats in carrying out the purposes of this Act.

x. As to pay or any remuneration to the Chairman of a Panchayat and also as to travelling allowances to members and Chairman of District Panchayats.

xi. Generally for the guidance of Panchayats, their agents and officers of Government in all matters connected with the carrying out of this Act.

64. i. All schools and other institutions of an educational character, all hospitals, dispensaries and other institutions maintained by Panchayats and all accounts, books, registers, returns, reports, statements, and other documents appertaining thereto shall at all times be open to the inspection of such officers of Government as the Governor in Council may from time to time appoint in that behalf.

s. 152 Madras Local Boards Act V of 1884.

ii. The Governor in Council may from time to time appoint such officers as may be required for the purpose of inspecting and superintending the operations of Panchayats or any particular Panchayat and also such secretaries, clerks and other servants as may be necessary for the exercise of the power vested in him by this Act and may assign to them such salaries if any as he shall think reasonable and the expense incurred by reason of such appointment shall be defrayed by the District Board.

65. The District Board may from time to time with the sanction of the Governor in Council make bye-laws and cancel or alter the same :

s. 152A Madras Local Boards Act V of 1884.

i. for the general or special regulation or control of markets, slaughterhouses, cart-stands, burial and burning grounds and offensive trades and all matters connected with conservancy ;

ii. for regulating the use of public roads and traffic thereon and for securing cleanliness, safety and order in respect of the same ;

iii. for carrying out all the purposes of this Act, and may affix fines and penalties not exceeding Rs. 20 for the infringement of such bye-laws.

66. (1) No action shall be brought against any Panchayat or against any member or servant of such Panchayat or against any person acting under the directions of such Panchayat or of a member or servant of such Panchayat on account of any act done or purporting to be done in pursuance or execution or intended execution of this Act or in respect of any alleged neglect or default in the execution of this Act until the expiration of one month next after notice in writing shall have been delivered or left either at the office of the Panchayat or at the place of abode of such member or servant, explicitly stating the cause of action, the nature of the relief sought, amount of compensation claimed and the name and place of abode of the intended plaintiff; and unless such notice be proved to have been so delivered or left the Court shall find for the defendant.

s. 156 Madras Local Boards Act V of 1884.

(2) If the Panchayat or member or servant to whom notice is given as provided by sub sec. 1 shall before action is commenced tender amends to the plaintiff sufficient, in the opinion of the Court such plaintiff shall not recover more than the amount tendered.

(3) No action such as is described in sub sec. 1 shall lie unless the action for the recovery of movable property or for a declaration of title thereto be commenced within six months after the accrual of the cause of action.

(4) No action shall be brought against the Chairman of a Panchayat on account of any act done in pursuance or execution or intended execution of any power vested in him under this Act, if such act was done or default made in good faith; but any such action shall so far as it is maintainable by a Court be brought against the Panchayat.

**MR. T. RANGACHARIAR, ON MOVING
“ THAT THIS BILL BE NOW READ
A SECOND TIME ” SAID:¹**

THE COUNTRY WAS DIVIDED INTO VILLAGES

A VILLAGE geographically considered, is a tract of country comprising some hundreds or thousands of acres of *arable and waste land*; politically viewed, it resembles a corporation or township. Its proper establishment of officers and servants consists of the following descriptions: The *Potail*, or the head inhabitant; who has the general superintendence of the affairs of the village, settles the disputes of the inhabitants, attends to the police, and performs the duty, already described, of collecting the revenues within his village; a duty which his personal influence and minute acquaintance with the situation and concerns of the people renders him best qualified to discharge. The *Curnam*; who keeps the accounts of cultivation, and registers everything connected with it. The *Talliar* and *Totie*; the duty of the former, appearing to consist, in a wider and more enlarged sphere of action, in gaining information of crimes and offences, and escorting and protecting

(¹ Only part of this was delivered in the Madras Parliament when the Secretary of the Local Government Board (Mr. T. Rangachari) moved the Second Reading of the Bill on Village Panchayats. Lack of time made necessary great curtailments, but the matter is so important that we restore the parts omitted.)

persons travelling from one village to another; the province of the latter appearing to be more infinitely confined to the village, consisting, among other duties, in guarding the crops, and assisting in measuring them; The *Boundaryman*; who preserves the limits of the village or gives evidence respecting them, in cases of dispute. The *Superintendent of the Tanks and Watercourses* distributes the water therefrom for the purposes of agriculture. The *Brahmin*, who performs the village worship. The *Schoolmaster*, who is seen teaching the children in the villages to read and write in the sand. The *Calendar Brahman*, or astrologer, who proclaims the lucky or unpropitious periods for sowing and threshing. The *Smith* and *Carpenter*, who manufacture the implements of agriculture, and build the dwelling of the ryot. The *Potman* or potter. The *Washerman*. The *Barber*. The *Cowkeeper*, who looks after the cattle. The *Doctor*. The *Dancing Girl*, who attends at rejoicings. The *Musician* and the *Poet*. These officers and servants generally constitute the establishment of a village; but, in some parts of the country, it is of less extent, some of the duties and functions above described being united in the same person; in others, it exceeds the number of individuals which have been described.

Under this simple form of Municipal Government, the inhabitants of the country have lived, from time immemorial. The boundaries of the villages have been but seldom altered; and though the villages themselves have been sometimes injured, and even desolated, by war, famine, and disease, the same name, the same limits, the same interests, and even the same families, have continued for ages. The inhabitants give themselves no trouble about the

breaking-up and division of kingdoms; while the village remains entire, they care not to what power it is transferred or on what sovereign it devolves; its internal economy remains unchanged; the Potali is still the head inhabitant, and still acts as the petty Judge and Magistrate and Collector or Rentor of the village.

In addition to the portions of land appropriated to the pagoda establishment, to the local officers of Government, and to the village servants, they each were entitled to certain small shares or perquisites from the crops of the villagers, which were allotted to them, generally before, and sometimes subsequently to, the division of the produce between Government and the cultivators. Provision appears to have been also made, in the mode last described, for the maintenance of public servants incapacitated by age or accident from the discharge of their duty. The fund of these disbursements, in which the several classes of revenue officers and village servants likewise participated, as one of the sources of their official emoluments, was the sayer, or inland, duties, and the sea and land customs.

“The practice of allotting lands free of rent, or at low rents, and of applying shares of the agricultural produce and of the customs to the uses and purposes above explained, was followed by the Muhammadan Government; with whom it was also a frequent custom to provide for their relations, and to reward the higher ranks of their officers in the military and civil departments, by large grants of land, under the name of *Jaghirs*. The territorial grants of the religious institutions of the country, and for charitable purposes, bear the name of *Enaums*; those to the revenue officers and servants in the villages are

called *Mauni-ums* ; but both descriptions pass generally under the former name, in the official records of the Company. The perquisites from the crops are denominated *Russooms* or *Marahs*."

The above is an extract from the Fifth Report submitted to the House of Commons in 1812 by the Select Committee on East Indian affairs, giving an account of the village community in 1812. The above description may mislead in one particular. The patel was no doubt the headman of the village in 1812 in some parts of the Presidency. But it was only by legislation that the East India Company constituted him the head of the village in the Tamil Districts. They declared by legislation that the man who collects the rent or revenue shall be the head of the village and the others will not be accorded that title. In a few villages even in the Tamil land, it is possible, the Potal, or the Monigar may have been the head even before. As in days of war and confusion the invaders had their own way, dispensed with the ancient village constitution where it pleased them and appointed their own men as heads of villages. But this certainly was not the normal state in the Tamil countries under the Native Indian Government.

THE VILLAGE ASSEMBLY GOVERNED THE VILLAGE

The village was then governed by a village assembly, with complete control so far as outsiders are concerned. The village lands were theirs to deal with as they liked. Their powers were only limited by the customary rights of others. There is nothing to suggest that the village community was at any ancient time governed by any other than the village assembly.

The village lands also appear to have been held jointly. Afterwards, for enjoyment and cultivation, there were periodical distributions, but the sentiment of common ownership never died out, and the village assembly retained the right to deal with even cultivated lands.

These statements are only general and as will be shown in the sequel require qualifications in particular instances.

KINDS OF VILLAGES

In all villages in Southern India there was always a place set apart for the inhabitants of the village to build their houses, where every villager could have his house-site free without any liability to pay any rent to anybody. There may be different quarters allotted to different castes or classes. But every one had a house-site and a backyard, mainly to grow vegetables. Generally a man could build without permission in the quarter allotted to his class. Elsewhere he had to take the consent of the community to build. Almost every village had a temple. Often a caste or class had its own separate temple. Rivers, water-courses, running through the village, ponds large and small, burning places, were free to all. Every village had a comparatively large space of land round it for pasture. This, as well as lands which were entirely barren and uncultivable, were also common property. On lands which were not cultivated any villager had the right to graze his cattle. On lands which were cultivated, after the harvest, before the next cultivating season, the same right of grazing existed. Everybody had an equal right to cut jungle fire-wood for fuel, and take jungle produce for manure, and to take timber

for building his house. This right was only limited and generally regulated by the village assembly. The rights in cultivable lands varied with the type of village.

ORIGIN OF VILLAGES

We have scarcely any instance—at least I know of none—of the origin of a Tamil village. We have instances of origins of village communities by grants from sovereigns and others to a body of Brahmins, etc., constituting them into an Agraharam. But they presuppose the existence of a village with its labouring population. The simplest instance would be a colony settling upon a tract of country, organizing themselves into a village community, with its usual village servants. But as I said, I do not know of any record of such a settlement in the Tamil Districts.

TYPES OF VILLAGES “SHARES”

First Type. A typical village in Southern India consisted of two main divisions or classes—the superior class consisting of various tribes, whom for convenience we shall call Shudras, and the other class whom we shall call the Panchamas. These two classes of inhabitants, with the village servants, after certain customary deductions, divided the produce of the soil. The superior class paid what is now called the King's share. The lower, the labouring, class are those whom, on account of their having been in the country before the others, and the lower position they occupy, we are accustomed to call the Aborigines. They were no doubt the owners of the land. Conquest

deprived them of their ownership and reduced them to the position of labourers. They and their conquerors formed two distinct and separate classes. The English official writings in about 1860, considered that this superior class did not hold the village under any grant from the sovereign. There is a tradition among the Shudras of colonisation by them, but not of any grants from a conquering sovereign.

We know as a fact that, scattered throughout South India, there are villages consisting of Shudras and the Panchamas, the former, according to some, forming the real village community. The tradition of the Chola King Adondai Chakravarti having colonised the Tondamandalam, after expelling the Pallavas or subduing them, and reducing them to the state to which all conquered nations were reduced in ancient days, is only one instance of what must have happened several times in the history of Southern India. Tradition and the inscriptions which are now being published show constant wars between the Chera, Chola, Pandya, Chalukya, Pallava and other races and kings. To racial and dynastic rivalry religious rivalry also must be added. One would have expected in such cases colonists of invading races occupying the conquered territories. Such a tradition does actually exist in the case of Tondamandalam. Such settlements must have taken place. We know it took place in comparatively recent times in the time of the Nayaks. Yet we do not find any grant of any village to any community of Shudra settlers, either by the sovereign or any one of his chieftains, after conquest. The only explanation I presume is that the conquering race took hold of any village and settled there as a matter of right without any grant from the sovereign, who conceded such claim.

There was no *head* of a village by appointment, as in the Telugu instrument. This seems to be the only explanation for the absence of any tradition of any such grant and for the fact that there is not one such grant forthcoming, among the large number of Inscriptions of various periods, and different dynasties, which have now been published.

The village, or the rights in the village, were vested in the settlers as a collective body. The original number of shares into which a village was divided remained the same. In those instances where the number of holders or families had decreased since the settlement of the village, some of them held more than one share. In those other instances where their number increased many held a part of a share. But the number of the original shares in the village continued unaltered for ages; Thus for instance, if a villager is asked his interest in the village he will answer that he has one-tenth share, or two or three of the shares, in the village as it was divided during the time of the original settlement. Originally the number of shares belonging to each member being known, the lands were either cultivated by them in common and the net produce after certain deductions divided according to the share of each; or in later times the land itself was divided either annually or every five or six or ten years; the fields to be cultivated by each being fixed by drawing lots. By this means they effectually excluded the right of any proprietor to any particular spot and established the claim of the general body to the whole village in common. This periodical redistribution was found to be common in the country that came directly under British rule from the Hindu Government.

INAMS

Second Type. I have already said that the superior class paid what is called the King's share of the produce. This was paid into the hands of the chieftain of the Nad, which comprises a circle of villages. This share was often assigned to either a body of Brahmins, or it may be to a single Brahmin on account of his sanctity, or to any other caste man who may have pleased the King, or often to a temple. The grant in such cases is known as Inam, or Manium. Of course, his grant does not interfere with the rights of those who are already there in the village. The old proprietors, the old village servants, and the old labouring classes go on as before. It was for some time believed that the absolute proprietary right of the village was by the King's grant vested in the grantee, whether a sole grantee or a body of men. But sounder views have lately prevailed, and it is now generally accepted that the interest of the Manium holder, or Inamdar, is only to the revenue payable by the village. It will be seen therefore that in this class of cases where the old proprietors of the village were not interfered with, there were ordinarily three classes who shared the entire produce between them: (1) The body of Brahmins, or any other person who may have been the assignee of the King's share of the produce; (2) the more ancient proprietary Shudra caste; and (3) the Panchama classes, or the labouring population.

AGRAHARAMS

Third Type. In the third kind of villages, Agraharams, the Brahmins form the superior class without any intermediate class between them and the

Panchamas. They always derived their right of grant from the sovereign or his representatives. The ruler often purchased the interests of all or some the members of the older village community and made a gift of them to a body of Brahmins. This happened generally when the old village community became reduced in numbers. There were also instances of an invader dispossessing the old village community, and granting the rights to the body of Brahmins. In these two instances they took the place of the old Shudra proprietors. The Brahmins were generally not cultivators themselves. Addicted to literary and religious pursuits, they were unwilling to superintend the cultivation. The result was they often let out the lands to tenants whom they invited from outside the village. Two classes of cultivators came to be recognised; one class who made the village itself their home; by long residence and by participating in the village ceremonies, they gradually came to acquire rights of occupancy in the village, and were recognised to have a hereditary right to cultivate the lands. They are called Sukhavirus. They were gradually incorporated in the village and came to be recognised as part of the village community. The other was a migratory class, Purakudies. They lived permanently outside the village and came to it only for the cultivation of the lands. These tenants were not however entitled to bring labourers from outside the village, but had to employ the village labourers. They very often brought their own cattle, seed and implements, if necessary. When the same Purakudy cultivated the land for some years, he often abandoned his home in another village and became a resident of this village. This is practically the first step towards the acquiring of occupancy rights. Neither of these tenants had

ordinarily any right of sale of their interests but where the Sukhavasi had made improvement in his own field by the expenditure of his own capital, the exercise of such power is not unknown.

RARE CASES

Fourth Type. Throughout the Presidency we also come across villages in which we find almost the whole of the population consisting of Panchamas or the slave population.

KINGS OWN

In the old days there is reason to believe that the King owned many villages of which he received the entire net produce himself, after payment of their shares to the labouring population and the village officials. There were apparently no intermediate class between him and the Panchamas. There are instances of his granting such villages to a body of Brahmins, which would thenceforward constitute the village into an Agraharam, or to one person who would become practically the proprietor of the village. The King may himself have been the sole proprietor of a village of which he made the grant.

The officials in this village bear the same titles as officials in other villages. These labourers have no doubt the same interest in the land as the labouring classes of other villages which we shall presently refer to. But our information is very meagre of the constitution of a village community, if any, in such village. The so-called officials are claimed to be the servants of the proprietor. As his officials it is stated they looked after the irrigation and distribution of the fees

among the village servants. In such cases very often the lands were cultivated by the owners as home-farm lands. Often he let it out to others and here the same consequences followed, and two classes of tenants, as in the case of Agrapharamdars, sprung up. It is possible that on the single proprietor's death the village may be owned in common by his sons and their descendants, and they may hold it jointly. But I have not seen instances where the descendants of an ancestor became so numerous as to become a community by themselves, nor have I come across any instances where a village community has a tradition of a common descent. Even in cases of individual proprietorship also, however, there will be a Kovil or a small temple for the Panchamas, free homesteads, free grazing ground, small plots of land set apart for their use, right to cut jungle wood for fuel or take jungle produce for manure, right to take jungle timber for house-buildings, and generally all the claims which the labouring population has in other villages.

JOINT FAMILIES

All villages except those which were acquired by any individual or family appear to have been governed by a village assembly and the properties appear to have been held in communal ownership.

It is unnecessary for our purpose to discuss the family Government. It has often been asserted that the village community is an invariable development of the joint family. I do not think this has been proved. I now pass on to the far more important questions relating to the village communities owning villages, as distinct from joint families.

COMMUNAL OWNERSHIP

It has been suggested by some that the villages were originally of individual foundation; that the villagers may have afterwards formed themselves into a voluntary association to meet certain exigencies; and that communal ownership and village assembly as an institution were unknown. Whatever may have been the case elsewhere, in Madras the original village community seems to have held their property in common, under the superintendence of a controlling village assembly. Taking Tondamandalam, the Vellala country, tradition supports that view. When Adondai Chakravarti conquered the country and colonised it with his Vellalars, he divided the country into Kuttams, which were divided into Nadus, each Nadu comprising many villages. Each village consisted of a number of colonists who were superimposed upon the existing layer of population, who were apparently reduced to a servile condition.

Each Nadu had a Chieftain, Naickan, Nattavam, afterwards Poligar, or Raja, who was the King's representative for the circle of villages which constituted the Nadu. But that chief had nothing to do with any village except when there were disputes to be settled between it and the other villages. Graver crimes had to be inquired into and punished, when his help would be sought by the villagers, or stolen property had to be recovered from offenders outside the village. With the internal constitution or management of the village he had nothing to do. So we find with their modern representatives the Poligar and the Zamindar of the present day, not only in Tondamandalam but also in other countries where the same custom appeared to

prevail. Their claims to interfere with the village are strongly resisted. The Monigars, Patels, have nothing to do with them; they are not themselves, as some have supposed, the representatives of the old chieftains. The Curnams, etc., always resisted the attempts of the chieftains to punish them. The village paid to the chieftain a share in consideration of the protection he afforded them against external enemies, and the obligation he undertook of reimbursing the value of any property lost.

The village lands were held as joint property. There was no individual holding. How the inhabitants, who were supplanted and continued to cultivate under the colonists, held the village before the appearance of these colonists does not appear. All that we can safely assert is that the earliest available evidence points to communal, and not individual or Ryotwary, proprietorship. Nor is there anything to show that the village community was, in the Tamil country at any rate, under any headman. They elected their own officers. They allotted to them their duties. They were in every respect self-governing communities, except when they had to submit to arbitrary power.

EKABOGAM

The village assembly is not a body of men collected together for the occasion. But they dealt with common property. Instances of so-called individual ownership of villages are easily explained. Some of them are grants by sovereigns, which convey no ownership but only the right to the revenue. In some others the old proprietors have been bought off. Omitting those acquired by violence, there are not many instances of individual ownership of villages of which the origin

cannot be traced to a grant, if not by the King, by the community itself. For a community often grants part of a village with its slave residents in lieu of Kaval fees. There are many instances of villages owned in common of which the origin cannot be traced, and which tradition attributes to colonisation with equal rights to the colonists. No instance has been known of a village owned by a single individual or family or whose lands were held by its members in severalty developing communal ownership. There are instances of properties held by single persons becoming the joint estate of their descendants. But sooner or later they are partitioned amongst them. They do not form a village community in the sense in which we understand the term. I am not aware of any instance in which any community has claimed descent from a common ancestor.

OFFICIALS OF THE EAST INDIA COMPANY

All available evidence substantially supports the views here advanced. In referring to such materials as we have at our disposal, I propose first to deal with the nature of Landholding, witnessed by the officials when the country passed under the East India Company. Their opinions, though they all support my conclusions, are not very much to be relied upon, except in so far as they are supported by facts mentioned by them.

JUDGMENT OF SUPREME COURT

The question as to the way in which the villagers held the property arose in connection with the land revenue settlement. It was then the view acted

upon that the property in the soil belonged entirely to the East India Company, and any claim to land or to any interest therein had to be established in the same way as a tenant in England had to do against his landlord. It happened however that in the town of Madras, which was acquired by the East India Company from the Hindu Chandragiri Rajas, and never came under the Muhammadan influence, the ancient rights were preserved, and under the influence of English lawyers, those rights were set up and they were upheld by the Judges of Supreme Courts who were always Barristers, after full evidence of the custom was given on both sides. Though there are numerous papers written on the rights of village communities, who were called Mirasdars, it is probable that an equally trustworthy account is not available elsewhere. Because everywhere else in Chingleput, Tanjore, etc., people had already come under the influence of alien ideas; and the writers were revenue officials interested in upholding the claims of the East India Company, or, as they would have preferred to call it, public interests against any individual who asserted his own rights. The right asserted was called the Mirasi right. The Chief Justice states in his notes that though the evidence was confined to the village in question, Tondiarpet, a part of the town of Madras, "the right being one that exists throughout most of the Provinces of the Peninsula, it became illustrative of the interests and claims of a great proportion of the land-holders in this part of India". "The term Mirasi, by which the species of property in dispute is distinguished, introduced by the Muhammadans has become familiar to all. Still among the Brahmins, it generally goes by the name of Swastyam; as it does by that of Caniatchy among

such of the cultivating classes, who have not adopted the Muhammadan term." Then in the Judgment it is stated (see para 17), page 133, "Mirasi papers":

"In their capacity of Mirasdars, besides their direct and proper rights, they appear to have had inherent in them certain relative trusts. They were the general superintendents of the village, and as such bound to maintain its charities, conduct its public concerns, and provide for the feasts and ceremonies of its pagoda; and as all this could not be done without means, immemorial usage, sufficiently attested, proves that every description of inhabitants in it (the artificers of the village, it would seem, and themselves certainly excepted), they were entitled to receive at proper seasons certain customary relative dues."

Then certain personal dues to which Mirasdars are entitled are referred to.

It was also found that Mirasdars were originally the owners of all the land in the village; though the greater part of it was held by Pikkarry tenants.

It was also proved that there was a Poligar, Bava Raoji, to whom they had to pay Menkavil fee. He was pledged, in consideration of what he received from them, for its security against robbers.

As to the management (see para 30), it was proved from the accounts of the village that the Vellalar families, i.e., the Mirasdars, *divided the profits* of the Maniums. They received the Tunduvaram and all other dues. They settled the Government share of the crop and the Government officials addressed themselves to them. Menkavalgar received his fees from the Pykaries with their sanction.¹

¹ It was only the other day the Government paid nearly 1 lac of Rupees to the Egmore Raddies for acquiring the bed of the spurtank.

This is a much better authority than any other record after the country passed under the East India Company's rule. There is nothing peculiar about Mirasi. It is a Muhammadan term, but its Samskrit equivalent is found throughout the Presidency. That the Mirasdars, *i.e.*, the village community, governed the village so far as they could under the East India Company was proved. They were treated in a body as village representatives. There was no headman. They divided the profits. It is a clear case of joint enjoyment and communal ownership. Before referring to the rest of the evidence bearing on the matter, I may explain that the villages which contain common property are generally divided into three classes.

KARIEDU THREE KINDS

1. *Samudayam*.—The villages to which this term specially applies are those in which the members of the community, or Mirasdars as they are now called, cultivate the lands in common and divide the produce according to each man's pangu, or share. That is, there are no separate allotments of lands to individuals and the property was a right to a certain share or number of shares in the produce. In such villages each holder possessed his proportion of the common stock and contributed his share of the labour.

2. *Pasun Carei or Kariedu Village*.—Lands of all descriptions are held in common and distributed for cultivation at stated periods. The word Pasun is an old Tamil word cognate with the Kanarese. Verb 'Pasu' to 'Divide'. Both words mean "field division."

3. *Arudi Carei Village*.—Cultivated lands are permanently distributed but all other rights and privileges are held in common. In most of these also land reclaimed from the waste since the general division is Samudayam or common property.

In 1816, according to the Collector of Madras City, there were 15 villages, and that in each of them this mirasi right obtained. Eleven of these were held in *Pasun carie* tenure. The village of Mylapore, S. Thome, was held in *Arudi carie* tenure. The reason given is interesting. The Collector said that S. Thome was a Portuguese settlement, and they effected the alteration in the customary tenure. (See page 190, Mirasi papers.) In Madras therefore it was a case of communal ownership. For a number of alienations of common lands by the "Gramatars," villagers, of Tondiarpet in Madras (see papers on the Mirasi right, p. 314.)

TANJORE

In Tanjore in an enquiry held in 1807 it was found that out of 5,783 villages 1,774 were Samudayam or kareid. It may be easily surmised that before the days of the East India Company and the disruptive tendencies of the Ryotwari settlement they were much larger.

CHINGLEPUT

In Chingleput this was the position as described by the Collector¹ in 1819. After referring to the tradition of the country that a certain King conferred the Caniatchi, ownership of the lands, on

¹ See p. 402, Mirasi papers.

Vellalars who came from Chola Desam, he said: "The land and ownership were both originally Pasun Carei, when the nattams were formed, the ownership was made arudu carei but the land still remains Pasun Carei. In course of time the Rajas to gratify the Brahmins gave them many villages having as already stated purchased the Caniatchi from the Vellalars. The Brahmins divided the lands and converted them into separate possession now called Arudu Carei; and nearly all Agraharams *are held* under this tenure; as almost every Munnavedoo (villages held by non-Brahmins) *is still Pasun Carei* according to the original institution. There are exceptions to both but this is the general case."

He further pointed out that the Brahmins did not divide the village privileges and maniums with the lands, and that the former were transferable only with the lands.

TINNEVELLY

I shall take another instance from the southern corner of the Presidency. Writing in 1800 the Collector of Tinnevelly said that the property of a member of a village community consisted of a Bhagum or share. Four of these shares were said to constitute a Carai, and each village is said to consist of so many pangus. The right of property is ascertained in the village Kosham which is an accurate register of the property in the same manner as the Iyacut account is of its lands. The right of Karai rarely conveyed a right to any proprietor to any specific spot of land and whenever this practice prevailed it was a departure from the original institution. *The property of the whole village was*

at the time the Collector wrote *common to the whole number of proprietors*. Every transaction of revenue, every matter of loss and gain was common to them all to the extent of their respective shares and as they were all jointly and separatively responsible for the revenue of the village according to the strict construction of their tenures so they are all alike equally entitled to any emolument or advantage which may arise therefrom. The Collector added that the villagers were so tenacious "of this established right of every village benefit being in common that a sort of lottery takes place at stated times to make a new distribution of village lands, by which they changed owners for a certain period until the lottery is renewed. By this means they generally continue to pass from one proprietor to another so as to exclude effectually indeed the right to any particular spot; but to establish the right of the general body to the whole village in common." This description applies to both Brahmin and Sudra villages. There is no reason to think that different conditions prevails elsewhere in the Presidency.

S. ARCOT, MADURA, SALEM, TANJORE

In S. Arcot the Collector stated in 1800 that Pasungcary prevailed generally but it was got rid off in 1803. (Mirasi papers, p. 347.) In Madura, the conditions are the same as Tinnevely and it prevailed at one time. (See Mirasi papers, p. 158.) It prevailed in Salem also. (App. 6. Salem Manual, p. 432.) In some other districts also you find traces of similar holding of property. But these latter have been subject to strong foreign influence and there is reason to believe that their disappearance is due to them.

Ancient history confirms this view. The Cholas are generally reputed to have colonized the country called Tondamandalam between the Northern and Southern Pennar and it is said by some writers that this common holding must be confined to those districts. The Chola dominion at times extended over the whole of the Presidency. Tinnevely where this system undoubtedly obtained was under the Pandyas.

The Mirasi is not any special right. In some particular villages they are known by that name. Under the Indian Kings the rights and obligations of the village community were the same everywhere in the Tamil Country where the conditions were the same, and when we find that the rights of the members of the village were the strongest where there was the least foreign influence we may fairly presume that all these village communities started similarly and communal ownership was the common mode of holding the property.

EVIDENCE FROM INSCRIPTIONS

I shall refer to the evidence supplied by the Inscriptions in the valuable reports which are now being published by the Government of Madras. As to the state of things in ancient days, we have therein some instances of *origin* of village communities. The *origin* of village communities had not yet been properly ascertained. A village, called Sungandavirtta-Soranallur, was held by members of the Shudra caste. It consisted of 90 and odd velis of land, consisting of 50 karais. About 77 velis, consisting of 41 karais, were purchased and given to 106 Brahmins and to a certain temple. This property that was purchased

and given to them was itself divided into 108 shares (Pangus) of which the temple was to take 2 Pangus. The King's revenue, etc., was also assigned to these Brahmins and the temple. It will thus appear that the property was held to the extent of 17 velis by one set of persons, the Shudras, the old proprietors of the whole village; the others by the temple and Brahmins. These three therefore formed the village community. They were all held under the "kareidu" system, *i.e.*, cultivation by periodical distribution of lands. Each Brahmin in this had presumably one share for himself. The above is the grant by a Chola King in the year 1213. There is a grant by a Pallava King of Kumaramangala Velathur, which name was changed afterwards by the Brahmins to Udayachandramangalam. The village was granted to 63 Brahmins with 133 shares (Pangus) between them. The old proprietors were of a different religion and were expelled. The share to which the donies were entitled are given, some of them obtaining only one share, the great majority of them getting 2 shares and a few getting 3 shares. The important point is that the King would not have made the grants in this form unless such had been the prevailing custom. Equally, if not, more important than the above is an inscription which may be placed about A.D. 1010, purporting to be a fresh distribution of partition of almost all the lands of a certain village by its "middle-aged citizens" at a meeting assembled. Many more instances may be referred to in support of communal ownership in ancient days. In one deed of sale by a village community the land sold is expressly stated to be common property. (See App., p. No. 6. *Salem Manual*, p. 432.)

IS IT PARTNERSHIP ?

We have numerous instances of persons combining together in the cultivation of their lands, in exceptional circumstances. But there is nothing to support the suggestion of the Collector of North Arcot in 1818 that "Pasungarai seems to have been an association of partners subsequent to the original institution of the village". I would not have noticed this but for the circumstance that this surmise is accepted as a fact by Mr. Baden Powell (see page 375, *Indian Village Communities*) who apparently accepts that theory. The communal ownership will also appear from the facts referred to in the portion relating to Self-Government.

POINT BEFORE US SELF-GOVERNMENT

Irrigation

Of great importance is the question how the village community governed itself. If my view is right that originally communal ownership was the rule, then some form of Self-Government very probably developed itself at or after the formation of the village community to discuss and settle common matters. Even where there was no joint holding and each person held his land separately, there was a tendency to combine in cases of necessity. Thus the Collector of Tinnevely reported in 1800 that in cases of short supply of water all the inhabitants of the village used to assemble and having determined the extent of land that might be cultivated from the quantum of water in the tanks, it was apportioned out by themselves to

each inhabitant according to the extent of Nanjah land possessed by him in the village.

REVENUE

So again when the officials of the East India Company fixed the assessment on a village as a whole, the members of the village community met together and apportioned the rent among themselves. Even when the officials imposed the Ryotwary settlement, *i.e.*, fixed the land assessment on each field and held the owner therefor responsible, the ryots often combined among themselves to remove any hardship to any one of them. The ideas of combination and mutual help seem to have been inherent amongst the Tamil race.

CARLIAMBHIR

The caste assembly settled all caste disputes. So we find that Ellis, one of the earliest and most careful of enquirers into this question, states that all the affairs of the village community, both internal and external, are discharged by the village assembly "Gramapravirthikam". "In this assembly," he says, "each proprietor has a seat and a voice, each possessing a right to the management of the general business of the community as to every other privilege in proportion to it." In the Judgment of 1808, already quoted, the Chief Justice, after a thorough investigation, found that the Mirasdars were not only the owners of the land and had the right of management of village affairs, but they were entrusted also with the management of public duties. As he pointed out, to perform their public duties they must have had corresponding powers and financial resources. What their

claims were may be gathered from certain deeds found in the papers relating to Mirasi rights.

The following rights were conveyed by these title-deeds.

(1) Nidhi, (2) Nicshepa, (3) Pashanam, (4) Siddha, (5) Sadhya, (6) Jalanwitam, (7) Acshini, (8) Agami, Samayuktam Ashta Bogha Samanwitam.

(1) Treasure Trove, (2) Property deposited in the land not claimed by another, (3) Mountains, rocks and their contents, mines, minerals, etc., (4) All land yielding produce, (5) All produce from such land, (6) Rivers, tanks, wells, and all other waters, (7) All privileges actually enjoyed, (8) All privileges which may be conferred; these are expressed by the general term Ashta Bhogam, the eight rights enjoyed by the owner of the land.

So also the village community and every member thereof had rights to woods of all kinds, forests, and game.

So it is quite certain that the claims now advanced by the Crown and their grantees that the people of the country have a right only to the land under cultivation is contradicted by the ancient deeds. Every one was entitled to his homestead, Collei, and to Pizhaccadai, the backyard immediately adjoining the house; these two, as the experienced Revenue Officer who wrote the notes points out, are held free of all rent though sometimes of considerable extent. The same officer points out that such enclosures are highly manured and afford valuable produce. These are not confined to the members of the village community but to every one having an habitation in the village. Under the British Government the homesteads are not always exempt from taxation and the backyards are not.

AYAMS

In addition, it includes the right to levy dues on trades, and professions, etc.; in fact generally all the rights which a modern Municipality, acting under powers delegated to it by the supreme Government, possess. It further includes the right to manage temples and other charities. The Chief Justice of Madras in 1808, in the Judgment referred to, found this claim proved as also the claim to receive certain other personal dues not herein enumerated. These deeds were executed in the 18th century after this part of the country had passed under the rule of the East India Company. Those claims were asserted, and there is strong evidence of the tenacity with which those claims were enforced. The East India Company allowed the exercise of those claims only because at that time they were only traders, and their attention had not been directed to land revenue as a great source of income, as it was after the acquisition of Bengal and the Northern Circars.

CRIMES

One important point will be noticed; the right to take cognizance of grave crimes or to punish offenders is nowhere referred to. With that exception the Government of the village by the village community seemed to be absolute. The inferences derivable from these are confirmed for the entire Tamil country by the Inscriptions which are now being published. The latter also throw a flood of light upon the village communities of ancient days, and tend to completely demolish the ideas entertained about the capacity of the Tamilians, at any rate, for Self-Government. They

show the powers that were vested in the village community and also how they exercised those powers. They also prove communal ownership.

A King, in the Saka year 1328, for money received sells a village and half of another village as Sarvamanium to a temple. He gives the temple the right to receive the tax on oil mills (Sekku Kadamai), the money for the sale of the fish in the tanks (Eri Min Panam), but excludes tolls (Chungam), Mamagam, Idatturai, I, No. 55, page 82. A Kerala merchant granted three villages, which he bought from one Sambuvarayan, to a temple, I, Nos. (59 to 64). The deeds convey the wet and the dry land within the boundaries, the trees over ground, and the wells underground and the right to receive the following dues :

(Inscription 59.)

Ayam (Tolls).

Chillarai (Small taxes),

Peruvari (Large taxes).

Karthika Arisi—Karthika Pachai.

Sekku Kadamai—The dues payable on oil Mills.

Tari Irai—The dues payable on looms.

Kadai Irai—Rent payable for shops.

Thattar Pattam—Dues payable by goldsmiths and all others.

(Inscription Nos. 61, 62, 64.)

Eri Min Kasu—fee. for the sale of fish in the tank.

Nir Nila Kasu—Money from land and water
(perhaps 'for storing water').

Antar Ayam—all internal revenue. (Srinivas

Raghava Iyengar states this means import duties.)

Another inscription which has been referred to conveys the following rights among others. (No. 3, Appendix.)

(No. 22, Vol. II.)

Setti Irai—Dues payable by trades.

Valri Ayam—Tolls.

Mavadai—Kulavadai—Game and Tanks.

(No. 22, Vol. II.)

Orukku Nir Pattam—Tax on water courses.

Indvari ? Irdaivari—all forms of tribute.

Angadi Pattam—Tax on Bazaars.

Upp Ayam—Salt tax.

The above is a grant to an Agraharam, a community of Brahmins. It also shows that the Shudra Proprietors who were dispossessed from the major part of the village had the same rights.

Another grant to a temple enumerates also Maravadai among others. See II, page 247.

On one occasion—but this stands singular—the King, besides granting the other rights to a temple, gives also “Kurram and Dandam” the right to punish for crimes. III, p. 122.

The Reports of the Archæological Department are full of instances in which the ruler or a chief grants, to temples chiefly, the right to collect the taxes or dues payable by the trades or professions. (See Archæological Superintendent’s Report, 1910-11, p. 83.)

All these are grants made by the King on behalf of the King. They include not only complete ownership in the land where the former owners have been dispossessed, as stated in the grant, but concedes all rights, including what we call “revenue,” which are referred to in the deeds, showing the claims recognised when the East India Company took possession of the country. Those rights were recognised as alienable. If the sovereign could recognise these rights in some, there is nothing improbable in the village assemblies being conceded

those rights. It must have been recognised in the case of those who obtained them from the grantees from the King. It is remarkable that even under the Vijayanagar Kings, when the Kings were, at any rate in their later days, receiving half of what the villagers paid to the Poligar, they were allowed to grant any village in Sarvamaniem free of all dues payable to the King. We have moreover many instances where the village assemblies claimed and dealt with them. In selling a land, the villagers say they give up the right to (1) Velikasu, (2) Nir Vilai—water cess, (3) Chillarai—all small taxes (4) Sorumattu—and other (see III, p. 143). The assembly sometimes sold such rights to a temple. *Āṅgāḍikkūli* was sold by the assembly of Nadu to the temple at Tirumayanam. Ep. Rep. for 1910-11, p. 68, paragraph 19. They generally use a general term, to show they give up everything. They give a land free from taxes so long as the Sun and Moon shall last, and shall not levy "antaraya" internal taxes and Maganmai, III, p. 177. In referring to dealing by village assemblies, we shall refer to numerous instances of grants to temples, and it may be assumed that in such generally the grant is made "free of taxes". The word translated taxes in the inscriptions includes all dues. All these inscriptions are hundreds of years old. They come from various parts of the country, and the conclusion forces itself upon one's mind that these village communities exercised not only all the powers of land ownership, but all the powers of what is now called taxation. Those powers were not exercised individually but as a body. The benefits were enjoyed as a body. We have already shown that it was so, when the East India Company took possession of the country: The

inscriptions show that it has been the same for hundreds of years.

The "great council" (Mahasabhai) of Narasimhamangalam makes a gift of five rice fields consisting of 2,000 Kulis of land "as exclusive property with exemption from taxes" to our Lord of Tirukkadal-mallai, by which it is said that the shore temple at Mahabalipuram in the Chingleput District is meant. This was in the time of the Pallava Kings. See Vol. I, page 69.) There are many inscriptions of similar grants in other districts under the Pallava Kings as also of the Chola Kings. The village as a corporate body also purchased properties. We have got a receipt by a vendor of property to the Mahajanagal (great assembly) for the cost of 170 panas of a Kani of land (1 Kani being equal to 24 Manais and 1 Mani equal to 2,400 sq. feet) in Vellore in the North Arcot District. (See I, page 78.) This appears to have been made sometime in the 14th century. What sort of land this was does not appear. We have another instance of a sale by a village of 32 kanis of land consisting of 4,000 kulis of wet land (nilam), 2,000 kulis of dry land (Kollai), and of houses (Manais). I, p. 104, see also III, p. 155.

It appears to have been the practice in ancient days for village "councils" to receive money or land on their undertaking to pay a fixed sum of money as interest to a temple, or to supply the temple with certain articles, or to perform some ceremony there or to maintain some charity. Kings, managers of temples, chieftains, strangers from distant parts of the country, Princesses, entrusted the village assembly with funds. The "village council" must have been a body with whom transactions might have been entered into, who had funds of their own and who could be held

responsible. (For a few such instances see Vol. I, pp. 85, 117, 140, 146 ; II, pp. 70, 90, 93, 96, 99, 100, 102, 103, 104, 124, 131, 132 ; III, pp. 3, 4, 5, 16.) There are instances on record where they were so held responsible. A Chola King granted the village of Sirriyarrūr¹ to the Sabha of Pudupakam, the condition of the grant being that the Sabha should make over a fixed quantity of the produce of the village and a certain amount of gold every year to a certain temple. The boundaries of the village were determined and a document drawn up. The Sabha of Pudupakam carried out the conditions of the grant. Sometime later an additional item omitted from the original grant was made payable from the same village to the temple. The village council at Pudupakam misappropriated this. On complaint by the managers of the temple, the council was fined by the King, after the King had satisfied himself of the misappropriation. Similarly when the village suffered any grievance, it was the village assembly that complained to the King. A Pandya King granted a plot of land to a Brahmin. There was also another land granted by a private individual to a temple in which the King made some changes. The assembly of Solantaka complained to the King that the owners of the above land dug a channel which they should not have done. Upon satisfying himself of the truth of the complaint he directed that the new channel should be closed immediately, that lands in exchange be given to the proprietors elsewhere under the same names² and under the same conditions, and that for four years from the date of the grant the new lands were exempted from the payment of any taxes. Again the

¹ Archaeological Asst. Supt. Report, 1907, page 71.

² A.A.S., 1909, page 80.

village council had to pay¹ debts incurred by their accountants who had absconded.

We have the Sabha (the members of the council) of Perunangaimangalam receiving monies on loan and promising to pay interest. (See Vol. ii, part 2, page 131.) The Chola King who reigned between 985 and 1013 ordered large number of villages to supply watchmen and pay 100 kalams of paddy per year to each temple watchman out of the dues payable by the inhabitants of villages. Those orders were in the majority of cases issued to the members of the assembly of those villages mostly. In a record of about the 9th Century A.D. from Tiruchendur (Tinnevely) the same distinction is made. The *devadana* and *brahmadeya* villages are invariably represented to have a Sabha, while the others appear to have been managed by the villagers (*urar*). In others it purports to be issued to the villagers themselves. I presume there is no difference between the two. There are also similar orders for many villages to supply other temple servants, temple treasurers, Brahmacharis, accountants, etc., with directions to give them their pay at the rates specified in their order. The directions are issued to the Councils of those villages. There are 145 such villages to whose assemblies orders have been issued in one instance. (See Vol. ii, part 3, page 320.) Many of these villages are the same as were referred to in the prior order. There are numerous² instances where the "Council" of the village sell village lands to a person who often gives them back to the villagers for the maintenance of a flower-garden (*nandavanam*) or for the performance of some service

¹ A.A.S., 1907, page 76.

² For a few such instances see Vol. iii, part 1, pp. 6, 17, 51, 57, 87 and 111.

in the temple. The Village Council sell one of *the hamlets* with the Panchama population upon it, iii, page 19. There are instances not of the kind of sale that we have referred to before, but where the sale is stated to be for a certain purpose, generally charitable, say to maintain a garden, to¹ perform a ceremony, or to found a mutt, but at the same time the vendor or the village assembly receives its value. It is significant that in some of these sales the purchasers are exempted from paying taxes and in some, it is expressly stated that the vendors hold themselves liable to pay the taxes. On occasions of marriages before pan supari are distributed to the assembled guests, honours are done known as Sambihavana, first to God then to priests and one plate is offered to some old man as Gram-mattar Sambhavanai or Mahajana Sambhavanai.

Similar instances are found in various places and also at various dynasties. There are also instances where the villagers as a body receive deposit and pledge themselves to pay the interest of that sum to the feeding of pious people.

I have given an instance of the village community dividing a village by giving away a hamlet. We have also instances of two villages combining themselves into one.

Such numerous instances coming from various parts of the country at different times can lead only to one conclusion. The Rajas deal not with any individual but with the "Village Council"; "the Village Council" exempt the lands from taxes. They make a gift of them; they purchase lands for the village; they sell village lands; they receive deposits on behalf of the village.

¹ See A.R., 1912, Part 2, para 37.

In none of these is there any reference to a King, or any ruler or his representative. In a few cases they themselves undertake to pay any taxes.

In the cases of persons who make default in payment of their dues it is to the "Village Assembly" that the Raja issues the order to sell the defaulter's lands to persons other than the defaulters. (See Vol. iii, part 1, page 15.)

For various other instances in which lands were sold by Village Assemblies for arrears of taxes. (See A. A. S., 1910, page 92.)

There are also instances of land becoming common property probably by default and of being distributed by "the Assembly" afresh. (See Vol. iii, part 1, page 12.) Such instances show not only Government by a "Village Assembly" but also the existence of common property and the power to deal with it.

At this distance of time it is not easy to discover how this Village Assembly governed itself. Invaders, Indian or foreign, did not favour these institutions very much. For the periodical partition of village lands, for sales, instances of which have been already given, the Mahajanam or the Mahasabhai, constituted of all the members, as Mr. Ellis pointed out, appear to have been necessary. Some inscriptions refer to all middle-aged citizens. For the ordinary management there appear to have been committees. The late Dewan Rangachari, a recognised authority, writing about the middle of the last century, said that the village elders were elected. It is probable he may have heard it from persons who could speak to the state of things that existed before the days of the East India Company. We know however that when the English officials appointed village Heads in the

earlier days of the 19th century, the villagers claimed to exercise a right of veto on the ground of undesirability of the persons selected. The matter may now be said to be placed beyond controversy by the labours of the Archæological Department. The information is so remarkable and of such interest that I propose to quote the Inscription in full.

These rules are said to have been promulgated in A.D. 918-919 and 920-921 during the reign of a King named Parantaka. With the help of the King's Offices one set of rules was framed in 918-919 and inscribed on the temple walls. These were apparently not accepted by the King, who deputed a Brahmana official to see other rules framed. As might be expected more spiritual and moral qualifications are insisted upon.

They were framed by the village assembly for the election of three committees, the "annual committee," "garden committee," and "tank committee". The names indicate their functions.

The qualification that a person should own more than a quarter veli of tax paying land excludes those village servants, though they may be village Heads, or Karnams, who own only inam lands which given to them as emoluments for their offices. Strangers, who do not belong to the village community but live in houses that pay rent to them, are excluded, as every candidate must live in a house built on his own site. The rule II (d) confines the election to Brahmins.¹ A committee member who has not submitted his accounts and his relatives, who are specified, are not eligible. They are to hold office for one year, though if found guilty of any offence, they are to

¹ See A. A. S. Rep., 1910, pp. 98, 35.

be removed. For electing committees after the year, "the committee for the supervision of Justice" had to convene the assembly, and it is remarkable that a woman could be a member of that committee. The lines 13 to 16 refer to two other committees. They are called "panca vara committee" and the "gold committee". I am inclined that the first is really "pancha varna committee". The committee of the community of the five classes. They are non-Brahmanas, generally I believe trading classes. These two committees would not be composed of Brahmanas and no qualifications implying spiritual merits are imposed. The disqualification was membership of the six wards already represented, and conviction for some offence or forgery.

(Lines 1-2) Hail! Prosperity! On the sixteenth day of the fourteenth year of King Parakesarivarman, who conquered Maderai (*i.e.*, Madura)—Whereas a royal letter of His Majesty, our lord, the glorious Viranārāyana, the illustrious Parāntakadēva, the prosperous Parakesarivarman, was received and was shown to us, we, the (members of the) assembly of Uttaramēru-Caturvedimangalam in its own subdivision of Kāliyūrkōttam;—Karañjai Kondayakramavitta bhaṭṭaṅ alias Sōmāsiperumaṅ¹ of Śri-vaṅganagar in Puraṅgarambai-nāḍu, (a district) of the Cōḷa country, sitting (with us) and convening (?) the committee in accordance with the (royal) command,—made² a settlement as follows according to (the terms of) the royal letter for choosing once every year from this year forward (members for) the

¹The word Sōmāsi is a tadbhava; probably the Samskrit Sōmayajin.

²The wording in line 17 makes it likely that the settlement was actually made by Sōmāsiperumān, and the village assembly very probably agreed to carry it out.

“annual committee,” “garden committee,” and “tank committee” :

(Lines 2-3) I. There shall be thirty wards.

II. In (these) thirty wards, those that live in each ward shall assemble and shall choose for “pot-tickets” (kudav-ōlai) (anyone possessing the following qualifications) :

(a) He must own more than a quarter (veli) of tax-paying land.

(b) He must live in a house built on his own site.

(c) His age must be below 70 and above 35.

(d) He must know the Mantrabrāhmana,¹ (i.e.) he must know (it) by teaching (others²).

III. Even if one owns only one-eighth (veli) of land, (he shall have) his name³ written on the pot-ticket to be put into (the pot), in case he has learnt one Veda and one of the four bhāshyas by explaining (to the others).

IV. Among those (possessing the foregoing qualifications)

(i) Only such as are well conversant with business and are virtuous shall be taken, and

(ii) One who possesses honest earnings, whose mind is pure and who has not been on (any of) the committees for the last three years⁴ shall (also) be chosen.

(Lines 4-6.) One⁵ who has been on any of the committees but has not submitted his accounts, and all

¹ i.e., The Mantras and Brāhmanas, not merely the Chhāndōgya-brāhmana which is also called Mantrabrahmana.

² This is the literal meaning of the phrase *ōduvitt arivāṇ*. But the author perhaps wants to say “one who can teach (others)” in which case the expression must be *ōduvikka arivāṇ*. The word *vakkānett-arivāṇ* in line 4 below is also similarly used.

³ The original has *avanai*, i.e., him. But to make the sentence intelligible, I have translated the word by “his name” in the light of what follows.

⁴ See note 6, on page 138.

⁵ The writer uses the plural here, but subsequently lapses into the singular number about the end of the next line. I have for the sake of uniformity used the singular.

his relations specified below shall not have (their names) written on the pot-tickets and put¹ (into the pot):

- (1) The sons of the younger and elder sisters of his mother.²
- (2) The sons of his paternal aunt and maternal uncle.
- (3) The uterine brother of his mother.
- (4) The uterine brother of his father.
- (5) His uterine brother.
- (6) His father-in-law.³
- (7) The uterine brother of his wife.
- (8) The husband of his uterine sister.
- (9) The sons of his uterine sister.
- (10) The son-in-law who has married his daughter.
- (11) His father.
- (12) His son.

(Lines 6-9.) A. One against whom incest,⁴ agamyā-gama, or the first four of the five great sins⁵ are recorded; and

B. All his relations above specified⁶ shall not have (their names) written on the pot-tickets and put into (the pot).

C. One who has been outcast for association (with low people) shall not, until he performs the expiatory ceremonies, have (his name) chosen for the pot-ticket.

¹ The words *puga ida* may also be translated to appoint in order to enter (the committee)!

² The original has *Sirr-avai*, "younger mother" and *pēr-avai*, "elder mother". As paternal cousins would be differently described, I have taken the words to refer to maternal cousins.

³ Literally "the uncle who has given his daughter (in marriage)".

⁴ If a man guilty of incest performed the prescribed expiatory ceremonies, the prohibition against his relations was removed; see clause I of this paragraph below.

⁵ The five great sins are: (1) Killing a Brāhmana, (2) drinking intoxicating liquors, (3) theft, (4) committing adultery with the wife of a spiritual teacher, and (5) associating with any one guilty of these crimes; *Mann*, xi, 55.

⁶ This evidently refers to the foregoing enumeration of relations.

D. One who is foolhardy, shall not have (his name) written on the pot-ticket to be put (into the pot).

E. One who has stolen the property of others shall not have (his name) written on the pot-ticket to be put (into the pot).

F. One who has taken forbidden dishes of any kind¹ and who has become pure by performing the ghī expiation² shall not to the end of his life have (his name) written on the pot-ticket to be put into (the pot) for the committees.

G. One who has committed. . . . sins and has become pure by performing expiatory ceremonies;

H. One who having been a village pest has become pure by performing expiatory ceremonies;

I. One who is guilty of incest and has become pure by performing expiatory ceremonies; all these thus specified shall not, to the end of their lives, have (their names) written on the pot-ticket to be put into (the pot) for (any of the) committees.

(Lines 9-11.) Excluding all these, thus specified, names shall be written for "pot-tickets" in the thirty wards, and each of the wards in these twelve streets (of Uttaramallur) shall prepare a separate covering ticket for (each of the) thirty wards bundled separately. (These packets?) shall be put into a pot. When the pot-tickets have to be drawn, a full meeting of the great assembly,³ including the young and old (members), shall be convened. All the temple priests (nambemār), who happen to be in the village on the day, shall, without any exception

¹ Manu (xi, 57) declares this to be equivalent to drinking intoxicating liquor.

² Kṛtaprāyaschitta is perhaps a mistake for ghṛtaprayaschitta. Manu prescribes the drinking of hot ghī as an expiation for sins more than once; see, for instance, xi, 215.

³ The assembly here gets the epithet tiruvadiyār, "their majesties," which is omitted in the translation.

whatever, be caused to be seated in the inner hall, (where) the great assembly (meets). In the midst of the temple priests, one of them, who happens to be the eldest, shall stand up and lift that pot, looking upwards so as to be seen by all people. One ward (*i.e.*, the packet representing it) shall be taken out by any young boy standing close, who does not know what is inside, and shall be transferred to another (empty) pot and shaken. From this pot one ticket shall be drawn (by the young boy?) and made over to the arbitrator (*madhyastha*). While taking charge of the ticket thus given (to him) the arbitrator shall receive it on the palm of his hand with the five fingers open. He shall read out (the name on) the ticket thus received. The ticket read (by him) shall (also) be read out by all priests present in the hall. The name thus read out shall be put down (and accepted). Similarly one man shall be chosen for (each of) the thirty wards.

(Lines 11-13.) Of the thirty men thus chosen, those who had (previously) been on the "garden committee" and on the "tank committee," those who are advanced in learning, and those who are advanced in age, shall be chosen for the "annual committee"¹. Of the rest, twelve shall be taken² for the "garden committee" and the remaining six shall form the "tank committee". These (last) two committees shall be chosen by the *karai*.³ The great men of these three committees, thus (chosen) for them, shall hold office for full three hundred and sixty days and

¹ The accusative *samvatsara-vāriyaraṅgam* has to be taken in the sense of *samvatsara-voriyarāga*.

² *Karai* in *tamil* means, 'stain, bank, shore, border, speech.' The expression *karai-katti*, which is here used, must be synonymous with *karai-parittu* in line 15. These two terms appear to denote some method of selection something like 'oral expression of opinion' which may be derived from the meaning 'speech' given for the word *karai*, by *Winslow*.

(then) retire. When one who is on the committees is found guilty of (any) offence, he shall be removed (at once). For appointing the committees after these have retired, the members of the "committee for supervision of justice" in the twelve streets (of Uttaramallur) shall convene an assembly (kuri) ¹ with the help of the arbitrator. The committees shall be appointed by drawing pot-tickets. according to this order of settlement.

(Lines 13-16.) For the pānca-vāra committee ² and the "gold committee," names shall be written for pot-tickets in the thirty wards, thirty (packets with) covering tickets shall be deposited (in a pot) and thirty pot-tickets shall be drawn (as previously described). From (these) thirty (tickets) twelve men shall be selected. Six out of twelve (thus) chosen shall form the "gold committee" and the (remaining) six the "pānca-vāra committee". When drawing pot-tickets for these (two) committees next year, the wards which have been already represented (during the year in question) on these committees shall be excluded, and the selection made from the remaining wards by drawing the kari. ³ One who has ridden on an

¹ For this meaning of the word kuri see South-India-Inscript. Vol. iii, p 17; compare also perunguri in line 15.

² Professor Kielhorn translates pānca-vāra by "committee of five". Ep. Ind, vol. v, p. 138. But as the number of members of this committee is fixed at six later on in this inscription, this translation cannot be accepted. Perhaps it supervised the five committees (pānca-vāra) of the village. It is possible that originally there were only five committees in a village and the works of these was supervised by the pānca-vāra committee. In the Telugu country it appears to have been a special honour to be placed on this committee and this honour was probably due to its supervising the work of the other committees. Later on, the number of village committees seems to have been increased and there appear to have been more than five committees. Even after this alteration the original name, pānca vāra-variyam, given to the supervising committee was probably retained unaltered.

³ See note 3, on page 144.

ass¹ and one who has committed forgery shall not have (his name) written on the pot-ticket to be put (into the pot).

Any arbitrator who possesses honest earnings shall write the accounts (of the village). No accountant shall be appointed to that office again before he submits his accounts² (for the period during which he was in office) to the great men of the big committee and (is declared) to have been honest. The accounts which one has been writing, he shall submit himself and no other accountant shall be chosen to close his accounts.

(Line 16.) Thus, from this year onwards, as long as the moon and sun (endure), committees shall always be appointed by "pot-tickets" alone. To this effect was the royal letter received and shown (to us), graciously issued by the Lord of Gods, the Emperor, one who is fond of learned men, the wrestler with elephants, the crest jewel of heroes, whose acts (*i.e.*, gifts) (resemble those of) the celestial tree, the glorious Parakesarivarman.

(Lines 16-17.) At the royal command Karañjai Kondaya-kramavita-bhattan alias Śōmāsiperumān of Śrivaṅganagar in Purangarambai-nāḍu³ (a district) of the Coḷa country sat with (us) and thus caused⁴ (this settlement) to be made.

(Lines 17-18.) We, the (members of the) assembly of Uttaramēsur-Caturvīdimāṅalam made (this)

¹ Riding on an ass apparently as a punishment for some offence. It is implied in Manu (xi, 202) that driving in a wagon drawn by an ass is a sin.

² The word kanakku is unnecessarily repeated after kuda in line 15.

³ According to the large Leyden plates, which also mention Vāṅganagar (1.141.f.), this district belonged to Arumolidēva Valāmadu.

⁴ The later settlement appears to have been actually drawn up by the King's officer, and formally accepted by the assembly.

settlement for the prosperity of our village in order that wicked men may perish and the rest may prosper.

At the order of the great men sitting in the assembly, I, the arbitrator Kāḍaḍippōṭaṅ Śivakkuri-Rājamallamangalapriyaṅ thus wrote the settlement.

These inscriptions, as pointed out, belong to A.D. 918 to 921. They bear evidence themselves that there were village assemblies and committees before that period. There are also inscriptions prior to that date to the same effect. The "village council" of Utkal in the ninth century directed the "committee elected for the year" to make annual payments to a temple, iii, S.I.I., p. 9. This was in the time of the Pallava Kings. There is another inscription in the time of the Pāndya Kings at Tinnevely, at the beginning of the ninth century A.D. which refers to the committee of the assembly. (Ep. Ind. ix, p. 86.) I do not refer to any outside the Tamil land, though that also is not wanting.

It seems fairly certain that there were village assemblies and committees elected by the village community more than a thousand years ago.¹

These committees acted. The "Sabha" or "council" of Utkal received paddy from a person and directed "*the great men elected for the year*" to supply paddy every year as interest, evidently to a temple. (iii, p. 9.) This as pointed out, was in the 9th century. The village "Sabha" makes certain arrangements about the common property of the village, and the "*great men elected for that year*" are given certain directions concerning such arrangement. (iii, p. 12.) The "Mahasabhai" of the village including the "*great*

¹ In the records from Tirupparkadal (North Arcot district) several other village committees are mentioned. The village assembly consisted of "these committees, the learned Brāhmanas (*bhaṭṭar*) and (other) distinguished men of the village"; (*Ep. Rep. for 1905*, p. 49).

men elected for the year” and the “*great men elected for the supervision of the tank*” endow a temple with certain village lands. pp. 17, 18. Again the “Sabha,” or assembly of the village, makes a gift of a hamlet to a temple. The assembly promise not to levy any tax from the hamlet so transferred and *even if the assembly orders, “the great men elected for the year” “the great men elected for the tank” “the great men elected for the supervision of gardens”* are not to make any demand for labour, etc., on the inhabitants so transferred. (See p. 19, Vol. iii.) Who *the great men elected for the year* are appears from another inscription. A stranger assigns some land for a charitable purpose which is specified and “*the great men who manage the affairs of the village*” in each year shall supervise this charity, p. 21. Another inscription distinctly refers to the elected Committee having “*urmai*” or the government of the village. (Vol. i, p. 117.) Thus government by “village assemblies” through elected “committees” acting under them existed certainly for more than one thousand years. Every member of the village community, as some inscriptions referring to sales of village land state, every “middle-aged citizen” as the Mamalapuram inscription states, which the Uttaramellur election rules apparently define to be persons between 30 and 70 constitute the village assembly. The committees elected annually have to render accounts. When retiring at the end of the year, members are again eligible only after 3 years. Women were eligible for election, and a woman was a member of a committee of justice. (A. A. S. Report, 1910, para 35, p. 98.)

It will be observed that it is stated in the Parliamentary Report that the Patel is the headman of the village. This was written in 1812. There is no doubt

that under Native rule in the Tamil districts there was always a body of elders to look after the village. Some writers are of opinion that the rulers appointed the headman; more particularly the Muhammadan Nawabs in the times of those conquerors who did not respect the local usages. But it was not in accordance with ancient custom, which never recognised, as I have already pointed out, a single individual as the Head of a village whom the others were bound to obey. The series of inscriptions which refer to "village assemblies or councils" are inconsistent with the institution of a village Headman's office; *i.e.*, with a leader among the assembly or with a chief family among the community. The Karnam, as the writer of documents, is referred to in the inscriptions. There are instances in which villages were the private property of one individual, *i.e.*, as I have already mentioned. There in some instances the owner may appoint his own Patel, or Karnam. But there is no village community in the proper sense there. The village is inhabited by labourers. Though these officers bear the same title as the officers of a village community they are perfectly distinct. The evolution of a sole Patel was in Tamil India due to legislation by the East India Company in 1816, which recognised only one Headman and dispensed with the others. Even then it was not fully carried out in operation. "In all transactions relating to rent settlements (these were of constant occurrence until the extension of the ~~the~~ fiscal settlement throughout the District in 1859, as the rents were generally for terms of years) the negotiations with the officers of Government were conducted not by one man as representative of all, but by a deputation consisting of a number of Mirasdars." (*Tanjore Manual*, p. 416.)

JUSTICE

As might be expected, in insignificant matters and where grave crimes were not concerned, the village assembly itself probably administered justice. The records available to us including the inscriptions throw very little light. I have already referred to one inscription which shows that a certain chief assigned to a temple the right to punish for crimes (iii, p.122), but the temples stand on a peculiar footing. The Kings in those days had the power of supervision and exercised it in cases of misappropriation. (See, for instance, A.A.S. Report, 1907, p. 71.) So the temple manager may have been treated simply as a subordinate officer of the King. However it is not a case of a village assembly claiming any such right. There is one instance where it is said that the inhabitants who were not acting according to certain arrangements made by an assembly should be liable to pay a fine. (iii, p. 13.) We have also another instance of their punitive power. The assembly of Nalur, having assembled under a tamarind tree in their village, decided that the residents of their village should not do anything against their interests or the interests of certain temples on the penalty of being declared "Grama drohins". What the penalty is does not appear. But another inscription states that the estates of "Drohins of Rajas were sold in auction". But there are various instances of the village assemblies taking part in the administration of justice. As will be shown later, where there were crimes against property, the chieftain of the Nadu comprising many villages was interested in the investigation of the crime, as he probably had to make good to the village the value of the property lost, and the villagers of the

Nadu, met together, probably under his presidency, to investigate the crime. The Pujaris of a temple under a Pāndya King committed theft of a temple property. One of them confessed and the other denied their guilt. They were taken before the Court (Dharmasana) which consisted of the inhabitants of districts, cities and villages in Konadu. The enquiry was characteristic. They were required to handle a red hot ploughshare. Their hands were burned. Their guilt they confessed and they were punished. (See p. 70, A.A.S. Rep., 1907.) Various instances of administration of justice under the Chola Kings are also given. (See p. 77, A.A.S. Report for 1907.) For an accidental killing in a deer hunt, in order that the murderer "may escape the possible mischief of the revengeful soul of the victim" (1) the Brahmanas of the village assembly at Olakur, (2) the residents of the main division, and (3) those of the sub-districts met together, and resolved that a lamp be presented to a deity. (A.A.S. Report, 1910, p. 95.) Such is the only information that I can gather about the administration of criminal justice. That there were such district assemblies there is no doubt. Nadu Kuttam is often referred to Kerala-Ulpathy. (See also *Malabar District Manual*, i, p. 88. The Mirasi papers refer to it.) The inscriptions show that in many cases the Kings addressed their orders to the District assemblies or chief men, who carried them out. In one instance the inhabitants of the Kottam (Nadu) went to the boundaries "which the Headman of the district (Nadu) pointed out," and planted stones. (See ii, 360.) For other instances referring to the council of the Nadu, or District (see i, pp. 33, 45, 48 ; ii, p. 345).

I shall take up the various officials of the village.

As pointed out by Mr. Bayley in his notes, the number of officers varies in different districts and often in

different villages. The Parliamentary Report gives eighteen officers. This gives only twelve. One of the Inscriptions to which we have already referred, No. 2, app., assigns a share in the village lands to the doctor. The number of officers probably varied with its needs. These two deeds are important in this respect. The right of the village servants to the lands is coeval with the foundation of the village or the village community. They had as much right to their lands as the village community had to the rest. They could not be turned out by the community, any more than the temples could be dispossessed of the properties set apart for them by the same instrument. It is remarkable that out of a total extent of land, stated to be capable of sowing 14 putties and $2\frac{1}{4}$ tum of wet and dry grain, about one-third, an extent capable of sowing 4 putties and 14 tums, was set aside for the village officers, and an extent capable of sowing 1 puttie, 3 tums, or about one-twelfth of the whole, to the deities. The remainder, 8 putties and $5\frac{1}{4}$ tums alone, is left to the village community, the Reddis who founded the village. The Government Revenue, if payable, was paid only out of this balance left. The Crown, *i.e.*, the Vijianagar Kings, made no claim for the revenue on the lands assigned by them to the village officers, and even out of this the labouring class, as well as the customary fees of the village officers had to be paid, before the Crown and the village community divided the produce of these 8 and odd putties.

It is interesting to watch the process of disintegration of the village and the village community under the Revenue administration of the East India Company. But before doing so, I shall make a few remarks about the ancient temples and the share paid

by the village to the chieftain of the Nadu, which was really the ancient Land Revenue, and then refer to the Land Revenue administration which practically extinguished the village communities.

In every village there is a temple; often as many temples as there are castes. The other classes, like Jainas, Muhammadans, Christians also had their places of worship. It will be found that the inscriptions exempt them all, as well as their lands, from payment of taxes. There were usually three taxes payable by the villagers. In some of the early revenue settlement reports of the English officials these are Chillara Devasthanams, Madyasta Devasthanams, and Jarry Devasthanams. Chillara Devasthanams are those in the village itself. Madyasta Devasthanam is a temple common to several villages in their vicinity. The other is one not in their vicinity, but generally the chief temple of the country.

I shall take the great temple of Tanjore, for an illustration. It was built by one of the greatest of Chola Kings, who reigned between 985 and 1013. Jewels, gold trumpets, gold vessels, sacred ornaments and gold were given by him. The inscriptions give their weight, value and description. The inscription No.4, (p. 42, Vol. ii.) *South Indian Inscriptions*, gives the revenue in paddy and the revenue in gold and money which a number of villages have to pay to the temple, by order of the King. The extent of the land is stated by a land measure and fractions of it. The paddy had to be measured by the "Marakal," a measure preserved at the shrine of God Adavallan. There is only one instance in which a revenue had to be paid in gold. The inscription is interesting, as it shows what the villagers were always entitled to hold free exempt from tax. (See p. 42 to 68, Vol. ii.) Thus the following

were enjoyed free from taxation : (1) Palli (the Jain temple), (2) the land enjoyed by the community of Jaina teachers, (3) Urnattam (the village site), (4) Kulam, the ponds, (5) Vaykal, the channels which pass through the land, (6) Kammalacheri, the site occupied by the artisans, stone masons, carpenters, blacksmiths, goldsmiths and coppersmiths, (7) Paraicherri, the place occupied by the Parias, and (8) Sudukadu, (Burning ground). The villages have got an exemption of (9) Nandavanam (parks, groves or flower-gardens); in addition, (10) Vennarcheri (washerman's quarter) is exempted. (11) The banks of a river that passes through the village, that supplies water to other villages, are also free. (12) Tindachèri (the quarter of those who must not be touched—low castes) are also free from any payment of dues. (13) Peru Vari, the high road is of course free, (14) all temples of all castes are free from taxation. Lands set aside for village temples are specially declared free. *In one place it is clearly stated that the land free from taxes, including the village-site and burning-ground, has to be enjoyed in common* (p. 60). (15) Kalam (the thrashing floor of the village), (16) Karkidai (the stone fold for cattle) are also free; (17) so is Kadaku (the fold for sheep); (18) Vaidya Vritti, the physicians' land, is also free.

For the expenses of the temple, monies were lent to various villages, who paid interest either in paddy or money. (ii, p.131.) "The members of the assembly" of the villages were ordered to do this. (See pp. 76, 93, 95, 101, 103, 104, 105.) Some pious men deposited money for the purchase of sheep, which were given to shepherds who had to supply daily a certain quantity of gñi for lamps in the temple. Certain villages had to supply articles required for worship (ii, pp. 123, 129), for

monies lent to them. Others had to pay them direct to musicians in the temple. (ii, 126.) Many villages are ordered by the King to supply watchmen. Some villages two, others one (ii, p. 228.) These inscriptions also explain how these appointments became hereditary and elective. "The Raja appointed 48 persons to recite a certain hymn and two drummers." "Instead of those among these persons who would die or emigrate, the nearest relations of such persons were to receive that paddy and recite the Thirupudayam. If the nearest persons were not qualified themselves, they were to select other qualified persons to let these recite the Thirupudayam and to receive the paddy. If there were no other relations to such persons, the other incumbents of such appointments were to select qualified persons for reciting the Thirupudayam, and the person selected was to receive the paddy in the same way as that person had received it." (ii, p. 256.) This rule of succession and election applied also to others appointed. Thus the Raja brought 400 women, evidently dancing girls, to Tanjore for service in the temple. They were given each a house, a share in the land. The value of each share of one veli of land was one hundred kalams of paddy. The names of all the girls are given. 6 dancing masters got 2 shares each. A Kuravan got one and a half shares. A fortune teller also one and a half. Singers, musicians, pipers, drummers, had shares. Persons to recite in Samskrit and Tamil were given one and a half shares each. Two persons who superintend female musicians get 2 shares each. The principal accountant gets 2 shares. His assistants get one and a half each. Kusavar (potter) gets a share. Each washerman gets a share. A barber gets a share. So a tailor, a brazier, a share. A carpenter, a share and a half. Goldsmith, one share.

There are more than one in each class. Each gets his share separately. (ii, p. 278.)

One hundred and forty-five *village assemblies* were ordered to supply Brāhmanas, temple treasures, Brahmacharis, temple servants and temple accountants. Their allowances were fixed. (p. 320.) One hundred and fourteen *village assemblies* were to supply watchmen and pay them out of the revenue due by them. (p. 333.)

As these inscriptions show the exemptions from any revenue, I may here refer to another inscription which shows some other exemptions. (ii, No. 22, p. 117.) Inscriptions show the following exemptions :

- (18) The land on which the village servants subsist.
- (19) Agara Nattam—village Brāhmana-site.
- (20) Deva Yagana Bhumi.
- (21) Go-Prachara Bhumi—Pasture land.
- (22) Vellan Nattam—Village Vellala site.
- (23) Ponds, Channels, Hills, Jungles, Mounds.

RAJBOGAM

I have already stated that several villages in ancient days comprised a Nadu, and that each Nadu, had a chieftain. Every village paid him a certain share of the produce. The consideration was immunity from theft or robbery, and payment of compensation for any property lost and not recovered. He is called by the old English writers the District Superintendent, having supervision over a circle of villages of greater or smaller area. He was responsible for the detection of every theft and robbery committed outside his villages and within his jurisdiction, and for the recovery of the property. He was also responsible to see the same process carried out, when a village Talayari traced the theft to outside his village. Failure of

recovery of property involved payment of compensation to the aggrieved party. This was certainly not a dead letter. It is on record that in 1805 the principal Collector of Tanjore directed the Sub-Collector to enforce the collection of the whole amount of the value of the property stolen in the Taluks of Trivadi and Mannargudy from the Head Kavilgars who had been remiss in their duty. Omission of his duty was a sin. He called himself a Raja, Zamindar, Poligar, Nantwar, as vanity or his influence prompted him. Before the chaos or confusion created by the Muhammadan conquest, and in those districts where the Muhammadans did not interfere with the old customs, there can be little doubt from the evidence of those officials who found the system in actual operation that it worked well. Besides these fees, there were certain lands^o also set apart for them. The Rajas, Poligars, whom the East India Company found in possession of large tracts of country were nothing more than these police officers, and the most important of them were so regarded by the revenue officials. Besides this payment to the Menkavilgar, there was no payment that the records support of anything paid to an outside authority or to the King. The payment to the Menkavilgar, was for the benefit of the particular village alone. It was not to be utilised for the general purposes of the administration, or for the payment of any compensation for any loss of property sustained by another village. There was of course nothing like rent. Nor was there any revenue paid out of the produce of the land or by the village as such. Elsewhere the cry is that there should be levied only one heavy tax out of land. But in ancient Tamil-land, there was no tax paid out of the land.

The theory that the land in India belongs to the King has the sanction of many high authorities. The theory that the King is entitled to a share of the produce has the sanction of Manu and other ancient Hindu Lawgivers. But I think that Mr. Baden Powell is right in thinking that the Dravidian races paid no land revenue or tax. It is now accepted by all authorities that the Kerala country, the country of the Nairs, paid no revenue. The ancient landlords paid none in Travancore. It was so in Cochin. It was so in British Malabar, till the Muhammadan invasion in the later half of the 18th century. Mr. Baden Powell says it was so in Coorg and in Chutiya Nagpore (*Village Communities*, p.171). The numerous inscriptions that are now being published—there are already several volumes of them—lead to the same conclusion with reference to the other Districts of Madras.

There are several references to all kinds of dues ; they are all mentioned by name ; but there is no reference to any share of the produce. Amongst them in several inscriptions we find references to Pathi Kavil or Mel Pathi Kavil. I am inclined to think that this refers to what is now known as Menkavil, though it is variously translated ; I am glad to have the support of the Government Epigraphist, who states in his Report of 1908-1909, p. 83, para 27, that “ this term, which has not been explained in published inscriptions, may be taken to mean hypothetically ‘ the protection of a village from outsiders’.” I am satisfied that further enquiry will confirm this view. The circumstances referred to therein are significant. It appears that about the middle of the 14th century, the Mubammadans occupied the sacred temple of Tiruputtur, then under Pândya Kings. Finding no help

forthcoming, the great assembly of Tiruputtur conferred the right of Padikavil on a certain person therein mentioned, evidently to protect them against the Muhammadans. The inscriptions do not refer to any other tax or revenue payable by a village community, which can be construed to be a tax. They are many dues which are referred to in the grants by Kings. But they are also referred to in the various grants made by village communities to temples, as dues payable to themselves. None of them is land revenue, nor any share of produce.

It is notorious that Menkavilgars had lands. Just like the village servants, these also were lands allotted by the village. We have seen hamlets given away by a village community. Naturally each would form a village by itself. We have instances of two villages coalescing into one, and we have an instance of one village community having control of several villages. (A. A. S. Report for 1909.) It is quite conceivable that if one of these villages is assigned to the Menkavil Chieftain, the donee will exercise over this the rights of the village committee. It is also quite possible that the conquered villages may really have been treated as the conqueror's property.

When it appears that there is no tax or revenue made payable to the King which other inscriptions show are not made payable to the village community by the other classes, this seems to be the reasonable conclusion.

The question may be asked: whence came the revenue for the King to carry on the administration. The reports on Malabar by Sir T. Munro and the Rev. Mr. Board refer to the sources. Among the most important were the crown lands, called aramana swastiam, Ciricar Pannai, customs and licences and death duties,

It will be noticed that the deeds of conveyance from which it appears that the Mirasdars claimed these rights, are from old Tondamandalam, the Northern and Southern Pennar, and it has been asserted that these claims of the Mirasdars are confined to that tract of country. The real fact is that the town of Madras having come under the English supremacy comparatively early, before the Muhammadan rule established itself, we find strong traces of it in Madras. Some of the documents which make out fully the communal ownership of the village, the shares, the claims of the Mirasdars refer to Tondiarpet, included in the city of Madras (see p. 304). The Collector of Madras stated on enquiry that there were no villages where Mirasi did not exist or has not existed (p. 191). The tract of country in the neighbourhood of Madras naturally preserved these rights, and the deeds coming from that country also illustrate that right. (See p. 320.) The country that was acquired by the British Government directly from the Hindu Rajas was Tanjore, and it is conceded by all who have enquired into the matter, without exception, that the Mirasi right existed in Tanjore. The rest of the country was acquired from the Muhammadan conquerors, and that before they had time to consolidate their conquest and introduce settled government, but after they had sufficient time to interfere with the old usage. The result of it was that Mirasi right, or in other words the old rights of the villagers, did not exist in its strength elsewhere, but we find vestiges of it throughout the Tamil Country. The Collector of Tinnevely, reporting in 1817, stated that the Mirasi land tenure, or the rights of the villagers, was recognised generally there. This was under the Pāndya Kings and not

the Cholas. It existed at the end of the Presidency, in the middle and northern end, and when we find traces elsewhere, as in South Arcot and Madura (p. 345, 158) it is unlikely that in the old times rights claimed by the Mirasdars in these districts were not claimed by the village community in all the Tamil countries. The tracts in which we found them at the commencement of the century were not all under the Chola dominion, to which apparently Mr. Baden Powell would confine the Mirasi tenure. The inscriptions disprove the suggestion.

It is almost impossible to dissociate the village Self-Government from the land Revenue Assessment. It is their power to collect what is now called the revenue and the various local cesses to utilise a comparatively large portion for their own benefit, to regulate and control the distribution of water and the cultivation of the land that enabled them to carry on the system of Self-Government which elicited the admiration of the Parliamentary committee. I propose therefor to deal but briefly with the land revenue assessment question.

The years 1855-60 form a landmark in the history of this as well as other questions. The Survey and Settlement Department to reduce heavy assessments was organised in 1856. The enfranchisement of Inams was then taken in hand; legislation was set on foot to appropriate the merais paid to village servants. The revenue establishments were organised. The Police system was introduced and the village police abolished. The influx of gold due to the discoveries in Australia and California coincident in time with some uniformity in the revenue assessment policy brought about a series of prosperous years. Then also the Mutiny shook England's faith in

the East India Company and England resumed the Government.

The pre-mutiny period itself may be divided into two periods. The first period extending up to 1833, the year of the charter. This division is convenient for various reasons.

The East India Company succeeded to chaos and confusion. They treated the Rajas and Poligars as robbers and on the slightest pretext—and reasons were soon forthcoming in countries recently annexed—they were dispossessed; some were hanged, others were allowed to live on a small pittance. The East India Company took their place in their villages and claimed to be their landlords. In fact, the East India Company generally claimed all lands of whatever descriptions as their private property.

It is generally asserted by English writers that wherever the Muhammadan dominion was established by conquest, the complete degradation of the agricultural classes was the consequence. Landed proprietors, they say, ceased to exist. The Hedaya recognised the sovereign's right to half the produce; but practically the agricultural classes were either allowed only a share of the produce barely sufficient to preserve them and their families from starvation. When the British power succeeded the Muhammadan they claimed to exercise the same right asserted by their predecessors. The British also claimed the proprietary right in all the lands either in virtue of the right of conquest, or as successors to Muhammadans, or under the Hindu Law. It is plain that such a claim could not be asserted without prejudice to private rights. And it is to us a marvel how a civilised nation could still enforce certain rights denying private property in land and claiming

half the produce, merely because these had been enforced by their predecessors under the sanction of unanalysed law in the days of anarchy and misrule which immediately preceded their conquest. Yet that is the very basis of the Ryotwari revenue system.

Thus, private ownership, unless under a Crown grant, was not recognised. The official view was afterwards well expressed by Mr. Fawcett in a passage which is even now generally relied upon by a certain class of writers. Mr. Fawcett says: "The Government in India exercises over a great portion of the soil the same rights of property as those which an English landlord exercises over his own estate. The Government in India take the place of individual landlords and the cultivators of the soil rent their land from Government instead of from private landholders." Acting on this view they tried every expedient to get the highest rent possible. The previous rulers in times of confusion had enhanced the rent, as far as they possibly could, though they were, of course, not able to collect them; the Karnam falsified the accounts. The Company's officials tried if possible to collect the demand under their predecessors, which was excessive and oppressive. When they could not do that, they looked to the collection and arrived at an estimate of what they considered proper rent. First they tried village leases to one selected as the Head of the village but on the joint responsibility of all the villagers, and for the reasons already mentioned for a rent so exorbitant that it was impossible to pay it. Naturally the experiment proved a failure. Then what is called the Ryotwari system was introduced. Under the Ryotwari system the country was to be divided into so many plots to be cultivated

by a labouring class, who were to pay the Government everything over and above what was needed for their subsistence till the next harvest in an ordinary season. The surplus in a favourable season was to make up the loss in unfavourable seasons. The political reasons for introducing the Ryotwari system are thus stated by Thackeray: "Our first object is to govern India and then to govern it well." (See 5th Report, p. 598). It is too long a tale for the present purpose to enter into a discussion of the merits and defects of that settlement here and also into the way where it was worked by the Company and its officers. Suffice it to give some extracts showing the state of affairs up to 1858. Here is a description which the Board of Revenue declared was "no exaggerated one".

"Ignorant of the true resources of the newly acquired countries as of the precise nature of their landed tenures, we find a small band of foreign conquerors no sooner obtaining possession of a vast extent of territory peopled by various nations differing from each other in language, customs and habits, than they attempt what would be deemed as a herculean task, or rather a visionary project, even in the most civilised countries of Europe, of which every statistical information is possessed and of which the Government are one with the people—*viz.*, to fix a land rent, not on each province, district or country, not on each state or farm, but on every separate field within their dominions. In pursuit of this supposed improvement, we find them unintentionally dissolving the ancient ties, the ancient usages which united the republic of Hindu villages, and by a kind of agrarian law, newly assessing and parcelling out the lands which from time immemorial had belonged to the

village community collectively, not only among the individual members of the privileged order (the Mirasdars and Cadeems), but even among their inferior tenantry, (the Pycarries); we observe them ignorantly denying, and by their denial abolishing, private property in the land; reassuming what belonged to a public body (the Grama Manium), and conferring in lieu of it a stipend in money on one individual; professing to limit their demand on each field, but in fact, by establishing for such limit an unattainable maximum assessing the ryot at discretion; and, like the Musalman Government which preceded them, binding the ryot by force to the plough, compelling him to till land acknowledged to be over-assessed, dragging him back to it if he absconded, deferring their demand upon him until his crop came to maturity, then taking from him all that could be attained, and leaving to him nothing but his bullocks and his seed grain—nay, perhaps obliged to supply him even with these in order to renew his melancholy task of cultivating not for himself but for them.”

In their minute of the 5th of January 1818 the Revenue Board say the power of the Revenue official till then exercised was to punish and to coerce the ryot to cultivate. Reference is also made to the Tahsildar's use of the Ketticole or head torture, a stone being placed on the head under the burning sun, and the stocks. Laws were passed then which by their general principles took this power away from the Revenue officials, but as the sequel showed with little or no effect; all the evils then present were pressed upon the attention of responsible authorities in England before 1813 when the Charter was renewed. The Committee of the House of Commons

came to the conclusion that "the whole system thus resolved itself on the part of the public officers into habitual extortion and injustice, while what was left to the ryot was little more than what he was enabled to secure by evasion and concealment". The result was some proceedings of which the key-note was moderation.

Further for the avowed purpose of protecting the ryots, the Collector was invested with the power of deciding disputes as to illegal exactions, etc. He became Judge, Magistrate, Police Officer and Tax-gatherer.

The following is a description stated to have been made by a member of the Government of Madras in 1823.

"To convey to the mind of an English reader even a slight impression of the nature, operation, and results of the ryotwari system of revenue connected with the judicial arrangements in 1816, must be a matter of some difficulty. Let him, in the first place, imagine the whole landed interest—*i.e.*, all the landlords of Great Britain, and even the capital farmers, at once swept away from off the face of the earth; let him imagine a cess, or rent, fixed on every field in the Kingdom, seldom under, generally above, its means of payment; let him imagine the land so assessed lotted out to the villagers according to number of their cattle and ploughs, to the extent of 40 or 50 acres each. Let him imagine the revenue rated as above, leviable through the agency of 100,000 revenue officers, collected or remitted at their discretion, according to their idea of the occupant's means of paying, whether from the produce of his land or his separate property. And in order to encourage every man to act as a spy on his neighbour

and report his means of paying that he may eventually save himself from extra demands; let him imagine Collectors to every country, acting under the orders of a Board, on the avowed principle of destroying all competition for labour by a general equalisation of assessment, seizing and sending back runaways to each other. And lastly, let him imagine the Collector the sole Magistrate or Justice of the Peace of the Country, through the medium and instrumentality of whom alone any criminal complaint or personal grievances suffered by the subject can reach the superior Courts. Let him imagine, at the same time, every subordinate officer, employed in the collection of land revenue, to be a Police Officer, vested with the power to fins, confine, put in the stocks, and flog any inhabitant within his range, on any charge without oath of the accuser, or sworn recorded evidence in the case. If the reader can bring his mind to contemplate such a course, he may then form some judgment of the Civil Administration in progress of re-introduction into the territories under the Presidency of Madras, containing 125,000 square miles, and a population of 12 millions."

The result was thus stated by one who was for some time the Collector of a District. The enormity of the land-tax and the corruption of the subordinate officials have invariably tendered to a natural progression to extortion on the one hand and to poverty and moral debasement on the other. Violence, corruption and artifice were met by deceit, hypocrisy and cunning. Universal degradation of character ensued. He used further harsh language which it is unnecessary to repeat at length. Some attempts were made to reduce the settlements in certain Districts by Sir

Thomas Munro, but they too were acknowledged to be failures, as the system itself commenced in error. Reference should also be made here to the policy pursued also before 1833 towards Indian trade. A law was passed in England imposing a heavy fine on those who wore clothes of Indian manufacture, and one of the charges against the East India Company in 1793 was the importation of piece-goods from India and the consequent injury inflicted on the English trade by the Company. Sir Lionel Smith told the House of Commons that the native merchants were immensely rich when he first went out to India, and that in 1832 their prosperity had immensely declined. In a memorial presented to Parliament it was asserted that "the labouring and manufacturing classes of natives specially are already suffering grievous hardship in consequence of the principles of trade and commerce which actuate the English councils not being extended to India". Sir Thomas Munro complained that the ryots would rather submit to extra assessment than seek redress from the Courts. The Court of Directors had to acknowledge "that it had been their unpleasant duty to notice numerous instances of extortion, embezzlement, repeated malversations and fraudulent combinations on the part of the native servants, and, in order to relieve the ryot, the Collectors were exercised with uncontrolled powers to redress these abuses. The union of the powers of the Magistrate, police officer and tax gatherer, combined in the Tahsildar, made him a terror in the land. In 1826 the Court of Directors remarked that there is hardly a case wherein the sufferers who have had the courage or been in circumstances to complain, met with redress of grievances. Such was the state of affairs in 1833,

when the East India Company's Charter was renewed. The years which preceded the renewal of the Charter were memorable years in the history of England. Roused by the protests of those few noble Anglo-Indians who depicted the true character of the state of affairs in this country, the middle classes in England enthusiastically supported the claims of India for better Government. The friends of India pressed upon the attention of the people of England the conclusions forced upon them by a mass of information concerning this country. The services of Mr. O'Connell were enlisted to educate the public by means of the platform, and he roused the power of British humanity on our side. But all that proved practically fruitless, and when the Charter was again renewed, it was found that none of the reforms promised by the East India Company was carried out.

Some relief however came in 1856, on account of certain proceedings taken to expose the horrors of land revenue administration. Its story is instructive in many respects, and will also serve to give a true account of the land revenue system from 1833 to 1855.

A member of Parliament, Mr. Balckett, M.P., made a tour in the Madras Presidency at the request of the Madras Native Association, and on his return he moved for a Commission to enquire into the land tenures of the Madras Presidency and the use of torture for revenue purposes.

Mr. Bright, who was a member of the Cotton Commission, said in the House of Commons :

“What is in truth the condition of Madras? It was generally admitted that large tracts of land were lying waste, while numbers of the population

were scarcely employed—were almost absolutely naked, and in a state of physical weakness, arising from the want of common necessaries for life. This was proved by books, papers, Parliamentary reports, and a number of witnesses. All the evidence that had been adduced tended to prove this a fact, and what was the conclusion? That the land was not unfertile, but so heavily taxed that there was scarcely any profit from working it: and between the miserable pittance derived from it and the large revenue drawn from it by the State, the whole of the annual produce of the land was absorbed so that the land had no saleable value.”

Such was the revenue administration of the Madras Presidency up to the middle of the last century, or rather till about 1855. In that year a Survey and Settlement department for the assessment of a moderate revenue was resolved upon, and we entered on a new era altogether for some years afterwards.

It would certainly be extraordinary if the little republics weathered the storm of this system. That even in 1856 they retained such vitality that officials like Sir William Robinson, and Mr. Huddleston should plead for the ancient status being restored to them speaks volumes in their favour. Self-Government without self-respect and character is impossible. These village republics required funds for their government. No funds could be left to them under this kind of administration.

Mr. C. Rangacharlu, then special assistant to the Inam Commission, an acknowledged authority on Indian matters, in pleading for the restoration of the ancient Panchayat, in his memorandum dated 1st March, 1860, states as follows :

“ But the strongest recommendation to the scheme is its beneficial effect upon the moral and social character of the people. The tendency of the administration has hitherto been to split up communities and to destroy all social distinctions save that of the official class. The consequence is that public opinion ceases to exercise any influence as an incentive to good behaviour or a check upon wrongful acts.” Their social goods and social concerns are numerous, and he expected that the men imbued with the prevailing system of administration will express great apprehension of the feasibility of the measure proposed by him, but he asked them to remember that the difficulties were the creatures of the present system of interference; and he exhorted them that all other trials having proved a failure, and the system now proposed having become a matter of necessity, it should not be condemned by any nice tests.

Mr. Ragoonatha Rao, then a Deputy Collector in Tanjore, gave his hearty support to Mr. Rangacharlu's views. Mr. G. N. Taylor, the Inam Commissioner, also heartily and entirely concurred. Sir William Robinson dreaded the influence the Tahsildar had acquired, and he felt that all legislation which in any way touched the Municipal administration of the country really involved a vast revolution; and he was afraid of the levelling and bureaucratic principles then prevailing would irreparably impair those germs of self-help which by the immemorial usage of the country were found to exist in the village institutions managed by the village communities. That usage, he pointed out, wisely left the people to organise their own village and police arrangements, in such manner as seemed good to themselves, and this the village communities did in their village system. He pointed

out also that village institutions never have had a fair chance from the commencement of our rule, having been overlaid by enormous official establishments.

The changes introduced by this land revenue administration were infinite. One change of the greatest importance which really led to all the rest was the assertion that the natives of the country had no rights in the soil, and that the entire country belonged to the Crown, in much the same way that a landlord owned his estate in England. It is just as if it was declared that the entire land in England does not belong to the people to deal with it as they like, but to the Crown, or to somebody distinct from the people. From this followed the result that the East India Company took from the land not what was required for the necessities of the administration, but all that they could get out of it. A Company, which looked primarily to its dividends and made everything else subordinate to them, cannot reasonably be expected to do anything else. The ancient deeds, of which any number are available, the inscriptions which are published, can leave no possible doubt about the ownership of the people. The right of the State to tax the land for the necessities of the administration has not been denied in India, but what the East India Company claimed and the Government now claim as their successor, is the right of the executive Government to demand any rent which they could get irrespective of the necessities of the administration and without the leave of the legislature. It is as if the Cabinet of England could demand of the holder of land to pay a certain share of the produce without the leave of Parliament. The enforcement of such claims—the experiments to ascertain the utmost the

ryot could pay—practically destroyed the value of landed property.

In theory a certain proportion had to be fixed. The Muhammadan law authorised an imposition of a tax of half the produce in lieu of all other taxes. The East India Company took the rule without the qualification. In Southern India the landlord took half the net produce from his tenant Porakudi and the Pykarry, after the satisfaction of the various swatantrams, village dues. The East India Company disregarded the limitation and accepted the half without it.

The village and the village community were broken up. Those till then its servants were turned into its masters and instruments of oppression. It is this part that directly concerns us.

We have seen that the village acted in a body. The village assembly did everything on behalf of the village. But on the introduction of the Ryotwari settlement, the revenue official dealt with the individual ryot, setting aside the village community. Every ryot was granted a patta for the land he cultivated, defining his rent, etc., and he was informed that he was to continue to cultivate this land of which he was put in possession so long as he paid the land tax thereon, and in no case was it ever left to the ryots to change their lands either annually or practically. Moreover the revenue officials exercised the right of transferring a land to any ryot, if the original holder was unwilling or unable to pay the revenue fixed on it. Both Pusun Carei and (joint) villages were destroyed by the Ryotwari settlement. In some districts the conversions was effected by the inhabitants assembling together and drawing lots in the usual manner, but under condition that they should keep permanently the land which fell to them, and for

which they afterwards applied to the Collector for patta.

ABANDONING OF VILLAGE ESTABLISHMENTS

Such was the immediate result of the introduction of the Ryotwari settlement. The rent claimed by the Government was very high, and the result was that those who were receiving their fees or emoluments from the produce did not get the old share. Tradition was too strong for the people to refuse to make any payment. But such payments had to be reduced and they finally disappeared. Similarly lands were allotted by the village for the maintenance of various classes of village functionaries and others. Those lands were resumed without compensation. It will take too much space for me to take each district to illustrate these operations, as the process was not carried out at the same time in all the districts in the Presidency.

HEADS OF VILLAGES

I have already pointed out that the village community were entitled to the ownership of the village lands and they were also receiving various fees from the different classes who inhabited the village. They let the lands to tenants, or some of them cultivated by slave labour. The existence of a leisured landlord class was opposed to the Ryotwari system. The revenue officials accordingly concluded that the assumed rights of the Gramattar (village community) were very prejudicial to the prosperity of the country, and in many districts they received the fees payable to the village and added them to the revenue of Government. They appointed one Head

of a village to collect the revenue, and paid him a stipendary allowance for this duty from a fund which belonged to the Gramattar (village community; see the S. Arcot Mirasi papers p. 391.) The result was the village community endeavoured by additional assessments on their tenants to reimburse themselves for the demands of the Government, and united with the Karnams to obtain by fraud what was otherwise denied to them. Not only were the fees incorporated with the revenue, but generally the lands which in some districts had been set apart for them were resumed on the ground that they were granted for the performance of public duties—which they were no doubt—and as they were no longer required to perform those duties, they were not entitled to keep those lands, but must surrender them to Government, for payment to those whom the Government had appointed instead to perform those functions. This was generally the case. In some districts however there were no lands or fees for the village community, though the subordinate officials even in those districts had rent-free lands and fees, and there was at least one district where the village community succeeded in enforcing their claims to a late date. There was for a short time some vacillation in the Madras Presidency as to whether the Zamindari system should be introduced, but by 1816 it was finally settled that Madras was to have only the Ryotwari system. Then the status of the Heads of villages was defined by legislation.

In 1816 the East India Company first defined the Head of a village as being the rentor or collector of revenue of that village, and it also declared that where there are more than one, the head inhabitant who happens to be the collector of revenue was to be the Head of the village. The mutual check was

then gone. His function from that time became to collect anyhow a fixed cash rent, irrespective of the actual produce. The same legislation constituted him also a Civil Judge to decide disputes for petty amounts within the villages, and defined his jurisdiction and procedure. In the same year by another piece of legislation, the village Heads were constituted ex-officio heads of Police of their respective villages. It also prescribed and defined their powers; the judicial and police powers were necessary to enable them to realise the heavy revenue. From being the Heads of a community dependent for their position and powers upon their goodwill, they became the masters. In the old days there was no question of hereditary succession, but legislation has made it practically hereditary. In 1831 special power was given to the Collectors by express legislation to suspend or dismiss them for incapacity, neglect of duty, or any other cause which appeared just to the Collector. They were also entitled to decide rival claims to their offices or their emoluments. Complete subservience was thus guaranteed. All maniums or rent-free lands which were given to them by the village were, as already stated, resumed by Government without any compensation. The major portion was in the hands of those who ceased to be village Heads by the policy followed by Government, and they were divided and subdivided among the families. All these were suddenly reduced almost to destitution through no fault of their own. All fees which were paid to them by the villagers were at first collected by Government officials directly from the villagers, and a portion paid by them as a stipendary allowance to the village Head. This fee was afterwards commuted into a

village cess by legislation. Any slight dependence on the villagers were thus completely removed; where the villages were small in the opinion of the Government official, some of them were grouped together and constituted into one village with only one village Head, and the Heads of the other villages were got rid of, and their service lands of course resumed with similar results. The one village Head who was made the Head of other villages found himself an intruder in the other villages. He was not looked up to by them, not willingly obeyed by those village servants like the village police, and generally resigned the position, involving the loss of the headship of his own village. The result was that in 1859 or '60 it was found that there were few Heads of villages who were representatives of the old Heads. It was not an unknown thing to find a cook of a Tahsildar promoted into village headship. The village communal protection to person and property ceased. Such was the case in those large tracts under Government. In the Zamindaries the Zamindar took the position of the revenue officials and the village Head became his servant.

The principal duties of the Heads of villages now are to collect the revenue and to furnish supplies to the native and English officials passing through or visiting his village. The punctuality of the payment of the revenue of his village into the Treasury and the rates at which the provisions are supplied are the tests of their efficiency.

RANGA CHARLU

One of the ablest of Indian officials, Ranga Charlu, afterwards of Mysore, thus pointed out the situation in

1859, and his remarks are true to-day as then :
 " Whilst they are placed above public opinion in the village, the least offence towards any public servant, the least omission to supply travellers or Government officials, is visited with fine or dismissal. The new nominees are selected more for subserviency to the Taluk officers than on account of respectability. Really respectable men decline the appointment and the anomaly of inferior men filling the office of village Head is common throughout the country."

KARNAMS

They were the clerks of the village. They had to keep all the accounts. They knew the size of the fields, the extent of the common lands, temple property, the contribution to be made by each villager, and also the fees to be paid by each. They had to register all classes of land, productive or non-productive, the subdivisions of the former into wet and dry, all alienations, the products of the soil, the numerous reductions therefrom and their appropriation. They were the general scribes of the village. They had also to attest all deeds of sale, transfer, or assignment and not only these they were also the chroniclers, of the village. All events had to be recorded by them. They had also maniums, rent and revenue free lands. They also got their annual fees. All payments for other than common village works that they had to do were fixed. If a Raja announced a visit, the Karnams had to read his record of the prior visit and everything was carried out according to precedent. They formed a class by themselves. They generally inter-married among those of their profession. They were trained to their duties from

their childhood, as the offices were hereditary. Naturally therefore they had full knowledge of village concerns. The committee of the village had to rely upon him. It is said that when a foreign conqueror came, he first sent for the Karnam to get all information, and for such occasions he had another set of accounts prepared. This at any rate was what the East India Company's officials believed, when they found that according to the Karnam's accounts their claims were not as extensive as they first imagined. There was of course more than one Karnam for each village. They distributed their duties amongst them. Not all however were required to attend to their duties. The offices were hereditary. The office of Karnam was held by a Brahmana. Where it is held by anybody else it is an exception. As I have already pointed out, the Karnams formed a particular caste and alienations were allowed to any one in that caste when circumstances justified it. The rule was probably what was laid down in the case of some temple servants of the Tanjore temple. They may get their work done by any casteman. This Mirasi like the others was no doubt transferrable and there are numerous instances where the Karnam tax was transferred to temples according to the inscriptions. What was the land given to a Karnam it is difficult to say, as it probably varied. But his importance may be judged from this circumstance that the land given to him revenue free was, according to the Telugu inscriptions, equal to that of the Potal. His land required seed one putti and 3 tums in a village which sowed only 14 putties and $2\frac{1}{4}$ tums. He had his fees in addition, which were given to him before the Government the landlord got theirs. No inference can be drawn as to his emoluments from

what he was found to be receiving when the East India Company took possession. By that time in some districts he had clandestinely succeeded in augmenting his resources by availing himself of the opportunity his position afforded him. In other districts they had been considerably reduced by the rulers for various reasons, and among them on account of their natural sympathies with the village, and they therefore appointed others to perform the duty directly under themselves.

Under the East India Company the Karnams shared the same fate as the village Heads. In 1802 soon after the assumption of the civil administration of the Carnatic by the East India Company it was enacted that an office of record should be established under an accountant in every permanently settled village yielding a certain income, and he was made practically independent of the villagers and the Zamindar and the Government officials. The hereditary nature of their offices was recognised and such was the importance attached to that office that the civil courts were empowered to enforce the appointment of Karnams, or accountants, where necessary, by fine of responsible individuals. Their duties also were defined "in conformity to the ancient usages of the country" to include the obligation to keep registers showing the extent of lands in each village, specifying the boundaries and landmarks and showing their appropriation, *viz.*, arable, cultivated and uncultivated, pasture, house-sites, gardens, rivers, tanks, springs, or wells, waste in hills, jungles, or rocks. Accounts were also to be kept showing the gross produce of all lands with particulars as to its division between the Government, the proprietor and the cultivator, and the amount of fees to be paid

to village servants. They were also to keep a register of servants passing through the village.

In Ryotwari districts in 1806 the right of appointment, dismissal and control of the Karnams was given to the revenue officials. The same process was followed with the same results as in the case of Monigars, with however this further consequence. The record of village rights was with them and when in the grouping of villages the services of some of the Karnams were dispensed with, they did not part with their records, and gross confusion and injustice resulted. Those retained became salaried servants of Government. The service lands were resumed as in the case of village Heads. The fees paid by the villagers were collected by Government and converted by legislation into a cess added to land revenue. In Zamindaries, as already pointed out, the right of nominating persons to the office of Karnam was taken away from the villagers and given to the Zamindars in 1802. They were however to be dismissed only by the Courts. The result was that the Civil Courts had no direct executive control over Karnams and never troubled themselves about them; and the Zamindars and the Collectors could do nothing with them except through the Civil Courts, and the procedure involved in taking any such steps was expensive and very troublesome. So for a long time the Karnams were uncontrolled in Zamindaries; the villagers however had no power over them. Recently they have been brought under the control of Revenue Officials. The Karnam is now everywhere simply an assistant to the village Head, whose efficiency also is tested by promptitude in the collection of revenue and in supplying the needs of revenue officials, English and Indian.

SHEPHERDS

We have seen in the deeds and inscriptions that every member of the village community had a right to have all the flocks of his village folded in turn on his lands for the sake of the manure. The shepherds had to see to it.

It was the practice in ancient days for the temples and pious persons to entrust a certain number of cows to the shepherd "without increase or decrease," those dying were to be replaced by their progeny to supply a certain quantity of milk or ghi to the temple. Many inscriptions are simply a record of such grant.

The shepherd had to take care of buffaloes and sheep, also rarely of pigs. Occasionally his services were requisitioned for milking.

He had his land rent and revenue free. He also got his fees.

POLICE

I have already pointed out that the Police duties were performed by two classes of officials: the village police, Urkavil, the Talayaries; the King's policeman, the Menkavil, for protection outside the village. The latter claimed, during the confusion of the Muhammadan conquest, to be the Rajas, rulers, etc.; the Muhammadan rulers dismissed many; many were reduced to the level of common ryots. Those who were able to hold their own by prowess or favour passed under the East India Company; some were pensioned; some retained on promise of payment of heavy rent. But there were other Menkavilgars of circles of small and few villages who continued to perform

their functions, held their lands as service lands and received their fees. They were abolished by the East India Company with unsatisfactory results. One district, Tanjore, will serve as a sample. Till 1813 the system was continued. What then happened is set out in a report dated 9th September, 1864, by Sir W. Robinson, then Inspector-General of Police. He stated that the Menkavil system had been superseded in 1813 or 1814 in the Tanjore District by the appointment of a large number of stipendary policemen, termed Vicharipukkars. Their salaries were nominally charged to the Menkavil fund, which accrued from the resumption that then took place. The Vicharipukkars were selected from the old watcher races, and it was originally the intention that the appointment should be confined to those races. They were, he says at the commencement, apparently kept to their local duties; but this condition had long passed away when he became acquainted with them. There he says the bulk of them had been withdrawn altogether from their local duty. They had been collected round the Tahsildar's offices, and were doing duties as deputies to the revenue and police peons, or swelling the retinue of the native officials. He further says that among the native officials with whom he conversed, the very origin of this stipendary had been forgotten or lost sight of; vacancies were then filled up by men from the Taluk office. The Vicharipukkars passed over to the ordinary police of the country; in 1859 their origin was traced and they were then remanded to their local duties as local police under local inspectors who were village landowners. But naturally they were found useless, and in 1863 the whole were dispensed with without any consequent

increase of crime. Happily he says the Urkavilgars (the real village watchers) were not disturbed at the time of the suppression of the Menkavil system. He wrote this in protest against an attempt which was afterwards successful to interfere with the village police. Such was the fate of the Menkavil holders. All this time it will be remembered that the kavil fee was being collected as a separate tax, though it was only paid in consideration of the liability to reimburse the value of the stolen property. It may be interesting here to point out what the Revenue Board said in 1862: "It is undoubtedly the fact, although it may be inconvenient to admit it, that the 'Menkavil' or large police fees, referred to by Mr. Robinson were paid by the ryots mainly if not entirely in consideration of the duty devolving upon the recipient of making good to the loser the value of all stolen property where the delinquent was not brought to justice. This item of charge might possibly prove a heavy one even with the new police, but unless Government are disposed to admit their liability for it, it does not appear that they can equitably exact the compensation formerly allowed for the risk. Moreover, in many cases, these Menkavil fees have been already resumed by the Government in past years."

TALAYARIS

A similar fate overtook the village police, the Talayaris. "His duties are to keep watch at night, to find out all arrivals and departures, observe all strangers, and report all suspicious persons to the Potail. The watchman is likewise bound to know the character of each man in the

village and in the event of a theft committed within the village bounds, it is his duty to detect the thief. He is enabled to do this by his early habits of inquisitiveness and observation as well as by the nature of his allowance, which being partly a small share of the grain and similar property belonging to each house, he is always kept on the watch to ascertain his fees, and always in motion to collect them. When a theft or robbery happens, the watchman commences his enquiries and researches; it is very common for him to track a thief by his footsteps, and if he does this to another village so as to satisfy the watchman there, his responsibility ends, and it is the duty of the watchman of the new village to take up the pursuit. The last village to which the thief had been clearly traced becomes answerable for the property stolen, which would otherwise fall on the village where the robbery was committed. The watchman is obliged to make good his amount so far as his means go, and the remainder is levied on his village."

This is taken from an official report and conveys an idea of the village watchman at the commencement of British rule. In 1816 the village watchers were enjoined by legislation to perform their customary duties, and so far did the Government recognise the ancient usages of the country that where for some reason or other there was no village watcher, the office was revived and declared hereditary. *But they were relieved by legislation from any liability to compensate the owners for loss of property, and the appointment, suspension and removal of these village watchers was vested in the Magistrate by legislation in 1816. They were no longer subject to the public opinion of the village. They were declared entitled*

to such allowance in land, grain or money as the Government might allot for their maintenance ; their officers and their allowances were declared hereditary in their families. Subsequently in 1831 they were placed under the authority of the Collectors, until in 1859 all village watchers were included in the general police of the country. Their service lands set apart for their use by villagers, as in case of other village servants, were resumed by Government and salaries paid to them ; afterwards it was converted into a cess payable by villagers to Government. They ceased in every respect to be village servants, with the consequence that the protection to person and property so far as it depended on them ceased to exist. It was practically impossible for Government officials to exercise any adequate supervision and control over such a large body of men. The system of annual payment of fees was an inducement to watchers to give satisfaction to the villagers. On the other hand a recusant payee was speedily brought to his senses by the removal of his bullocks. These the village watchers by acknowledged rights removed ; they could not be traced without their help and were restored when their fees were paid. When villagers were grouped together the services of many of the Talayaris were dispensed with ; the Talayari who was retained had influence only in his own village ; within it he had a sort of traditional feeling that he was bound to obey and protect his village Head and villagers ; outside he was confronted with similar traditional rights of other of his own caste and connections, and he had neither the inclination to obey other village Heads and villagers, nor power to combat the watchers of those villagers, nor was he trusted by the community

of another village. The kavil system was practically abolished and thousands of them were left to prey on the community. The consequences were lamentable. The villagers had to pay over again to their hereditary watchers the usual grain fees. Failure to pay resulted in theft or robbery. It is one of these commonest offences that came up before the Courts. A villager who has failed to pay at the proper time his fee finds his bullocks have disappeared just when he wants them for cultivation, and he recovers them on payment of a heavy fine. Sometimes he brings it to the notice of the police. He would then be lucky if he escapes with a sound thrashing. Sir J. D. Rees thus graphically describes the result :

“I find that there is no prospect that the ryots will give up paying the Kavil fees.”

“Each day increased the difficulty, as new vested rights are being created and faction seems likely to be increased and perpetuated to an indefinite extent.”

“Generally the ryots pay village service cess and kavil fees and are not as secure as before, on account of the disturbance consequent on the revision, and the creation in most cases of a new faction in addition to the old ones, making faction triangular or causing two sides to join to murder, to break the legs of the third.”

“The kavil system was practically though not theoretically (see Board’s proceedings 26th August, 1875, Governor’s Minute, dated 11th May, 1875, No. 710) recognised before and used ; it is not now ; but is lightly disposed of. But it is the chief incident of village life, and villages make taluks, taluks districts, and districts presidencies. It is the most important feature of this district. It is not acknowledged. It is disposed of in a few facile phrases. *Hinc illae lacrimae.*”

“Crimes of violence, are, I believe, looking to the committals of this year from this division, on the increase. This increase may be looked forward to. The Vendetta which caused one crime will lead to a reprisal. I

pass over house-breakings, which are undetectable under the existing state of things, without the aid of the old acknowledged system."

"The new posts with increased pay are not so valuable as to cause their holders to throw their lot in with the new system. These men live with the facts in front of their faces and value their skins too much to be led away by paper theories."

Note.—In the report of the A. A. Supt. to Government for 1911, two interesting inscriptions of the time of the Pandya Kings are mentioned which refer to the rights of Talayari therein called Ur-kaval. The inscriptions are said to be damaged and I have not seen any translation of those inscriptions. But they show that the Talayaris were entitled to get something in addition to their fees. Para 44, page 80.

LABOUREES

The labouring population the Parayas, Pallars, Pullies, etc., may be divided into two classes, the first may be called villeins, regarded as attached to the soil, who were not sold separately, nor were the lands sold without them; the villeins in gross, who may be sold by their lords. There was however this restriction that they could only be sold in families. The husband and wife were never separated nor the parents and unmarried daughter. The classes attached to the soil were, in their own opinion, the real owners of the lands. They had in fact no doubt the ownership, of which they were deprived by their conquerors. But even in their condition of labourers they affected to claim something else. In the words of an old writer: "The Pariahs affect to consider themselves as the real proprietors of the soil; the Vellalar (their conquerors), they say, sells his birthright to the Sanor, the latter is cajoled out of it by the Brahmana, and he is swept away before the fury of the

Muhammadan invasion, but no one removes or molests the Pareyar ; whoever may be the nominal owner or whatever the circumstances of the times, they are safe in their insignificance and continue and will ever continue to till the ground their ancestors have tilled before them." The villeins possess established rights and privileges of which they cannot be deprived, and which are prized by them as much and maintained as tenaciously as the more valuable privileges of the higher orders. Among the privileges referred to is the right to free homesteads in the quarters assigned to them, including their backyards, to be held rent free. These backyards form very valuable property. It is stated by Mr. Bayley, a member of the Board of Revenue, in his notes to the Mirasi papers, that these backyards are highly manured and afford valuable produce, tobacco, sugar, plantains, etc. (See Mirasi papers, p. 308.) They were exempted from any tax or impost; they received as here in the produce of every crop under the denomination of Calavasum, Sudantram; the official writer above referred to also says: "What is required for their subsistence in addition to the privileges above mentioned is supplied jointly by the village, and they receive presents of cloths and money at stated periods, at festivals, marriages, etc.; sometimes their subsistence is secured to them by assignments of land." This no doubt was for attaching him to the village. It appears to have been common in the old days. It was the fixed rule of village polity that the labouring classes must always be secured their subsistence. When the seasons are bad and their share of the produce is insufficient for their subsistence, their masters or the elders had to feed them till the ensuing

harvest. In addition to all this for any special work they may be called upon to perform they receive special payments. The wages were fixed. The masters have it in their power by withholding these fees to compel the due performance of their duties. The labouring classes had a curious method of drawing attention to their grievances. At the close of the Tamil month, Ani, when the cultivation of the ensuing year ought to commence, "the whole of the slaves *strike work*, collect in bodies outside the villages and so remain until their masters by promising to continue their privileges, by solicitations, presents of betel and other *gentle* means induce them to return. The slaves on these occasions, however well treated they may have been, complain of various grievances, real and imaginary, and threaten a general desertion." (See Mirasi papers, p. 336.) In the various parts of the country at the great annual festivals that take place in a temple, and every village has a temple, a low caste man has to perform some indispensable functions without which the festival cannot commence, and if any one of these classes considers he has a grievance the function is not performed; all the labouring classes and others assemble in front of the deity; the slaves claim a redress of their grievance, the other solemnly promises before the Goddess that the offence will not be repeated. Then alone is the religious festival allowed to proceed.

What proportion their shares usually bore to the total produce I have not been able to ascertain. It is clear however that their masters, the owners, or Government, get theirs only after the labouring classes have been paid their share. One official reported at the end of the eighteenth century, when the land was let out for rent, the labouring classes were entitled to

receive one-third of the rent received by their masters, the Mirasidars. Mr. Placis refers to a significant fact, apparently within his knowledge, in assertion of this right. He says: "Madurantakam affords a very curious example of the preservation and assertion of this right. Previous to the repair of this tank—it is not known how long—the lands had been uncultivated, but as soon as this work was completed, the descendants of many families who had formerly been the hereditary servants of Brahmanas claimed and were admitted into their inheritance, although in the intermediate time they had taken up other occupations and might be supposed to have forgot it." (Mirasi, p. 47.) They are members of the village community in the sense that their rights cannot be interfered with by the other classes. Their class or caste disputes can only be settled by themselves. The other castes have nothing to do with it. They have got their own locations from which they cannot be removed.

IRRIGATION

Almost everywhere cultivation depended upon the tanks, channels, and other water-courses. Rain water had to be conserved in tanks. River water had to be protected against other village claimants above and below. The tanks and channels had also to be guarded against accidents. They required careful attention, for their maintenance. Every villager was interested in them. At the thrashing-floor the village set aside a certain percentage of the produce to keep them in proper condition. Another share had to be set apart for the servants employed for this purpose. They had to guard the village tanks against

accidents, to open and shut the shutters when necessary. They had to see to the proper distribution of water to the different fields according to their needs. They had to watch tanks and to give notice to the village community of any apprehended danger to the tanks and channels, and they had to assist the villagers in repairing them. They were responsible along with the village clerk to give every information to the village community of the length and width of every channel, of the number of sluices to be attended to, their distance from each other, the quantity of land watered by such sluices. They were responsible for guarding tanks and channels against accidents during night and day.

These men, Nirgantles, were paid a percentage of the produce for the work they had to do. They had also lands allotted to them rent free. It gave them an interest in the village. They were tied up to it. It secured them against destitution, while the payment in grain at the thrashing-floor guaranteed proper performance of duties. The same fate overtook them as the others. They were constituted Government servants, paid by the Government. The lands were resumed. The fees were made payable to Government. The smaller sources of irrigation were left under the control of the minor revenue officials. The others were handed over to the Public Works Department. But the villagers were not even then left alone. When the rivers, channels, ponds, etc., were theirs they were of course repairing them, either working themselves or paying for the labour. This was a necessity for them. In those villages in which the Government had succeeded, for reasons that will be afterwards stated, in taking possession of the water-courses on the ground

that the villagers had been repairing the channels before, the Government now claimed that they should repair them now also, though they had ceased to be their property. The revenue officials and others now fall upon them to repair the channels, and in default they themselves repair and recover the cost from the villagers.

There is a material difference between the village office-holders to whom we have referred, and the others to whom we are going to refer. All these had some revenue or police duties to perform, and as the British Government undertook the performance of those duties, they reduced them all under their control and appropriated all their properties, substituting stipendiary allowances in their stead. Those that followed had no such duties to perform. They had other duties to perform to the village community, with which the Government had nothing whatever to do. There were duties which could not be enforced by the Civil Courts. They had their lands revenue free, and they received their usual fees in produce from the villagers at the thrashing-floor. There were many of them, the washerman, the barber, the dancing girl, the teacher, etc. In calculating the land revenue, the revenue officials at first made deductions for some of these payments but not for all. In course of time they ceased entirely. The villagers, with the heavy revenue, were not able to pay the fees and the services also discontinued. Such is the general course of their history, but no account of a village community will be complete without a reference to some at least of these officials.

In addition to the officials the temples also received certain dues from the villagers. They played always an important part in village life,

TEMPLES

I have already stated that the revenue officials found that in addition to the village temples the villages were paying certain dues to two other classes of temples. It is probable that of these two temples, one was the temple at the seat of the King, the chief temple of the kingdom, like Conjivaram or Tanjore; the other was the temple at the provincial capital, like Chidambaram. About the fact, however, the early settlement reports leave no room for doubt. The inscriptions show that large sums of money were paid to various villagers, and in lieu of interest the village was to make payments in money or articles for the benefit of the temple. Thus persons, who were to recite hymns before the deity in procession and at other times, were to be paid a certain allowance by a village, in return for money received by the village from the temple itself or some pious donor. Again musicians were paid by certain villages, so drummers. Some villages had to supply temple accountants and to pay them at a fixed rate. Others had only to pay them. Similarly watchmen had to be supplied, or their allowances had to be paid by the villagers. According to one inscription, even the officer to measure paddy had to be paid by the village. The shepherds had to supply ghi and milk on account of the cattle supplied to them. Not one of these was a voluntary payment. It was either a return in the shape of interest by the village for money received (see ii, p. 90, 375, 250), or it was an endowment by the ruler, a direction by him to pay out of the revenue payable by the village (ii, p. 333), or it may be an endowment by the village itself. Though there was some interference by the Muhammadan

Government, this was generally the state of things when the East India Company assumed the Government of the country. Some officials felt no difficulty in dealing with such questions. Buchanan, who travelled through Southern India soon after its acquisition, says that the Collectors left only sufficient property for the expenses of the temple within their jurisdiction, and resumed the rest. But generally it was assured that all these payments were merely voluntary and enforced by the King out of religious motives, forgetting their origin and nature which are proved by published inscriptions too numerous to be here noted. The inscriptions in the 2nd volume will suffice. As a result no reductions were made on their account. The villagers ceased to pay. Cases have occasionally come before the Courts in which certain Zamindars to whom the villagers have been making such payments have claimed to recover them from the temple. Such claims have been occasionally allowed, and as often disallowed. But looking to the nature of the heavy revenue demands already detailed, it need occasion no surprise that the villagers, while claiming a reduction in the produce available for division, were not anxious to make the payment or paid only a small sum. This was made a pretext in the next revenue settlement, and they occurred at frequent intervals, then to further reduce the fee to be set apart for temples. On the introduction of the Regular Survey and Settlement, the settlement officer who had first to deal with these questions, Mr. Newill, in his report about the Survey and Settlement of Chidambaram and Mannargudy, suggested, and the Government agreed with him, that these contributions should be left entirely to the option of the ryots without any connection with the land settlement, and it

was ordered that the ryots will be at liberty to continue these funds as they think proper, and to arrange their contributions to the institutions as they like. This procedure was followed in other districts. The reduction in the temple income was serious in many respects. It brought into dispute the temple women, and led to serious moral corruption. Every temple had temple women. Each of them had a house free and they had land or a share in land. The Tanjore temple had 400 women, each getting 100 kalams per year out of their land. They had their fees also.

DEVA-DASIS (SERVANTS OF DEVAS)

Dancing Girls

The temple was a refuge for every female. The arbitrary absolute power of the husband over his wife, under Hindu Law or Custom will not avail him to get her back if she has taken the vows of fealty and obedience to one higher than he. From domestic tyranny, sorrow, destitution, marriage, the temple was a home of refuge. The evidence available does not disclose any instance of any caste outside Brahmanism, which may be taken to include the four castes, finding admission. But all other castes, including Brahmanas, were among the Deva-Dasis. They were entitled to meals free from the temple. Consecrated rice was given to them to be taken home if they liked. I have already stated that they had residence and a certain income from land. It is certain that annual fees in the form of shares of produce was set apart for them at the thrashing-floor, at the time of distribution of produce. Music and

dance formed their function. At the great temple festivals, they delighted the village with their music and dance. No festival or ceremony like marriage, etc., in any private house, was complete without them. They were entitled to invitation and to remuneration. They were entitled to seats before Kings, a right conceded by the Vizianagar Kings in their palmyest days. Placed beyond want and not under anybody's control, they looked with pity and contempt upon their unfortunate married sisters. Music and dancing and other forms of culture were generally denied to these latter, and their husbands sought the company of the cultured Dasi, who granted her favour if she reciprocated his feelings towards herself, pecuniary matters not forming the main consideration, as the village had fortunately placed her beyond any thought of it. Her companionship attested a man's appreciation of female culture and intellect. Her acceptance indicated possession of qualities which recommend a person to a cultured lady's favour. For the sordid motives that actuate a modern prostitute had no place in her. She may have companions of a very different order. A Sannyasi was bound to be proof to all seductions. He often, to test his powers of resistance, made his home with a cultured dancing girl, became her religious preceptor, and instances are not unknown of the greatest religious teachers, like the greatest poets, accepting their long hospitality in preference to that of others. Their number in a village was not limited. In the early part of the last century it was found that streets were composed solely of them. But all of them secured their subsistence. I referred to the Tanjore inscriptions which direct the several villages referred to therein to pay 100 kalams a year to each of

the 400 dancing girls. In those instances where the villagers paid the dues directly to them, the officials in some districts allowed such payments by reductions out of the produce. They were gradually reduced and finally discontinued. The temple authorities with reduced income reduced their payments. Even now they were entitled to their subsistence from the temple, to get meals when they want them, and some allowance. But in these changed conditions they have to look elsewhere for their living, and from their free and independent condition, from which they looked down upon their married sisters, they have been reduced to take to prostitution, and became the object of pity and contempt and a source of moral corruption to others.

CHARITY

Charity was of two kinds. Oorpichay was a proportion of the produce set apart at the thrashing-floor for the poor of each village. A share of the produce was also set apart for the chattrams (travellers' rest-houses) where every traveller was fed or given provisions. The feeding of the poor was also undertaken by the important temples, where no one was turned out who came for meals. In certain temples (Annapurna Ishvari), food was hung up in baskets on the branches of trees in the night time for thieves and others, who dared not approach the haunts of men at other times. It is not easy at this distance of time to separate the different charities. On festival days, and there were many, every one was fed at all temples. Within its precincts there was no difference of caste or class observed, as the presence of the deity was supposed to sanctify everything. Where the poor of

the village were fed does not appear. It may have been either at the temple or at the village gathering place. Who were deemed the poor also does not appear. It could not have been the labouring classes or others of the community, as they were provided for. It may have been outsiders living in the village, and not incorporated into the village community. Every traveller was provided with provisions. The Talayari met him on his entrance into the village, took him to the chattran, and guided him outside the precincts of the village. When he entered a village, he had to give his name, his destination, the number of days he proposed to stay. He had to give up his arms, if any, to the Talayari. After the East India Company assumed the Government of the country, the temple charities continued for some time, but as to the other charities the officials first reduced them into a regular system; and when the demand was ascertained and settled appropriated them to Government. They first abolished the old system, under which each village maintained its own charities. They thought that a poor fund in every village only encouraged idleness and beggary. It was also stated that its due application could not be enforced; that it was given also to the rich. What then happened in one district may be taken as a sample of the rest. A full account of Oorpichay in Tanjore will be found in a report of Collector Harris to the Board of Revenue on the 31st January, 1802, who levied a fixed amount in the place of the old fluctuating amount. At that time the Government were also making an annual allowance to the Chattrams at which food was gratuitously distributed. The Collector prepared the lists of the poor in every village. They were paid every month at a fixed rate. The balance was utilised in clothing

them or repairing their houses. This was carried on for some years and, after 1805, this was carried to the credit of Government in the official accounts. For more than 50 years this fund raised expressly for the benefit of the helpless and destitute poor found a separate place in the accounts, though that class was never benefited and the entire fund had been appropriated by the State. Afterwards the principle itself was not accepted by Government, and the revenue was fixed to include this item for Government benefit. (See Tanjore Collector's Report, 12th February, 1855.)

TEACHERS

In almost all the villages, without exception in the Brahmana, Buddhist and Jain villages, there was a teacher to whom a land was allotted, and there was an annual contribution of the produce. There was no school or college building, no fees were levied. But everybody belonging to the higher classes was free to come, and on the New Year's Day and similar occasions there were voluntary offerings. The evidence does not enable me to state the principles on which these payments by the villagers were made, or whether the number of teachers was limited. A master was seldom in want of anything beyond offerings, as there were visitors always pouring in and others to discuss and solve difficulties, and one scarcely came without a present. Occasionally the master had also to perform functions of a delicate character. A father would come to his school to select a husband for his daughter. The master was expected to give him all the required details. For it was on such information

that the father would offer his daughter to the father of the selected boy as his son's wife, an offer which no true Brahmana can refuse, unless he can find some shastraic objection. These masters were the repositories of Indian philosophy, men who scorned wealth and honours. Their true modern representatives retire into the interior of the country, to avoid association with other castes and English-educated Brahmanas, with whom they generally refuse to interdine or intermarry.

ARTIFICERS

The carpenter, blacksmith, goldsmith, etc., had their fixed shares of the produce and also what are called Maniams, rent-free lands. They had to repair the villagers' ploughs, etc., services for which they received payment. The Maniam lands secured them their subsistence. The annual fees placed them under the control of the villagers, and those who liked to work earned by services rendered. All were not bound to labour, but some of the class must always be ready to render their professional services to the villagers. The rest of them were free to do anything they liked. It was therefore healthy work and the work was done leisurely. They took a pride in it. They worked because they liked it, not for livelihood. It is generally said that these classes performed only trivial work. This is an error. They had scientific works written in their vernaculars. They designed and built palaces, constructed channels. The descendants of those who constructed the carved pillars of Tirumal temples are willing to rival their ancestors' achievements provided they are allowed to take their own time. The cunning of their craft was handed down from father to son unaffected by the vicissitudes

which affected the leading class of the village. Occasionally an English official, struck with the beauty of some piece of workmanship, would try to encourage the artificer by procuring orders for him from his friends or London, and nothing exasperated him more than to find that the artificer cared more for the work than his money, and that he had to wait far, far beyond the promised time for the article; the workman perfectly content to labour lovingly on his article, allowing his patron to withdraw from the bargain if he liked. The result is the gradual displacement of the Indian handicrafts.

These followed the fate of their brethren. No reductions were made by the revenue officials for payment to them out of the produce. The villagers generally ceased to pay, and in so far as their Maniams were concerned, they were placed under the control of the revenue officials.

All this process took a long time. The village waste was also interfered with.

WASTE

That the village community owned the waste (*i.e.*, all kinds of land not under actual cultivation) lands in the village there is not the slightest doubt. The old deeds and the inscriptions settle the matter. Any other theory is inconsistent with the autonomy of the village. Such has been also undoubtedly the consciousness of the community. This waste was necessary for the village to expand. Any member of the village community could build anywhere, cultivate any portion of waste without asking anybody's consent, and he could be interdicted from doing so only on the community providing him with

other land or home site. This is still the law of the Laccadives, where English Revenue Officials, who administered the country till lately for Muhammadan rulers, were under no temptation to carry out their views. In the deeds of transfer which come before the Courts, a member of the village community always sells with his share of the cultivated land his share in the communal waste. It is the same share and they always go together. I am not aware of any instance where the waste is separately owned. In the Pymashes, revenue accounts prepared before any theory had time to develop itself, or as a revenue official would say, before the officials were cognisant of the true position of the waste, *i.e.*, the water-courses, the uncultivated lands were entered as village property and they were included within the boundaries of the village, when the "village" was admitted to be Inam property in which the ownership was admittedly not in Government. These accounts were prepared to show the ownership of the villages and village lands.

The village communal waste was claimed by Government and their claim was strongly resisted. Sir H. Mayne says in his book on village communities: "The view generally taken (as I am told) of the common land by the community is that it is that part of the village domain which is temporarily uncultivated, but which will sometime or other be cultivated and merge in the arable mark." The view of the Madras Government was thus stated on the 27th May, 1856:

"The waste land in this country, in the villages of the plains at least, is certainly not the property of Government or the State in the absolute sense in which the unoccupied land in the United States and

some of the British Colonies is so. The village communities claim an interest in it and that interest has been universally admitted though not accurately defined. To put up the waste to sale, entirely ignoring that prior right of the village communities, would be to introduce a totally new practice ; and it would certainly be regarded by the common feeling of the country as an invasion of existing rights." There can be very little doubt that everything within the boundaries of the village belonged to the village community, but on account of famine, scarcity, and revenue assessment, and other reasons, the inhabitants in many villages have so often abandoned their lands that it may not now be safe to predicate of any particular village that its common lands belong to the community. In many cases the Government have assumed a right to let the lands to strangers, after giving an option to the villagers, and such exercise of rights has been so often acquiesced in that the revenue officials have no doubt that such right is now a part of the common law of the land. In the early part of the 19th century every one had the right to till the land which he first broke and brought into fertility. Such at any rate was the practice in Tinnevely. (See the Collector's Report, 9th December, 1800, Mirasi papers, p. 82.) The process of encroachment is interesting. Combined action by the villagers was not easy after the introduction of the Ryotwari settlement. The old village officials, as I have shown, became Government officials. It was to their interest in every way that they should have, as Government officials, control over the village concerns, rather than be the servants and under the control of the village community. Some for their own purposes prefer Government control.

In the Proceedings of the Board of Revenue dated 8th September, 1868. No. 6,369, it was freely acknowledged that the Mirasi Tenure was one of the chief objections to the introduction of the Permanent Settlement in Tanjore, and "that under its Mirasi Tenure they, the Mirasidars, are *the owners of the waste and in fact essentially the proprietors of the soil*". (Supp. 204, Survey and Settlement Papers relating to Salem, published in 1879.)

I do not think it necessary to discuss the course of integration further. It is interesting to observe that the English administrators, while attempting to train Indians in local self-government by the creation of Municipalities, District and Taluk Boards and Village Unions, by their mistaken policy diminished the last vestiges of village government, that had survived the shock of the previous Governments.

The true old village communities did not pay any revenue direct to the Sovereign. They paid only a Menkavil fee to the Poligar and Chieftain in consideration of the protection to persons and property secured by him, such protection extending to compensation for property lost and not recovered. In addition to this Menkavil fee, various other dues were paid by the other villages, but nothing like a share of the produce. The King's income was mainly from crown lands, death duties, customs, etc. The Government of the day undertook protection from external enemies. Everything else, including police arrangements for protection to property, the making of laws, was left to the village community. Such Government is believed to be far more efficacious for the village than the Government of the present day. If these allegations are true, the sooner they are generally recognised the better. If they are not true, we shall

be the better able to appreciate the magnitude of the task and the nature of the efforts that are being made to train the Indians in local self-government.

The village community owned all the lands in common. In many villages periodical partition of arable lands still takes place, though the law Courts are very reluctant to recognise the practice. In other villages men are still living who have worked under the old system. I remember this took place in my village 30 years ago. But it is also certain that the practice is dying out. Those who get the better lands and carry out any improvements were naturally anxious to secure them to themselves, and in course of time they generally succeeded. The Ryotwari system, which made each individual ryot responsible for the payment of the land tax on his land, was a great blow to the communal holding. Naturally every ryot tried to get his land assessed as low as possible. Instead of having to deal with his own villagers, who knew everything about his land and could settle at once his own share of what the village had to pay to the ruling power, he had to deal with a stranger generally ignorant of the conditions of village life. Other disputes between the villagers were easily settled by men who knew the disputants well. Even in the case of a difference with another village, they referred to the Menkavilgar, who settled the disputes with their help. No professional assistance was necessary to draw up petitions, nor was reference to any officials necessary. The villagers were not dragged to the various revenue stations. No interpreters were required, and above all the decision did not then rest with one not controlled by public opinion. The result was a speedy settlement of all agrarian disputes. The

various revenue settlements indicate the process of integration. For the first few years the assessment was imposed on the village, and the villagers as a body had to pay the assessment. They distributed among themselves the total Government demand on the village, the officials having nothing to do with it. The individual was responsible for his share of the demand to the village community, but this individual responsibility was neither sanctioned nor recognised by the revenue officials. The next step was the recognition of the individual responsibility by the Government. While the village continued jointly liable, the distribution of the entire revenue among the villagers was made with the approval and consent of the Collector. In order to secure a fair distribution of the public burden the system of challenge was introduced. Any individual who considered that a holding was proportionately under-assessed, had the right to demand that the latter be made over to him at an enhanced rate, and it was so made over to him in exchange for his own unless the owner of the latter consented to pay the enhanced rate. The joint responsibility of the village did not cease. But the individual responsibility was also recognised by the revenue officials. In many cases the distribution of public demand was periodical. Individual responsibility was readjusted, but this was done by the villagers themselves. Gradually, however, this redistribution ceased, and the demand once fixed on each individual was not liable to change. Once this process was reached and each individual became liable for an ascertained demand, not liable to alteration at the instance of any other member of the village community, it followed that there was an end to the

responsibility of the community for the default of any one of them in payment of revenue. Individual responsibility to Government was substituted for joint responsibility, and naturally the community lost the ownership which became vested in the individual members thereof.

The villagers owned the Nattam. Any villager could build his house without any rent or revenue.

Besides arable lands the village had waste lands. Portions thereof when necessary would be attached to the Nattam, or when needed broken up for cultivation. The village waste continued to remain common property even after the individualisation of the arable lands.

But when the Government adopted the Ryotwari system of landholding, the fate of the village waste lands was sealed. When the settlement was entered into with each individual ryot, ignoring the communal ownership, the State claimed to step into the shoes of the old community and prevented, so far as it could, any one appropriating any portion thereof without its consent. In the course of the earlier settlements, a portion was always secured for communal purposes. Though thus the Government first asserted their claim over this land on behalf of the village community, to whom it originally belonged, yet portions were given on Pattas, or leases, to applicants who undertook to bring them under cultivation. Though such lands were originally only granted to the residents of a particular village, their claims were soon lost sight of, or ignored, and strangers were freely invited or encouraged to take up lands for cultivation, though the preference was always given to the villagers themselves.

The Forest Department deprived the villagers of any land the revenue officials may have left them.

They reserved generally the waste lands. Rules of course were framed in a liberal spirit, but native public opinion is not yet sufficiently powerful to ensure their fair working by the badly paid subordinates. Supervision is never satisfactory. The same result followed in Zamindari.

The Zamindars were generally the representatives of the old ruling Chieftains, or their viceroys or governors. They clearly had no higher claim than the ruler to the land or the produce. But by virtue of the sanads obtained under the Permanent Settlement, they claimed the proprietorship of all the lands included in their Zamindari. In the case of waste lands their claims were soon recognised. In the case of village sites there has been greater difficulty. So far as cultivable lands are considered, the dispute between the Zamindar and the landholders has been settled by legislation.

In the Government Ryotwari villages, where there is no middleman between the Government and the village, the encroachment upon the rights of the villagers to the lands they occupied proceeded more slowly. It took the form of revenue settlements, and at every periodical settlement the officials found that the Government were entitled to get a larger share of the produce. It is a doctrine of political economy adopted by English officials in India, that there is a certain style of living and standard of comfort for the Hindus, and if they adopt "a standard of living that their forefathers never enjoyed and themselves have no right to lay claim to," then by increasing the assessment they should be forced to adopt the inferior standard of comfort.

This broad fact must then be recognised, that the village communities were free communities owning

their properties, and they have now lost that full measure of freedom under Zamindary over-lordship or under Government.

By losing their freedom, the community have lost their control over their individual members. Their power to preserve social order has also ceased. I do not maintain that the old communities with their doctrine of equality ought to be allowed to stand in the way of progress, which is said to depend upon individual freedom; but this great change, that the village communities are now in serfdom, and have consequently no power to preserve social order or to control individual members, is a circumstance which is now generally recognised.

It is urged, and with a good deal of truth, that the Government never intended to vest the Zamindars with the great powers that they now claim over the people under them, and that the Law Courts, practically recognising the ownership of the Zamindars, have placed the occupants of the lands at their mercy.

The conclusion seems to follow that both sets of village communities have lost greatly, that as communities they have been almost broken up, at least with reference to village lands, and that it does not appear as yet that the changes have been to their benefit.

The village lands had their boundaries carefully marked. The lands themselves were divided into fields which were kept perfectly distinct for the purposes of general redistribution of lands or distribution of water for the purposes of cultivation. There were various village officers, their number varying with the needs of each locality, but twelve appears to have been a recognised number. Their names have been already given in the extract from the

parliamentary report at the beginning of this chapter. All these servants were paid by what are called Inam lands, *i.e.*, lands which do not pay revenue; and by payment of fees by the villagers on various occasions.

It will be noticed that not only those who were engaged in police, revenue and judicial functions were then paid by lands, assignments of revenue and fees, but others also, like the barber and washerman, who were then recognised as forming as important a part of the body politic as any of the former. Further the village temple was entitled to its dues. No one can have a proper idea of village life who does not realise the influence of the village temple, which kept alive the strong devotional feeling of the people. It was a place of resort for all people, particularly morning and evening; and it was to the village deity that the village as a body appealed in case of any public calamity.

It was not these services alone that were provided for at public village expense, but national amusements were also provided free of cost to the individual.

It was after the payment of these charges that the State, in the case of crown lands, or its assignee, and the village community, or the Mirasidars, took their share of the produce. It was not only the officials like the village Head and the village policeman, in the performance of whose duties it may be said the ruling power also was interested, not only those like the blacksmith and the carpenter, who had to repair the implements of husbandry, but also the barber, the washerman, etc., with whom of course the ruling power had no concern. All these were equally regarded as village servants and remunerated by the village. It is also remarkable that provision was made for public amusements and charities, before

Government claimed their share. At the village choultry travellers, particularly Brahmanas and Sannyasis, were always welcome, and festivals were conducted at the common expense.

The shares no doubt varied in various parts of the Presidency. But the important fact that the landlord, whether the State or another, demanded and received only a share of the produce that remained for distribution after all these expenses were provided for, has to be borne in mind.

In the earlier settlements under English rule, these were recognised; we find, for instance, that the expenses of cultivation are even now allowed to the ryot by Government before division of produce.

In some districts the allowances to the barber and washerman were recognised; some districts which remained longer under Hindu rule claimed—and their claim was allowed—emoluments for their dancing girls and dancing master. In some villages the doctor and the shepherd were paid out of the common funds. (See, for an old instance I, p. 91.) In one district there was a common tailor paid by the village community. These earlier settlements were made at the commencement of the century, when the English Government scrupulously adhered as far as possible to the usages they found prevailing in the country.

The feeding of the poor was a well-known item, and the settlement officers accordingly allowed it in those districts where the ryots claimed a reduction of it from the gross produce before the Government claimed their share. But now all is changed.

The members of the community have to pay the land assessment to Government without any reduction for fees to these village servants. For the payments

of those servants who perform revenue and police duties, and who have been converted into Government servants pure and simple, an additional tax has been or is liable to be imposed. The reductions made for payments to other village servants are not allowed in arriving at the fund for division between the State and the land-holder. The allowances made for national amusements were of course ignored. Not only are not reductions allowed before division between Government and the members of the village, not only is a fresh tax imposed for the maintenance of some servants though they have ceased to be village servants, but the Government have resumed the lands allotted to those village servants of old for maintenance and services.

The tendency of early legislation was to preserve municipal institutions—but even the district officials generally regarded them with disfavour. It was stated in 1864 by Mr. (afterwards Sir W.) Robinson, speaking of Tanjore, one of the most advanced districts in the Presidency, in reply to those who contended that municipal institutions have not been a success, that the fault lay not exclusively with the people. He said: “The country has from the commencement of rule been overlaid by enormous official establishments; everything has been done by employers, and the measures employed from time to time have had a bureaucratic tendency; when the village laws first gave to these communities some status and to their Headman some powers, the measure was opposed by the then Collector and his officials, an opposition which was only overcome, if my memory serves me rightly, by actual or threatened suspension when the measure was introduced; therefore it was a measure least likely to ensure success.” “In fact

the administration of the country has been unfavourable to the growth of special self-help amongst other communities. The remedy does not however lie in now cutting off this improvable branch of administration and casting it away as fruitless; but in comforting and encouraging the potails and people and strengthening their hands in the management of their own institutions." This, however, was not the course followed. In 1831, the Government of Madras attempted to bring all persons holding hereditary village offices, who had to perform revenue or police duties, under the control of revenue officials, who were empowered to punish them for incapacity or neglect of duty. But no power of appointment was given, succession continued hereditary, and village autonomy was in that respect not interfered with, as the income from each village continued to be applied only for the payment of its own officials. But this also was afterwards put an end to.

It is interesting to note the course of legislation, destroying all vestiges of village municipal government. It will be noticed that the following are some of the distinctive marks of village government.

(1) Payment of village officials by the village out of property belonging to the village.

(2) The preservation of the village as a territorial unit.

(3) Independence of village officials of any external control.

Lands held free or on favourable terms, and fees collected from the villagers were the sources from which the servants were generally remunerated. These lands held by the servants were never in themselves sufficiently remunerative, but they served as a strong inducement for the servants to continue in the

village, and not to go in search of employment elsewhere. The payment of fees enabled the village public opinion to effectually control their servants, who would, if incompetent, lose their fees. They were thus really the servants of the village. Their paymasters, the villagers, who were really interested in the proper performance of duties by the village servants, had it thus in their power to compel them to discharge their duties properly. About 1860, however, the policy of the Madras Government underwent an important change. It was thought that the collection of these fees by the servants was a troublesome and difficult matter and that payments were irregular and uncertain. It was further stated to be objectionable in principle that officers, having public duties often of an invidious character to perform, should be dependent upon the villagers against whom the Government may have to act. It was accordingly resolved to abolish fees and to collect instead a tax for the payment of these fees. Lands granted revenue free were resumed. But the matter attracted the attention of the Viceroy, and he declared himself averse to the policy of authoritatively exercising any general interference with municipal institutions. In order partly to meet this objection, it was enacted that the funds were to be utilised only for the payment of the village servants, employed in the village in which the cess was levied. The power of payment was however taken out of the hands of the village community and the Government became the paymaster. Even this slight concession has now been withdrawn. Recent legislation has directed the formation of a fund composed of the proceeds of the lands resumed and the tax imposed in lieu of the fees, without any restriction as regards its utilisation. The officials of

one village may be paid out of the funds of another village. They have thus nothing to hope for, or to lose, by the favour of the community of which they are, in theory, the servants. Their payments do not depend upon services rendered as of old. They have ceased in fact to be village servants.

Similarly, as a community they soon ceased to exist, in the eye of the law. It was one of the sacred duties of the village officers to preserve the boundaries unaltered, as such preservation was essential to village autonomy. If the State or the Zamindar has the power to group or amalgamate two or more villages or their portions, or to form any new village, or to divide any one village into two or more, many village offices will have to be abolished in the one case and many new offices will have to be created in the other. A village community, as such, may be destroyed thus at any moment. The legislation of 1893, 1894 and 1895 has enabled our Government to effect this revolution.

This centralisation looks well enough on paper and, as Sir W. Robinson stated years ago, "method, regularity, and exact performance of duty seem to be secured. But it belongs to the true bureaucratic system of centralisation, which cramps the energies and goodwill of the people; local independence and self-government are the foundations of real order in a country"; and he proceeded to show how these were destroyed by the new system. Independence of external control they have lost. These village servants, on whom in ancient days lay the duties of ascertaining the share of the State or Zamindar, have been made subject to the control of the revenue official or the Zamindar who

is also vested with power of dismissal. They have thus in every way ceased to be village servants. They are now servants of the State or the Zamindar. But the village has in no way prospered.

APPENDIX

PAPERS ON MIRASI RIGHT, PAGE 274, III

Be prosperous! in the year 1109 of the era of Salivahana, ever victorious, (A.D. 1187), on the tenth day of the increase of the moon, in the month Aswijam, in the reign of Vira Pratapa Vijaya Bucca Rayalu,¹ the prosperous king of kings, the lord of lords possessing the wealth of the whole earth, the Minister Appaji Ayya, the son of Salva Timmars' Ayya, following the Sutram of Apastambha and the Yejus-sakha, having beaten his drums on his march towards Udayagiri, while halting at Mailaram, gave his Danapatram, or deed of gift, to Malla Reddi, the son of Naga Reddi of the Gotram of Ullipula and the inhabitants of the Yerra Yelama caste, who came from the province of Nagaram with their families; that is to say, that, they having as principal Reddies founded the village Yenamala-Chintala, subject to the province of Gutti-Durgam, in the name of the

¹ Vijaya Bucca Rayalu, the fourth of the Vizianagara Kings commenced his reign 214 years after this date in S. S. 1236, agreeing with A. D. 1314 and the Appaji Ayya here mentioned was the Minister of the Krishna Deva Raya, whose reign commenced about S. S. 1432, A. D. 1500. this discrepancy is fatal to the antiquity of the original of this deed but it does not destroy its authenticity. The fact would appear to be that the village was originally founded about the period marked by the date, that it had fallen to waste, that it was restored by Appaji and conferred on the Nagara Yerra Yelamas, and that the copper plate record, from a copy of which this translation has been made, was engraved many years afterwards, when the foundation and restoration of the place were confounded in the minds of the inhabitants. The fact of these Manyams being conferred or confirmed by Appaji Ayya is probable, as the expedition under that Minister, preparatory to the attack on the Gajapati States by the Vizianagara forces, in which he reduced the whole of the forts, Udayagiri among the rest, between Tirupati and the Krishna, is an historical fact.

Reddis, therefore officers (Ayagandlu) are appointed to it as follows :

Malla Reddi, the son of Naga Reddi, of the Gotram of Ullipula, of the Yerra Yelama caste, who lately arrived with their families from the province of Nagaram, is appointed to the office of Reddi ;¹

Narayanappa of the caste of Nandavariculu, to the office of Karnam ;²

Narsum Bhatlu to the office of Puróhita ;³

Duggoji, as Iron Smith ;⁴

Nagaji, as Carpenter ;⁵

Sangappa, to the office of Shroff ;⁶

Gosala Yeragami Nayadu, to the office of Kavel ;⁷

Salivahana Linga Setti, as Potmaker ;⁸

Muddadu, as Washerman ;⁹

Sivoji, as Barber ;¹⁰

Nagulagadu, as Baricudu ;¹¹

Yerravabadu, as Checari ;¹²

¹ The Headman, or the director of the village, usually called Pedda Reddi, Chief Reddi, or emphatically Reddivaru, the Reddi ; the same officer is known, also, in the Sircars, by the foreign names Mocuddum and Chaudri ; in the Ceded Districts he is called Patel, and in the countries where Canarese is spoken Ganda ; the Tamil word Maniacaren in some of the southern districts designates a similar officer, but he has by no means the same influence and authority over the Mirasidars of the South as the Pedda Reddi, Mocuddum and Patel have over the cultivators of the north and west ; the latter possessing the paramount authority in their villages and conducting with little control all affairs of agriculture and revenue.

² The Accountant, Registrar, and Notary of the village.

³ The Priest of the village · not the officiating priest in the Pagoda, but the directing priest at births, marriages, funerals, and other ceremonies : he fulfils, also, the office of Panchanga, Astrologer.

⁴ ⁵ These, furnish, gratis, the iron and wood-work of the ploughs and other instruments of husbandry.

⁶ Money-changer.

⁷ Village Watchman.

⁸⁹¹⁰ These perform their respective offices for the inhabitants of the village gratis.

¹¹ This office is usually called Vetti ; he performs menial duties, carries messages, etc.

¹² Or as more commonly called Shakili tanner and leather-dresser ; the flesh and skins of all animals, which are killed or die

Dhanapatram by Narson Bhatt of the Mereis and Manyams granted to the village :

To the Office of Reddi—to the west, a field of dry black soil, in which 3 tums of grain may be sown ; to the north a dry field called Varavanca, in which 3 tums of grain may be sown ; to the south, a piece of dry land, in which 3 tums of grain may be sown ; to the east, a piece of wet land near the channel, in which half a puttî of grain may be sown ; the land of the Flower Yatam (engine for raising water), in which 4 tums of grain may be sown ; four trees yielding fruit.

Manyam to the office of Karnam—to the west, a field of dry black soil, in which 3 tums of grain may be sown ; to the north, a dry field called Dzambimanu, in which 3 tums may be sown ; to the South, a dry field called Sunnagaragu, in which 3 tums of grain may be sown ; to the east—of a field of wet land watered by the channel, in which half a puttî of grain may be sown ;—the land of the Sudda Yatam, in which 4 tums may be sown.

To Chenna Kesava Swami—on the west, a field of dry black soil, in which 2 tums of grain may be sown ; also, a field of wet land watered by the channel, in which 3 tums of grain may be sown.

To Ishvara¹—the dry of the cross road on the south, in which 2 tums of grain may be sown ; also, a field of wet land watered by the channel, in which 3 tums of grain may be sown.

To Tadiperte Chintala Rayadu²—the dry field of the cross road on the west, in which 3 tums of grain

within the limits of the village are his, and from the latter he is bound to furnish the inhabitants with leather for buckets, etc.

¹ The deity of a Shaiva temple.

² A deity.

may be sown ; also, a field of wet land, in which a quarter of a putti or grain may be sown.

To Sanjiva Rayadu ¹—a dry field of black soil to the south in which 2 tums of grain may be sown ; also, a field of wet land watered by the channel, in which 3 tums of grain may be sown.

To the office of Purohita—to the westward a dry field of black soil, in which 2 tums of grain may be sown ; also, a field of wet land watered by the channel in which 3 tums of grain may be sown.

To the office of Iron Smith—to the westward a dry field of black soil, in which 2 tums of grain may be sown ; also, a field of wet land watered by the channel in which 2 tums of grain may be sown.

To the office of Carpenter—to the north a dry field of black soil, in which 2 tums may be sown ; also, a field of wet land watered by the channel in which 2 tums may be sown.

To the office of Shroff—to the south a dry field of black soil of 2 tums of grain ; also, a field of wet land watered by the channel, in which 2 tums of grain may be sown.

To the Kavelivaru—to the west, a field of dry black soil, in which 2 tums of grain may be sown ; also, a field of wet land, in which $\frac{1}{4}$ putti of grain may be sown.

To the office of Potmaker—to the west, a field of dry black soil, in which 2 tums of grain may be sown ; also, a field of wet land, in which 2 tums of grain may be sown.

To the office of Washerman—to the north, the dry field called Chillamanu, in which $1\frac{1}{2}$ tums of grain may be sown ; also, a field of wet land watered by the Channel, in which $1\frac{1}{2}$ tums of grain may be sown.

¹ A deity.

To the office of Barber—to the westward, a dry field of black soil, in which 2 tums of grain may be sown; also, a field of wet land, in which 2 tums of grain may be sown.

To the office of Barica—to the north a dry field called Maddimanau, in which 2 tums may be sown; also, a field of wet land, in which 2 tums may be sown.

To the Checari—to the westward, a dry field of black soil, in which 4 tums of grain may be sown; also, a field of wet land, in which one quarter putti of grain may be sown.

After deducting the privileges of the deities and Brahmanas in this manner, there remains a sum of ¹ 250½ Malki-Ibrahim Pagodas, on account of which the trees and high grounds are to be levelled, and in the fields so formed, the grain to the amount of 8 putties 5¼ tums ² may be sown. The Boundary stones are planted as follows:—a Sasanam on a long stone directly to the east of the village, where the limits of Bedudur and Yanamala-chintala meet:—a Sasanam on the stone to the north:—directly to the westward a Sasanam on the black stone where the limits of the village of Chenigala-Gudur, and Yanamala-chintala meet:—on the south of this a Sasanam on a stone laid on the earth where the limits of Tammapuram, Chenigela-Gudur, and Yanamala-Chintala meet:—to the south of this a Sasanam on an upright stone:—to the south of this a Sasanam on a round black stone by the river side, where the limits of the three villages of Nilakantharaya Nittur, Venacaya's channel and Yanamala-chintala meet:—

¹ This appears to have been the fixed assessment on the village; probably the Recha-siddhayam, if it extended to this part of the country.

² The tum mentioned in this document is equal to four mercals of Madras; 20 such tum make one putti.

to the east of this a Sasanam on an upright stone, planted, where the limits of the three villages of Chinna Timmapuram, Vencaya's channel and Yanamala-chintala meet:—to the south a Sasanam on a long stone; this stone stands pointing to the upright stone planted where the limits of Bedudur and Yanamala-chintala join.

After this Malla Reddi, the son of Naga Reddi, went to the presence of the Rayalu and presented the Ulupha and Udugaralu,¹ and the Rayalu was pleased to cause a stone Sasanam to be put up in the temple of Shri Virupaksha, with the consent of the village people, and gave this Danapatram, allowing you, your sons and descendants to enjoy lineally as long as the sun and moon endure. Whosoever makes objections to this shall incur the sin of slaying a Cow at Kashi. This Danapatram was written by Narsam Bhatt.

PAPERS ON MIRASI RIGHT, PAGE 294, NO. VI

On the 1st of Adi in the year Plava (A.D. 1661), this Pangu-manei-suddha-craya Sasanam (or deed of final sale of a share of land) was executed to Avudani Iyyer, the son of Tideti Raghava Bhattar, and his parceners, living at Agaram Etchur, by Yellam Bhattar, the son of Tideti Atchana Bhattar, living at Agaram Sirumancadu, commonly called Timmapuram: That is to say, one moiety of the village of Vengayelapadi purchased by Tiruvanaad Ayyer was sold to

¹ The first of these terms, which in Arabic signifies simply provisions, in Telugu means various articles of consumption, the produce of the district; the second means clothes, and other specimens of manufactures, presented to a superior.

me, and now on account of my necessities I sell half of it to Arudani Ayer of Sirumancadu for 11 Star Pagodas of Madras; for these 11 Star Pagodas you are to enjoy this moiety of a half share, which has been transferred by final sale and you are to enjoy it with the Collei¹ Mana Vare² Cahani³ Ulmanei⁴ pura-man⁵ appertaining to it:—you are moreover to enjoy all treasure trove, deposits, waters, rocks, all privileges that now exist or that may be hereafter conferred, and others the eight rights belonging to it:—also, the Mavadei,⁶ Maravadei⁷ Checcu Muttei⁸ Tari-cadamei⁹ the Mandavarisei¹⁰ and everything belonging to one moiety of this half share shall be enjoyed by you, your sons and grandsons, who may bestow it in gift or sell it:—you are, moreover, to have ara-nir¹¹ and morei-nir,¹² appertaining to this moiety of half a share in such places as you require, and enjoy them under this deed of final sale, like the other inhabitants of the village.—There exists no claim contrary to this deed of sale; if any arise I will stand forward and get it decided. Mistakes in wording, interlineations and erasements in this deed are not to be attended to.—Thus I have executed this deed of final sale of land by my free consent, and

¹ Homestead.

² Rent of plots of ground occupied by persons not Mirasidars in the Nattam.

³ Field of wet land.

^{4, 5} Inlands and outlands.

⁶ From 'ma' a beast and 'adaidal' to obtain, possess, game of all sorts.

⁷ From 'maram' a tree, and 'adaidal' woods of all kinds.

^{8, 9} Dues from oil-presses and looms.

¹⁰ The right to have the flocks of the village folded on the lands of every proprietor in turn.

^{11, 12} Waters the use of which is unlimited, and those the supply of which is governed by fixed rules: see the last of this series of documents. Many of the terms which here occur are more fully explained in the following translations.

thereupon Ellam Bhattar pronounced O'm! to Avudani Ayyer and his parceners.—The integrity of this deed is attested by the writer, Nallan, the goldsmith. The money mentioned in it was paid thus :

Paid to Enayet Khan Sahab, Pagodas	. 7½
Paid to the Nayiker . . . . .	. 3¼
	Total 11

Witness

Yellapa Vencata.

Varadayyer Subbayya.

REMARKS

From this and the following documents it appears that the village of Etchur was held in Arudi-carei, as is the case generally where Brahmanas are the proprietors, the share being transferred by private agreement and the deeds executed by the transferer only, not jointly by all the Mirasidars.—This deed is not so formal as the first of those in the following series belonging to Tandeyarpett: it is, however, clearly divisible into 8 heads, namely—first, year and date; secondly, declaration of the property and the price at which it is sold; thirdly, investiture of the property in the purchaser; fourthly, engagement that the property is clear, or that it will be cleared by the seller; fifthly, provision against errors; sixthly, declaration of the execution of the deed by the seller; seventhly, attestation of its integrity by the notary; eighthly, acknowledgment of the payment of the price.—It will generally be observed, that though the heads into which such of the bills of sale in this collection, as are drawn with tolerable accuracy, differ in

substance in each, they are the same in number ; thus this document and the first of the next series each consist of eight ; I know of no declared rule for this, but as technical arrangements of this kind are not formed by chance, one must have existed by which the notaries were guided. With the exception of special terms the style of this deed and the others in this series is modern, few instances of antiquated phrase occurring. In most the year of the current cycle only is mentioned, and the corresponding year of the era, therefore, is stated on the authority of the family to which they belong.

PAPERS ON MIRASI RIGHTS, PAGE 301, No. XI

In the year Şubhanu (A.D. 1763) on the 4th Paratasi, this Grama-Craya Sasanam¹ (deed of sale of a village) was executed to Narsam Battar, the son of Tideti Sesham Battar, and his parceners residing at Vencatapuram, commonly called Agaram Etchu, by Muttu Gramini, the son of Shinnandi, and his parceners residing at Sandavelur, and Nulla-muttu Gramini, the son of Shinna Shingaudi Gramini and his parceners. That is to say, deducting the one-eighth share which was formerly given to you as Danam in our village, Sandavelur, there remain seven-eighths, and now owing to our necessities, we have sold to you one-eighth from this and received ten Star Pagodas from you ; for this sum of ten pagodas we have executed this deed of sale for this one-eighth share, and you are, therefore, to enjoy it, together

¹ The term Grama-Kraya-Sasanam, as contradistinguished from Nila or Manei-kraya-Sasanam, implies the transfer of the Mirasi-right, and is applied to the sale of the whole or any part of a Gramam or Township.

with all game, woods, dues from oil-presses and looms, rotation in folding flocks, eravari,¹ aranir,² moranir,³ Etchoru,⁴ and all treasure trove, deposits, waters, rocks, established privileges, and those that may hereafter be conferred, all productive and all produce, the eight rights of ownership appertaining to this share, shall be enjoyed by you, your sons and descendants, as long as the sun and moon endure. There exists no claim to this share, and if there be any, we will stand forth and have it decided. This deed of sale is given by our free consent.

Mark of Nallamuttu Gramini

Witnesses :

Etchur Subbaya

Narasayya

Ammaiappen, the village accountant

Mattur Subramaneya Chetti

Cannacu Periya Pillay of Etchur.

With the knowledge of these, the village accountant Ammaiappen attests the integrity of this deed.

¹ From 'Irai' tribute, due and 'vari' rent: the compound means all dues in money receivable by the Mirasidars from Parakudis, etc.

^{2, 3} These terms are commonly explained to mean water which is allowed to be taken from small tanks, wells, etc., without limitation, and that of which the supply from large reservoirs is governed according to time and season by fixed rules. There is, however, another interpretation given to them, in conjunction with a third term, which is thus stated—Aranir, water allowed to flow in greater or less quantity in proportion to the abundance or scarcity in the reservoir, usually from the commencement of June to the end of August:—Perunir, water allowed to flow without limitation during the heavy rains of the north-east monsoon and for some time afterwards, from the beginning of September to the end of March:—Moranir, water allowed to flow in turn and for a fixed period every day to the fields of each cultivator, from the beginning of April to the end of May,—The beginning and ending of these periods are stated generally; they depend actually on the forwardness or backwardness of the season.

It is the same as the Nālpadi, or daily batta, paid to persons deputed on any account to the village by the officers of Government, except that the latter is given to Peons or others of pure caste in money or raw grain and the former is an allowance

REMARKS

This bill of sale is correct in form, but its principal value is the instance it affords, in conjunction with the preceding document, of the gradual manner in which the Mirasi has passed from the original proprietors.

PAPERS ON MIRASI RIGHTS, PAGE 304, No. XII

[This document relates to the transfer of the land in the village of Tondiarpet, to the north of the town of Madras.]

Let¹ happiness attend the great and prosperous lord of the earth, ruling like Manu; the hero terrible in war, fierce as the fire, and armed with a bow like the wind; the speaker of truth and lord of the three princes,² the subduer of every country he beholds, who never relinquishes the country he has subdued; the spoiler of the country of his conquered made to Taleiyaris, or Tukiris, who are generally Pareiyar. A collection is often made on these accounts from the inhabitants, and if not disbursed divided among the Mirasidars.

¹ This exordium or a similar one occurs in all royal grants and many private deeds, those especially as were considered as of sufficient importance to be recorded on stone or copper, executed during the reign of the Vizianagara Kings, but mere bills of sale are not customarily drawn with such formality: this, however, must depend on the qualifications of the Notary, whose office is performed by the Grama-Caneccan, village Accountant and it will be observed from this and other specimens that the persons who were accountants of this village Tandiarpet Guruvappa and his son Padavan Pellei, at the period when this deed was written, were remarkable for strict attention to established forms and technical language.

² Aswa, Gaja, Narapati, the Lords of Horses, of Elephants and of Men, the titles by which were known the three powers who four hundred years ago divided between them the South of India. The Aswapati were first the Muhammadan dynasty of the Bhaminis, established at Kalberga, and afterwards the several princes of that faith who shared among themselves the sovereignty of the Deccan. The title of Gajapati was given first to the Hindu Princes of Telingana, who reigned at Orukala (Worungole), and afterwards

foes, the spoiler of Katakam;¹ the lord of the capital Klayanapuram; he who strikes with terror the eight corners of the globe; the inflictor of punishment on bad and the protector of good men; the destroyer of the forces of the Tulucar² (Muhammadans) and the represser of Muhammadan pride; the destroyer of the Oddiya forces and the represser of their pride; the King of kings, the supreme Lord of kings, the Sun among the kings, Shri Vira-Pratapa Vira-Singara Rajica-Deva Maharayer,³ the lord paramount of the northern, southern and western seas, having hunted elephants, in the year Sarvari of the cycle of sixty, following the year 1642 of the era of Salivahana (A. E. 1720) on Sunday, the 21st of Ani, under the Lunar constellation Barani, on this day this Sasanam was written.⁴ Arjuna Mudelli, the

descended to the Kings of Oddiya at Catac, who annexed a considerable portion of the territories of the former races to their dominions. The prouder designation of Narapati was arrogated by the Bayer of Vijaya, or, as originally called, Vidya Nagara (Bijanagar). Or the three princes may mean the Tamil Muvender, SHERA, SHOZHA, PANDIYAN.

^{1, 2} From the long wars carried on for centuries by the Vizianagara princes with the Muhammadan Kings of the Deccan, and the Rajas of Oddiya (Orissa), these titles were given to them by their subjects at least. Krishna-Deva Rayalu at the commencement of the 16th century conquered that part of Telingana now usually called the Northern Circars, comprehending the ancient provinces of Andhra and Kalinga, from the latter dynasty, and compelled the reigning sovereign to bestow on him his daughter in marriage, but it does not appear that he was in possession of the capital, Katak.

³ This though apparently the name, is intended to designate the dynasty rather than any particular prince; indeed the last of the race had ceased to reign and the kingdom of Chandragiri, where the Vizianagara Kings finally established themselves had become extinct sixty years before the execution of this deed.

⁴ This is the mode in which the date of all deeds, drawn in that part of the country where the solar computation prevails, that is, where the Tamil language is spoken is, or ought to be stated, and, as, when the deed is genuine, it is delivered by the Panchangen, Astronomer of the village, from the almanac of the year, it affords means of ascertaining its authenticity; for if the year of

son of Rakiyoppa Mudelli, one of the Mudellis of Tondiarpet, and his parceners,¹ in the Nayaru Nadu, the Puzhal cotam, in Tondamandalam acquired by conquest, in the kingdom of Chandragiri, pronounce Om!² Having proclaimed³ aloud in public auction—“Are there any who will purchase one-third of my Kaniatchy, being one of ten shares of the village of Tondayarpet including Manei,⁴ Nilam,⁵ Pulam,⁶ Nir,⁷

Salivahana and of the cycle of sixty, or the day of the month and the lunar constellation disagree, the deed should be rejected as a forgery. It is true a deed may be forged when this disagreement is not discernible; but this will not frequently be the case, for unless assisted by a professed Astronomer, the best informed of the Hindus are liable to gross mistakes in calculating dates a few years precedent.

¹ The word thus translated is Ullittar; it means, not merely those possessing coparcenery rights with the principal, but all in any manner concerned or connected with him—the Samskrit term Dayada properly expresses the meaning of the word Parcener.

² This word is repeated in the latter part of this deed on the conclusion of the bargain between the parties. Whenever it occurs, it implies solemn consent, but it is disputed, whether it ought to be considered the mystic tril-literal monosyllable of the Brahmanas, or merely a colloquial word meaning to adhere, agree, ratify; the latter seems the better interpretation.

³ The term here used is, Kūruthal which in the ancient language means to speak, say, cry out, but is now seldom used otherwise than to signify the crying of goods in open market, or when put up to auction or outcry, the latter of these words was probably originally a translation from the Tamil, it being matter of history that outcries were first introduced into England by one of the former Governors of Madras.

⁴ Manei means here ground as divided or divisible into lots for building, or small enclosures, or the ground forming the site of the Nattam, contradistinguished from the rest of the village:—as a term of land measurement, it is applied at Madras to an oblong space 60 feet by 40 equalling a twenty-fourth part of a Kani, this being the extent considered sufficient for a single house.

⁵ Nilam, land in general; the whole soil of the village, or that part under tillage in particular years. This word from to stand, stay, means that which is fixed, permanent, durable.

⁶ Pulam, a field of corn.

⁷ Nir, waters in general, tanks, large and small water-courses, etc.; or, as here used, a share in all public waters,

Kollei,¹ Topu,² Turavvu,³ Kinaru,⁴ Kāni-peru,⁵ Kāni Manyam,⁶ Checcu Muttei⁷ Tarei- Kadamei,⁸ Paracheri⁹ and Tider Pareiyar,¹⁰ Pizhaccadei¹¹ and all other privileges whatsoever?"—The words thus proclaimed were heard by Surappen, the son of Tiruvellapillei Malayappa Mudeliyar of Connur, of the Nadu of

¹ Kollei, which may be rendered homestead, is any small enclosure near the house; the difference between this term and Pizhaccadei, backyard, is that the latter immediately adjoins the dwelling, whereas the Kollei may be at some distance from it.

² Topu, groves, orchards and plantains.

³ Turavvu, large wells.

⁴ Kinaru, small wells either of brick or earthen rings burnt in the kiln, commonly called pot-wells. Wells are here enumerated distinct from the public waters in which the whole village has a joint property, as they are usually constructed by individuals and considered, therefore, as an individual property.

⁵ Kani-peru, composed of (Kāni) heritage, hereditary property, and from (peru) to obtain, means anything obtained, degree, dignity the whole signifies, therefore, the consequence or dignity derived from the possession of hereditary landed property.

⁶ Kani-Manyam, from the Tamil term (Kāni) as above, and the Sanskrit (mānyam) honorary from (mānam) honour, rent-free lands held jointly by the Kaniatchikars as a type of their proprietary right. The Kani-merai or grain fee paid to the proprietors, unless included in the term immediately preceding is not mentioned and therefore, did not probably, exist in this village.

⁷ Checcu-muttei and

⁸ Tari-cadamei.—The first of these terms (Checcu-Muttei) is derived from 'Chokku' oil press, and 'Muttai' an egg, and signifies the quantity of an egg shell full of oil; the second from Tari, lit. a weaver's reed, but used for the whole loom and 'Kadamai' tax, due, fee. The first of these dues is always paid in kind, and is either received by the several Kaniatchikars in turn and in proportion to the shares held by each, or is sold and appropriated to the general fund for the expenses of the village, Grama Rhalavu; the second is paid in money and carried to the account of this fund.

⁹, ¹⁰ Paracheri and Tider Pareiyar; tider signifies an open barren space, and the whole sentence therefore, means the Pareiyar who reside in the regular Paracheri, or suburb set apart for them, and those whose habitations are scattered over the wastes. These terms are intended to comprehend generally the whole of the Pareiyar slaves attached to the soil of the village, and to express especially that right to a participation in their labour inherently attached to the one-third share of Kaniatchi transferred.

¹¹ Pizhaccadei, the backyard immediately adjoining the house; the correct orthography of this word is Puzhaccadei, being derived from a door, and a place; this and the Kollei are considered as

Ambattur of this Kotam and Mandalam, who answered saying aloud: "I will purchase".—I, Arjunen, the proclaimer, the son of Rakiyappa Mudeli of the gotram of Mayila-kizhan, and the answerer, Surappen, the son of Malayappa Mudeli, having agreed between ourselves and settled to our mutual satisfaction, in the presence of the rulers of the land and house-holders of Tondiarpet, sold one-third of my one share out of the ten, with the grounds, lands, fields, homestead, water, plantations, large wells, small wells, the rights of inheritance and rent-free lands thereto belonging, dues from oilpresses, and the Pareiyar of the suburbs and the plains, backyards and all other privileges whatsoever, thereto appertaining for 50 new Pagodas of Madras, and received the full amount of this the settled price; for the second time, and the third time, this is the price, this is the established price, so it has been fixed, and I have decidedly received the full amount. The one-third of my share, its ground land, fields, waters, homestead, plantations, large and small wells, the rights of inheritance and rent-free lands, dues from oil presses and looms, the Pareiyar of the suburbs and plains, backyards and all privileges appertaining thereunto, you are to enjoy, you and your descendants lineally, as long as the Sun and Moon endure. There is no claim to the one-third of my share; if it be thought that there is any, I will stand forth and bring it to a decision. You are entitled to sell, transfer, mortgage and to bestow as a gift, or in charity, the ground, fields, waters, homestead, plantations, large and small wells, the rights of inheritance, and the rent-free lands thereto belonging, the dues from oil presses and looms, the Pareiyar of the suburbs and the plains,

and backyards, and all privileges appertaining thereunto. Thus with my free consent I have executed this deed of sale. Arjunen, the son of Rakiyappa Mudeli, and his parceners, agreeing with Surappen, the son of Maleiyappa Mudeli, pronounced Om! All blunders in this deed, arising from the quality of Kadjan, errors in writing, mistakes in words, and interlineations, and from its being cut, split, or worm-eaten, from erasements, or breaks, are not to be regarded.

Witnesses

1 Pudur Pereya Katchiyappa Mudaliyar
 Kannur Namasivaya Mudaliar
 Naiyiniappa Mudaliar
 Poyadi Viraraghva Mudaliar.

With the knowledge of these the integrity of this writing is attested by the signature of Pudaven, the son of Guruva Pille, the village accountant.

(Signed)

Varadappen, the son of Rakiyappa Mudaliar
 Tiyagappen, the son of Toppei Mudali
 Tiyagappen, the son of Kulla Mudali
 Nallen, the son of Shinnanna Mudaliar
 Periya Muttiyappen
 Periya Mudali
 Periya Tambi
 Arjunen
 Tiyagappen, the son of Chinna-Tambi Mudaliar.

included in the Nattam and are held free of all rent, though sometimes of considerable extent. As such enclosures are always highly manured, they afford valuable produce, tobacco, sugar, plantains, etc., if they are extensive, therefore, and the proprietor industrious, they often constitute a considerable portion of the value of the whole proprietary. The Pizhaccadei is held not only by the Kaniatchicar, but by all the Manciollover, all those having habitations within the village.

¹ The persons here mentioned are referred to as capable of attesting the integrity of the writing ('*ezuḷina panmai*'), it having

REMARKS

Though not of an ancient date, the style of this deed is evidently in imitation of the ancient manner, agreeing, it is probable, both in phrase and substance, with the formula established when the Tamil countries were under their native princes. With regard to substance, the contents of the deed may be arranged under nine heads and it will be observed that most of the writings in this collection though not so fully worded, are susceptible of an arrangement nearly similar, with the exception of the exordium, which, as already stated, is borrowed from the practice of later times, and is not altogether appropriate to this species of document, few other instances occurring among the following specimens of bills of sale so commencing. First, the exordium, eulogizing the Vizianagaram princes; secondly, the year and date in which the deed was drawn according to solar time; thirdly, the declaration of the property transferred and acceptance of the transfer; fourthly, the declaration by mutual agreement, before the prince and people, of the consideration for which the transfer is made; fifthly, the investiture of the new by the old proprietor; sixthly, the engagement of the old proprietor that the property is clear or that he will clear it; seventhly, provision against clerical errors in the deed; eighthly, attestation of its integrity by the notary and others; ninthly, execution thereof by the Kaniatchicars of the village. With respect to the last head, it will be observed that Arjunen, to whom the property transferred actually belonged, signs it only as one of

been drawn by the notary in communication with them; they are sometimes distinct from the witnesses, properly so called, who affix their own signatures and attest the execution of the deed and sometimes, as in the present instance, identical with them.

the Kaniatchikars, and as his share was small, and, his rank low in the village, his name appears last but one. This is the case in bills of sale executed before or at an early period after the Mughal' conquest, and it was requisite because all the Kaniatchikars of a village were Mureikars (possessing the rights of pre-emption) with respect to each other; the execution of a bill of sale by one only, though good against himself, could not bar the rest from the assertion of this right, for which purpose it was necessary that the deed should be executed by all; in practice, however, especially in recent times, the signatures of a few of the principal persons have been considered sufficient.

PAPERS ON MIRASI RIGHT, PAGE 327, No. XXIII

In 1704 of the era of Salivahana and 4883 of the Kaliyuga after the expiration of the 35th year from Prabava (the first of the cycle of sixty) in the year Subakrutu (A. D. 1782) on the 30th of the month Puratasi, on the 6th day of the Moon's age, on Saturday, under the lunar constellation Mula, on this unfortunate day, from urgent circumstances, this Kraya Sasanam, or deed of sale was given to Venkatachalla Chetti, the son of Paiyanur Muttiyalu Chetty, living at Saidapettai in the desom of Kanji, in the victorious Tondamandalam, and his parceners, Anudariyappa Mudeli, the son of Shiyala, one of the

¹ Not the Muhamadan conquest; the southern part of Tondamandalam was held by Bijapur and the northern by Golkonda, before those places yielded to the arms of Aurangzeb; but by these princes the ancient laws and practices of the Hindu people were respected; it was the Mughals and their all-devouring system of revenue which abrogated them.

Mudels of Şirudeiyar in the pattu of Manampadi, in the Nadu of Kumizhi in the Kottam of Amur, in the province of Shengazhanirpattu (Chingleput) in the mandalam and desom above mentioned ; deducting the half share belonging to the Rajas from the whole of my Kaniatchi village of Sirudeiyur, there remains half, of which the quarter part belonging to Anudariyappa Mudeli, the son of Anudariyappa Mudeli, being deducted, there remains my quarter share ; of which one-sixteenth sold by me to Varadappa Nayakan, being deducted, there remain three-sixteenths ; for this share with the Ul-manei,¹ Piramanei,² totam,³ turavu⁴ nunjei,⁵ punjei,⁶ narpangellei¹, kovil,⁶ kulam,⁹ eri,¹⁰ ara-nir¹¹, merei-nir,¹² mavadei¹³ maravadei,¹⁴ sheccodu,¹⁵ tari-kadamei,¹⁶ kani-maniyam,¹⁷ kani-marai,¹⁸ ur-manyam,¹⁹ kani-kuppatam,²⁰ the para-tider,²¹ and all the rights of

Note :—Most of the terms in the text having been already explained at length, it is only necessary to state here their meanings as briefly as possible.

^{1, 2} Lands within and without the site of the village, lit. inland and outland.

³ Gardens.

⁴ Wells.

^{5, 6} Wet and dry lands.

⁷ This word, which means the limits on the four sides, describes of course, the whole property sold.

⁸ Temples, and all other public buildings.

^{9, 10} Ponds and tanks.

^{11, 12} Water supplied without restrictions and distributed by rule.

^{13, 14} Game and woodlands.

^{15, 16} Dues from oil-presses and looms.

¹⁷ The rent-free lands of the Mirasidars.

¹⁸ Free in kind received by the Mirasidars before thrashing.

¹⁹ Ur-manyam—lit. village rent-free lands, when differing from kani-manyam, mean such lands conferred by Sanad, such as the manyacar or redden manyam, which are sometimes held by the Mirasidars.

²⁰ Fee in kind received by the Mirasidars after the grain is thrashed.

²¹ Quarters occupied by the Pareiyar ; the term implies a right to the participation in the labour of the villeins of this tribe.

ownership cani-sudantram), and also, the nidhi,¹ mcshepam² jala,³ pashanam,⁴ and all rights whatever appertaining to the landlord, the price having been settled at 38 Star Pagodas current coin of the day, in the presence of the rulers of the land and householders, I have for these thirty-eight Star Pagodas executed this bill of sale for my three-sixteenth share of the village of Sirudeiyur, the superiorities, and privileges thereto appertaining. After having been offered for the first, the second and the third time, the price was finally settled and I received the money.—This deed of sale shall be possessed by your sons and grandsons lineally as long as the Sun and Moon endure; and during such possession there can be no adverse claim; if any such claim be made, I shall defend the suit before competent authority, and bring it to a decision. You are entitled to transfer this village by gift, sale, or otherwise.—This deed of sale is given by my free consent; in it all mistakes in words, interlineations, erasements and breaks are not to be attended to. I have thus consented and given this deed of sale. By the desire of Tandavaraya Pillei, the village accountant; and the integrity of the writing of this deed is attested by the signature of Chendra Secaren, the son of Ugunei Mucca Pillei.

(Signed)

Anudariyappa Mudaliar.

Witnesses :

Manampadi Nagappan.

Alathur Appa Kutti.

Ulagappen.

Arumugam.

Uyyal Varadarazuluvaru.

¹ Treasure Trove.

² Deposits.

³ Waters.

⁴ Rocks

REMARKS

Although comparatively of a recent date, this deed is drawn with strict attention to ancient form, so much so indeed, that though the Mirasi was really sold by private bargain, the declaration of its having been offered a first, second, and third time, which can only apply to a sale by auction, is retained; with the exception of the technical terms, however, the style of this document and of the others of this series is entirely modern; the form being retained, while the language in which it was originally conveyed has become obsolete.

SOUTH INDIAN INSCRIPTIONS, VOL. II,

PART 1, PAGE 112, NO. 22

This inscription is dated on the 64th day of the 35th year of the reign of Tribhuvanachakravartin Konerinmai-kondan and records the grant of the village of Sungandavirtta-Soranallur,¹ which formed part of the town of Karundittaikudi,² and which was situated on both banks of the Vira-Sora-Vadavaru³ and on the north-western extremity of the city of Tanjavur. The village was divided into 108 shares, of which 106 were to be enjoyed by the Brahmanas

¹ *i.e.*, "the good village (called after) Sungavirtta-Chola." An inscription at Pallavaram, the beginning of which is found on page 111, note 3, mentions a King of the name Sungandavirtta Kulottunga-Choladeva, alias Tribhuvanachakravartin Konerinmaikondan.

² This is the northern suburb of Tanjore; see the index of the *Tanjore Manual*; where it is spelled Karundattangudi.

³ According to the map of irrigation works, which accompanies the *Tanjore Manual*, the 'Vadavaru' is the first river, which is crossed on the north of Tanjore by the road to "Trivadi".

of the village of Samantanarayana-Chaturvedimangalam near Tanjavur, and 2 by the temple of Samantanarayana Vinnagar-Emberuman in this village. Both this village and this temple had been called after his own name, and the granted village had been purchased from its former owners, by a person, who is designated in the text as the Tondaimanar but whose proper name must accordingly have been Samantanarayana. He was apparently a feudatory or high officer of the King, who made the grant at his instance and on his behalf. At the present time the title of Tondaiman is borne by the Chiefs of the State of Pudukottai in the Trichinopoly district. Their ancestor is reported to have ousted one Pallavarayan Tondaiman about A. D. 1860. This Chief was probably a descendant of Samantanarayana Tondaiman and of Karunakara Tondaiman, who, according to the Tamil poem Kalingattu-Parani,² was King of the Pallavas, resided at Vandai,³ and was the Prime Minister of the Chola King Kulottunga. The title Tondaiman means the King of Tondai⁴ or Tondaimandalam, the Tamil name of the Pallava country, the ancient capital of which was Kanchipuram. The numerous Chola inscriptions found at this town prove that the Pallava kingdom must have fallen a prey to the Cholas. From the Kalingattu-Parani it further appears, that the former rulers of Tondaimandalam were allowed to retain possessions of their dominions as feudatories. In the subjoined inscription

¹ Mr. Sewell's lists of *Antiquities*, vol. ii, p. 225.

² *Ind. Ant.*, vol. xix, p. 337.

³ Mr. Kanakasabhai Pillai, *ibid.* p. 340, has satisfactorily identified Vandai or Vandainagaram with Vandalur, a railway station south of Pallavaram in the Chingleput district.

⁴ Compare "the Chera King" which occurs in No. I, paragraphs 34, 51, 52, and 107.

they appear in the same position during the time of Konerinmai-kondan.

The chief difficulty in this inscription are the numerous fiscal terms mentioned in connection with the grant. A good many of them had to be left untranslated,¹ while the translation of others is only tentative.

“Hail! Prosperity! (the following is an order of) Tribhuvanachakravartin Konerinmai-kondan.

“From the rainy season (kar) in the thirty-fifth (year of our reign), (the village of) Sunganvirtta-Soranallur—which forms part of the town (nagara) of Karundattaikudi in Tanjavurparru a (subdivision) of Tanjavur-kurram² in Pandikulapativalanadu,³ and which the Tondaimanar had purchased from Tennangadevan for (providing) one hundred and eighty shares (pangu), viz., one hundred and sixty shares for one hundred and six Chaturvedi Bhattas, who had studied the Vedas and Shastras and were able to interpret them, (and who lived) at Samantanarayana-Chaturvedimangalam—a village (agaram) in (the neighbourhood of) Tanjavur, a city in Tanjavur-kurram, (a subdivision) of Pandikulapativalanadu—which the Tondaimanar had bestowed (on them and called) after his own name; and two shares for (the image of) Samantanarayana-Vinnagar Emberuman,⁴

¹ The English meanings which are assigned to some of these terms by Mr. S. M. Natesa Sastri in Dr. Burgess' *Archæological Survey of Southern India*, vol. iv, p. 186, are purely fanciful.

² The same subdivision is mentioned in No. 1, paragraph 2.

³ This designation corresponds to Pandyakulasani—and Pandikulasani-valanadu in No. 1, paragraph 2, and No. 21, paragraph 2, respectively.

⁴ i.e., “our Lord of the Vishnu temple (called after) Samantanarayana.” Vinnager is another form of Vinnangaram, which, to judge from a Kanchipuram inscription (vol. i, p. 87, note 1) seems to be a popular corruption of Vishnu-griha. It occurs in inscriptions at Poygai and Kaniyanur; in vol. i, p. 87, line 1 and in Paragraph of the Progress Report quoted on page 110, note 6, read Vinnager instead of Vinnagara.

which he had set up in this village (and called) after (his own) name. The eastern boundary of (this village) is to the west of the boundary of Kulottunga-Soranallur, which forms part of Karundattaikudi, and of the boundary of the sacred flower-garden (called after) Gāngaikonda-Soran,¹ which forms part of Karundattaikudi (that part of) the eastern boundary which is to the south of the Vira-Sora-Vadavaru (river), is to the west of the boundary of Nandavana-Parru,² (a quarter of) Tanjavur. (That part of) the southern boundary which is to the east of the wall (madil) of Mummadi-Soran is to the north of the boundary of Nandavana-parru; (that part of the southern boundary which is) to the west of the (same) wall is to the north of the boundary of Palataliparru,³ (a quarter of) Tanjavur. The western boundary is to the east of the high road (peru-vari) of Kodivanam-Udaiyal (that part of the western boundary which is on) the northern bank of the Vira-Sora-Vadavaru, is (at the same time) to the east of this river.⁴ The northern boundary is to the south of the boundary of Kadvan-mahadevi, alias Virudarajabhayamkara-Chaturvedimangalam.⁵ Altogether, (the land) included within these four boundaries—excluding the cultivated land (vilainilam) and the dry land (punsey) (of) Avakamallakulam, alias Jagadekavira-Suvarnamangalam, the cultivated land and the dry land of Palataliparru,

¹ See No. 21, paragraph 3.

² i.e., 'the quarter of flower-gardens.'

³ i.e., 'the quarter of many temples.'

⁴ This queer description may be explained by assuming that the river which passes the village from east to west, takes a northerly bend on leaving it.

⁵ This village might have received its name from the Chola king Kullottunga, one of whose birudas was, according to Mr. Kanakasabhai Pillai's abridged translation of the *Kalingattuparani*, "he who was a terror to Virutaraja"; *Ind. Ant.*, vol. xix, p. 332.

and the cultivated land and the dry land of Nandavanaparru—(is divided into) fifty blocks (karai).¹ Of (these) the wet land (nunsey-nilam) excluding ancient gifts to temples (devadana), (and) including the portion on the bank of the river (padugai-irai) and the portion consisting of the causeways between fields (talavaramb-irai), (contains) according to the book (pottagam)² sixty veli; the land on which the village servants subsist, (contains) one (veli), three-quarters and three-twentieths; the dry land (punsey-nilam) (contains) fourteen veli; the land (which is occupied by) the village-site (agara-nattam), the place used for sacrificing to the Gods (deva-yajana-bhumi), and the place used as pasture for the cows (go-prachhara-bhum),³ (contains) six veli; the land which includes the houses of the cultivators (vellan), the ponds, channels, hills, jungles and mounds, (contains) twelve veli, one quarter and one-eighth. Altogether the land which includes the wet land and dry land, the site of the village, the places used for sacrificing to the Gods and as pasture for the cows, and the houses of the cultivators, the ponds, channels, hills, jungles and mounds (contains), according to the book, ninety-four (veli), one quarter and one-fortieth. Deducting from this nine blocks in possession (kani) of Tennagangadevan, which contain sixteen (veli) of land, three quarters, four-twentieths, one-eightieth and one-hundred-and-sixtieth, (there remain) forty-one blocks, containing

¹ On this division of land see Mr. H. Stokes' paper 'the custom of Kareyid' or periodical redistribution of land in Tanjore'. *Ind. Ant.*, vol. iii, pp. 65 ff.

² This expression must refer to the land-register, which is called Kanakku in No. 21, second section, line 3.

³ Compare the fiscal term Sva-Sima-Trina-Uuti-Gocharaparyanta; *Ind. Ant.*, vol. xiv, p. 161, note 26 and vol. xv, p. 309, note 36.

seventy-seven (veli) of land, six-twentieths and one-hundred-and-sixtieth.¹ These seventy-seven, six-twentieths and one-hundred-and-sixtieth (veli) of land which may be more or less, we gave, including the trees overground and the wells underground in this land, and all other benefits (prapti) of whatever kind, having first excluded the former owners and the hereditary proprietors, and having purchased (it) as free-tax property (kani) for the one hundred and six Bhattas of this village and for the two shares (of the image) of Smantanarayana-Vinnagar-Emberuman from the rainy season in the thirty-fifth (year of our reign) as a meritorious gift (dharmadana) with libations of water, with the right to bestow, mortgage or sell (it), as a free-tax grant of land, to last as long as the moon and the sun. (This grant) includes all kinds (varga) of taxes (kadamai) and rights (kudimai), viz., (the right) to cultivate kar, maruvu single-flowers, (? oru-pu) flowers for the market (kadai-pu), lime trees, dry crops, red water-lilies, areca-palms, betel-vines, saffron, ginger, plantains, sugar-cane, and all other crops (payir); all kinds of revenue (aya), including the tax in money (kasu-kadamai), odukkumpadi, urai-nari, (the share of) the village watchman. (? padi-kaval) (who is placed) over the Vettis, (the share of) the Karnam who measures (the paddy?) the

¹ The whole manipulation is as follows:

Wet land	..	..	.	...	..	60 veli.
Land of the village servants	...	...	...	...	...	1 $\frac{3}{4}$ /20
Dry land	...	...	..	...	...	14 "
Village site—etc.	...	...	...	...	...	6 "
Miscellaneous	...	...	..	..	...	12 $\frac{1}{2}$, $\frac{1}{4}$ "
<hr/>						
Total						94 $\frac{1}{4}$, 1/40 veli—50 blocks
Deduct	16 $\frac{1}{2}$, 4/20, 1/80, 1/160, velis	— —				9 blocks
<hr/>						
Remainder						77 6/20, 1/160 veli ——— 41 blocks

unripe (fruit?) in Karttigai, the tax on looms (tari-irai), the tax on oil-mills (sekku-irai), the tax on trade (sett-irai), tattoli, the tax on goldsmiths (tattarpattam), (the dues on) animals and tanks, the tax on water-courses (orukku-nir-pattam), tolls (vari-ayam), invari, the tax on weights (idai-vari), (the fine for) rotten drugs (arugal-sarakku), the tax on bazaars (angadi-pattam), (and) the salt-tax (upp-ayam); the elephant stalls (and) the horse-stables. Thus, in accordance with this order (olai), it shall be engraved on stone and copper. On the sixty-fourth day of the thirty-fifth year (of our reign).”

This is the signature of Gangayan, a native of Tanjalur in Miralai-kurram. This is the signature of Pallavarayan, a native of Tunjalur in Miralai-kurram.

NOTES

(a) Generally the levy of grazing fees may not have been rigorously enforced in the pre-Vijayanagara period. In the time of Devaraya I (15th Century) sheep and cattle grazing in forests in the Mulvayi rājya (Salem) were tamed—perhaps for the first time—(Report 1910, p. 113). Cattle tax, called Attiraipattam, was known in Pandyan times (*ibid.*, p. 99).

(b) The oldest Tamil document that deals with a gift of land is the Kram plates of the Pallava King Parameshvaravarman I (7th Century A. D. *S. I. I.* vol. i, pp. 144 to 155). The King is here stated to have purchased the land, evidently from the tenants who were the rightful owners of it.

(c) *Epigraphical Report* for 1912, p. 75, paragraph 49.

(d) Konerinmaikondan, to whose 35th year this inscription belongs, could not be identified. He may be either a Chola or a Pandya King. But judging from the long rule of the King and the signatories Gangayan and Pallavarayan of Tunjalin, I infer that he may be the Chola King Kulottunga III. In this case the date will be roughly A. D. 1213.

(e) There are some instances in which the village assemblies also took cognizance of crimes and punished the offenders: *e.g.*, the assembly of Rajasandari-Chaturvedimangalam in the Tanjore district dismissed a village Accountant for *Cheating*, in the 13th Century A. D. A man who killed another accidentally was fined by the assembly of the Brahmanas of Olakkur and the residents of the main division and the sub-districts. Similar crimes committed are noted on p. 11 of the *Epigraphical Report* for 1900, paragraphs 26, 27, and 28. It may be observed that in one of these the Governor of the Province also took part.

(f) This is a Chola King who probably belonged to the end of the 12th Century A. D.

(g) Apparently pidagai is taken to be a hamlet inhabited *purely* by Panchamas. This is not always found to be the case. Brahmana villages are also often located in pidagais (*i.e.*, hamlets attached to big villages).

(h) Old inscriptions from the North Arcot district constantly refer to the term Alam-ganattar of a village. This literally means "the Committee members who govern (the village)".

(i) Such an instance is quoted also in a Pandya record of Varaguna-Maraya (about the 9th Century A. D.) from Tiruchchendur (Tinnevely district) (*Epigraphical Report* for 1912, Appendix C, No. 26).

(j) I have noted a curious instance in my current report which states that the assembly of Tirukkudamukkil (*i.e.*, Kumbhakonam) agreed to pay 3,000 kalanju of gold imposed upon them for maintaining the Pandyan army (*i.e.*, such of it as was captured in war).

(k) The Ruthakaras were a class of artificers whose duties, as fixed in an inscription from the Trichinopoly district, show the high skill which these used to possess or were expected to possess (*Epigraphical Report* for 1909, p. 95). Again a record from Macharla in the Palnad taluk of the Guntur district traces the origin of the artificers and their admirable proficiency in arts to Vishvakarma the father-in-law of the Sun. (*Rep.* 1910, para 60 end). They were granted titles by the King and perhaps also liberal grants. The fine statues in the temple at Halobid-Belur (in Mysore) each bears below it a label that reveals the names of the sculptors who produced them.

EXTRACTS FROM No. 368 OF 1911

While, on the sixth festive day during the Ani festival, the King was pleased to remain in state in the Mandapa called Rajarajn and to enjoy fun— (We) the headman of the Matha, the trustees (sthanathar), the supervisor of the Maheshvaras, the servant doing the sacred duties, Tiru-Orriyur-Udaiyan, the first or senior accountant of the temple and the residents of the villages belonging to the temple (devadana).

EXTRACTS FROM No. 259 OF 1911

KUMBHAKŌṆAM

According to what Adichandeshvaradeva was pleased speak out, the following is the order which the Mudaliyars of the matha, the Maheshvaras, the chief assembly, the Headman or Superintendent of the temple, the servants of the God (in the inner shrine) and groups of all (other) servants being fully assembled without any exception, gave to Timmannan Madandaipagakkongarayan, son of Sedarayamanikkan (one) of the dancing girls maintained by the temple.

FINANCIAL REFORM TRACTS.

NEW SERIES, No. XIV.]

[TO BE CONTINUED PERIODICALLY.]

[REPRINT.]

THE ROYAL HOUSEHOLD :

A MODEL

TO

PARLIAMENT AND THE NATION.

BY THE

Liverpool Financial Reform Association.

LIVERPOOL :

Published by the ASSOCIATION, and issued, free of charge and postage, to
Subscribers of 10s. annually. Sold to Non-Subscribers, at the Office,
MELYELL CHAMBERS, LORD STREET.

PRICE SIXPENCE.

THE
LIVERPOOL FINANCIAL REFORM ASSOCIATION

WAS INSTITUTED IN LIVERPOOL ON THE 20TH OF APRIL, 1848,

FOR THE FOLLOWING

OBJECTS.

1. To use all lawful and constitutional means of inducing the most rigid economy in the expenditure of the Government, consistent with due efficiency in the several departments of the public service.

2. To advocate the adoption of a simple and equitable system of direct taxation, fairly levied upon property and income, in lieu of the present unequal, complicated, and expensively-collected duties upon commodities.

3. To insist upon a revision of the land laws, and re-adjustment of the land tax.

EDMUND K. MUSPRATT, PRESIDENT.

TERMS OF MEMBERSHIP.

A minimum Subscription of Five Shillings annually; but it is hoped that those who have the means will not limit themselves to that amount. The FINANCIAL REFORMER is forwarded monthly to every Member, and each Subscriber of 10s per annum receives, in addition, the FINANCIAL REFORM ALMANACK, comprising more information relating to Trade, Taxation, Revenue, Expenditure, and other important matters, than is to be found in the same compendious form in any other publication.

The following is a list of the Subjects discussed in these publications:—

	PAGES.
The Civil List and the Pension List	1, 2.
Amount and Sources of Taxation	3.
Army, Ordnance, Commissariat, Navy, and Colonies	4, 5, 7, 9.
Cobden's National Budget	6.
Woods, Forests, and Estates of the Crown	8.
Shipbuilding and Engine Making	10, 13.
Colonial Expenditure and Government	11, 12.
Miscellaneous Abuses	14.
Direct Taxation	15, 27.
National Expenditure	16.
Evils of Indirect Taxation	17, 19, 20, 21, 23, 24, 26.
Civil Service	18.
Patent Laws	22.
Stamp Laws	25.
Historical Review of the Fiscal System	28, 29, 30, 31, 32, 33, 34, 35.

NEW SERIES.

The Aristocracy and the Public Service	1, 2.
Income and Property Tax	3, 4.
Turkey, Russia, and English Interference	5.
Ecclesiastical Courts of Record	6.
The Way the Public Money Goes	7.
Black Mail to Russia?	8.
The War, the War Budget, the Ministry, and the Times Newspaper	9.
Administrative Reform	10, 11.
Decimal System of Currency and Accounts	12.
Government Improvements	13.
The Royal Household	14.

Post Office Orders or Cheques to be made payable to BANCROFT COOK, Esq., Treasurer of the Association, Malvill Chambers, Lord Street, Liverpool.

THE ROYAL HOUSEHOLD.

SECTION I.

INTRODUCTORY.

SAUL among the prophets,—Diogenes enrolled in the bevy of Alexander's parasites,—widely as such positions might be at variance with what it is now the fashion to call their antecedents, would have been less out of place and character than the FINANCIAL REFORM ASSOCIATION may seem to be in becoming Court apologists, and describing, even hypothetically, the ROYAL HOUSEHOLD as a "Model to Parliament and the Nation." But their design in adopting such a title for the present tract is wholly different,—their object quite of another kind. They speak of it as a fact to be deplored, and too notorious to be denied, that in wasteful extravagance,—in useless but most expensive offices,—in salaries out of all proportion with the services rendered,—in sinecures to which no actual duties are attached,—in compensations for the loss of places which ought never to have been held, or which, being necessary and adequately filled, have been given up to make room for other occupants,—in plurality of offices held by the same individuals, in all that marks the prodigal's progress, the ROYAL HOUSEHOLD has been, and is, practically, the model on which similar abuses have been established in every department of the State, a standing palliation for them all, a constant bad example, acting first upon the great ones of the land, and through them influencing all classes, down almost to the very lowest in the social scale. When disease pervades the head, what more natural and inevitable than that the body and members should also be affected? Under such circumstances, what more idle than to leave the chief evil untouched, and palter with palliatives for symptoms only, unless it were an attempt to purify a stream fetid at its source!

THE FINANCIAL REFORM ASSOCIATION are well aware that in speaking thus broadly and plainly they incur the risk of being charged with disloyalty to the Sovereign, and disaffection to the Crown, but they disclaim any such feeling towards either. They love and respect the Queen, both as a woman and a Sovereign, because, in her private character, she is an exemplar of all the domestic virtues, whilst in her public capacity she exhibits qualities befitting her high station, and is unstained by any one of the vices which have disgraced so many of her predecessors. They know that if she is in any degree implicated in the system

which they condemn, it is either unwittingly or unwillingly; and they are convinced that, in seeking to reform that system, to abolish abuses of which she is but made the pretext and instrument, and to render the ROYAL HOUSEHOLD that which it ought to be, a model to be followed, instead of a beacon of warning to be avoided, they are performing the part both of good citizens and loyal subjects. Those are the real enemies of Royalty who, with exuberant professions of love and veneration, on their lips, seek only their own benefit and that of the class to which they belong; who, under pretence of standing by the Crown, defend, multiply, and perpetuate abuses calculated to bring both the throne and its occupant into discredit with the people.

As earnest advocates of all measures of economy consistent with the due efficiency of the public service,—as uncompromising enemies to the rotten system of exorbitant salaries, sinecure places, unearned pensions, and undeserved “retired allowances,” the FINANCIAL REFORM ASSOCIATION feel convinced that no such measures can be effectual or permanently successful whilst the example of all these evils is set by the Crown itself,—whilst sinecurists, pluralists, and all other persons in receipt of public money without rendering adequate public service for it, can point to the first subject of the Crown, and adduce his conduct in these matters as an excuse, if not a justification, for their own. As friends and supporters of a constitutional monarchy, and as good and faithful subjects of the Royal Lady who now so worthily occupies the throne which she adorns by her talents and her virtues, the FINANCIAL REFORM ASSOCIATION protest now, as they have always protested, against a system which, upheld under the false pretence of maintaining the honor and dignity of the Crown, and contributing to the comfort and happiness of the Sovereign, is not conducive to any one of those purposes, but inimical to them all, and only advantageous to a grasping and insatiable oligarchy, seeking its own ends exclusively, in utter disregard of the true interests of both Crown and people.

The first publication of the FINANCIAL REFORM ASSOCIATION, issued in 1848, was devoted to the ROYAL HOUSEHOLD, and the abuses connected with it. In that publication they adverted to the habits of lavish and wasteful expenditure contracted during the war as never having been entirely abandoned after the conclusion of peace; to the vigorous and partially successful efforts to economise made during a portion of the reign of William IV., under the pressure of a strong and general national demand for retrenchment; and to the relapse into evil courses (public attention having been directed to other matters), which caused the expenditure of the year specified to exceed by one half that of 1835. On that occasion the FINANCIAL REFORM ASSOCIATION urged the necessity of reducing the national expenditure by a diminution of the enormous armaments by land and sea, maintained on a war-footing in time of peace, and the extinction of all sinecures, unmerited pensions, and other unearned and, therefore, unjust and dishonorable payments; of entirely revising the system of taxation; and of

making timely provision for a gradual lightening of that mill-stone on the country's neck, the National Debt. Being then, as now, convinced that, to be efficacious, such retrenchments should begin in high quarters, they gave a full exposure of the composition of the ROYAL HOUSEHOLD, urging a reduction of the allowance for its maintenance from £385,000 per annum to £200,000, as regards the present Sovereign, and to £150,000 for her successors. All the reasons urged for this reduction are still existent; they have derived additional cogency from the occurrence of a most costly war, which has entailed upon the country an expenditure of upwards of a hundred millions, with the prospect of largely increasing the National Debt, if it continue; and the fact that the project of creating separate establishments for the Royal children,—alluded to in the last tract of the Association, is really entertained, and has only been postponed because, in all probability, it was deemed too bold an experiment on the public patience under existing circumstances, renders the present period peculiarly appropriate for a re-consideration of the whole subject. In returning to it the FINANCIAL REFORM ASSOCIATION will have occasion to repeat much which they have already published, seeing that they have to go over exactly the same ground again. They feel, however, no hesitation in adopting this course, knowing, as they do, that it is only by dint of constant repetition that the public mind of this country is properly impressed with the most important facts, though bearing directly on the public happiness and welfare, or aroused to that degree of exertion which is necessary for the abolition of any national evil, however palpable, or the attainment of any national benefit, however manifest.

In the way of preface they have only further to state, that for many of the details contained in the following sections they are indebted to an excellent little work, entitled "*Sketches of Her Majesty's Household*," of which they have freely availed themselves. They have also had occasion to consult Dod's "Peerage, Baronetage, and Knightage," Hart's "Army List," the Official Finance Accounts, and other publications, in order, as far as possible, to avoid all mis-statement, either as to facts or persons, in the following pages.

SECTION II.

ARRANGEMENT OF THE PRESENT CIVIL LIST.

SHORTLY after the accession of Queen Victoria, in June, 1837, measures were taken by the Ministry and Parliament, as usual at the commencement of a new reign, to make the necessary arrangements for the support of Her Majesty and the Royal Household. On the 23rd of November, in that year, it was ordered by the House of Commons "that the accounts of income and expenditure of the Civil List from the 1st of January to the 31st of December, 1836, with an estimate of the probable future charge of the Civil List, of Her Majesty, be referred to a Select Committee of 21

members." As a basis for the arrangements to be made, the heads of departments in the household were required to furnish full particulars of the expenditure in each, during the period specified, that is, in the twelve months preceding the death of the late King. In itself this would appear to have been a proper and judicious step; but, unfortunately, the information thus obtained seems to have been turned to very little purpose, the result being little more than a decision of the Committee, which might have been arrived at without all this parade of investigation,—to wit, that each department should cost, throughout the present reign, pretty nearly what it had cost in the last year of the preceding one; that Her Majesty should have the same number of attendants, real and nominal, as her predecessor, paying them at the same rates; and, in short, that Queen Victoria, or others for her, should be enabled to spend quite as much money as King William, and something more if so disposed. And yet, in the accounts furnished from the different departments, there were many items of an exceptional character, that is for expenses not likely to be constantly occurring, year after year. For example:—The amount of tradesmen's bills in the Lord Chamberlain's department was £41,898. Just to make even money of it, apparently, the Committee awarded £42,000 for this branch of expenditure, although nearly one-half of what it cost in 1836 was for expenses which could not be, or, at least, ought not to be, annual. From the following items, that year would, in fact, appear to have been a *furnishing* one in the Royal Household:—

Upholsterers and Cabinet-makers	£11,881
Joiners and Blind Makers	1,038
Carpet Manufacturers	236
Locksmiths, Ironmongers, and Armourers	4,119
Clock Makers and Opticians.....	695
Pianoforte Makers and Organ Builders	8.6
Japanners	654
Lamp and Lustre Manufacturers	268
Paper-hangers	898
Artists, Decorators, and Heraldic Painters	400

£20,284

The Committee must, of course, have concluded that Her Majesty would annually require nearly £12,000 worth of upholstery and cabinet work, £1,000 worth of joinery, £4,000 worth of ironmongery and *armour*, and so on with the rest, otherwise they could hardly have recommended that more than the full amount of the tradesmen's bills for 1836, in this department, should be provided for every year of Her Majesty's life and reign.

The same remarks apply to the tradesmen's bills in the department of the Master of the Horse, which, in 1836, amounted to £38,205, and for which, in future, the Committee awarded £39,500 annually. Amongst the items were £6,208 for liveries, £3,345 for horses, and £4,825 for carriages. Liveries may require renewal annually; but surely Her Majesty does not spend £3,000 in purchasing horses, or £4,800 on new carriages, every year! In the Lord Steward's department the tradesmen's bills amounted to £92,065, on which some abatement was made, the sum allotted for the future being £86,000 only. An investigation of the items

would seem to show that the Committee might very properly have gone a little further. It might also now be supposed that Her Majesty's Consort, Prince Albert, holding, as he does, extensive farms of the Crown, rent, tax, and rate-free, and being an extensive breeder of cattle, with the privilege of grazing as many as he likes in the two royal parks, of which he is Ranger, and a successful competitor at agricultural shows, would be able to do somewhat towards supplying his own family, and his own and his royal consort's household establishments (for they have two) with butcher's meat and poultry, bread, bacon, butter, cheese, eggs, milk and cream; but if his Royal Highness does anything in this way, he probably takes care to turn a good penny by it, for the sums appropriated as the annual cost of these things amount to £21,609. The tradesmen's bills in the department of the Master of the Robes amounted, in 1836, to £1,880; and this the Committee increased to £5,000, probably on the supposition that a female Sovereign might be more expensive in such matters, although, as William IV. had a Queen, it is not quite clear that this was sufficient ground for the addition. The total amount of the tradesmen's bills, in 1836, in all the departments, was £174,048, and the annual allowance under this head, recommended by the Committee, was £172,500.

The salaries, allowances, &c., of the last reign, having been examined, and arranged, pretty much on the same principle as the tradesmen's bills, the following estimates were submitted to Parliament as the grounds of granting £385,000 per annum to the Queen, "for the support of Her Majesty's household, and of the honour and dignity of the Crown of the United Kingdom of Great Britain and Ireland:"—

FIRST CLASS.		
Her Majesty's Privy Purse	.....	£60,000
SECOND CLASS.		
Household Salaries:—		
Lord Chamberlain's Department	.....	£66,499
Lord Steward's Ditto	.....	3,681
Master of the Horse's Ditto	.....	27,659
Mistress of the Robes' Ditto	.....	780
		131,260
THIRD CLASS.		
Tradesmen's Bill:—viz,		
Lord Chamberlain's Department	.....	42,000
Lord Steward's Ditto	.....	86,000
Master of the Horse's Ditto	.....	39,500
Mistress of the Robes' Ditto	.....	5,000
		172,500
FOURTH CLASS.		
Royal Bounty and Special Services	.....	9,000
Aims and Charity	.....	4,200
		13,200
FIFTH CLASS.		
Pensions not exceeding £1,300 in the aggregate may be granted annually by Her Majesty.		
SIXTH CLASS.		
Unappropriated Money	.....	8,000
Total		£385,000

The Act of Parliament settling the Civil List according to this scheme received the Royal assent on the 23rd of December, 1837. Its intention was that all the expenses of Royalty, whilst the Queen

remained single, should be covered by the sum of £385,000. On the marriage of Her Majesty, in February, 1840, an annuity of £30,000 was granted, by the 3rd Viet., cap. 1 and 2, to Prince Albert, to enable him to support that portion of the Royal dignity reflected upon him, without pressing on the resources of his illustrious consort. This allowance has since been largely augmented, as will be seen in a subsequent section, by the emoluments of various posts, with and without duty, showered upon the Prince in such bountiful profusion,—all of which his Royal Highness has been thought competent to fill at the same time, or, at all events, to be paid for being supposed to fill. But, whatever Parliament may have intended, ways and means have been found to manage its allocations differently. It is wholly a mistake to suppose that £385,000, even with that source of annual increase, the £1,200 pension fund, which has already swelled it to £410,000, is the whole cost of supporting “the honor and dignity of the Crown,” or that the arrangements of Parliament as to the distribution of the various items have been adhered to. In this, as in other matters, Parliament proposes, but the Minister disposes. In the first place, to say nothing of the costly vice-royalty of Ireland, (for which there is no more occasion, in these days of steam and electricity, than there is for vice-kings in Scotland, Lancashire, and Yorkshire), the Counties Palatine of Chester and Durham, the Duchies of Cornwall and Lancaster, and the Principality of Wales, have all their mock royal establishments,—their Courts of Chancery and Ecclesiastical Law,—their Chancellors, Attorney-Generals, Solicitor-Generals, Privy Councillors, &c. &c., &c., just as if each were a separate kingdom, and we were still in the days of the heptarchy. All this adds immensely to the patronage and influence of the Crown, and something to its wealth; it is also very beneficial to the aristocracy, whose members and clients swarm in the lucrative offices provided by these mimic kingdoms; but in what way it contributes to the real “honor and dignity of the Crown,” or the welfare of the nation, is a political problem that remains to be solved. In the second place, many of the expenses forming items of the estimates on which the Civil List was arranged, on the accession of Her Majesty, have since been transferred to the Consolidated Fund, and are provided for in the annual votes of Parliament. Thus,—in the department of the Lord Steward, in 1836, occurred an item of £10,569 for the Royal Gardens. The fund appropriated to that department is now burdened with no such expense. The sum voted in the estimates for “Royal Palaces and Public Buildings,” “Royal Parks, Pleasure Gardens,” &c., exclusive of the new Houses of Parliament, of public buildings in Ireland, and of other buildings which may be called national as distinguished from royal, was in 1854, £221,885, in 1855, £224,496, and in 1856, the total sum demanded for the same purposes is £234,460.

It is only proper to observe, however, that of this large annual addition to the Civil List, which almost doubles it, only a small portion is spent on palaces in the personal occupation of Her Majesty. Of the rest some are useless, some occupied rent-free by

collateral branches of the Royal Family; others, as Hampton Court, for example, form a sort of Elysian variety of the Union Workhouse for the noble and Right Honorable paupers; but all are parts of the regal expenditure. There must be added, also, the immense sums spent on the building, cobbling, and sailing of the Royal yachts, which though only used for occasional pleasure trips, are little less expensive than line-of-battle ships in commission; and very much more so, proportionately and relatively, than merchant vessels, trading to far distant countries, and bringing grist to the national mill. In fine, if all the expenses incidental to "the honor and dignity of the Crown" could be ascertained, and were fairly stated, it would be found that the £385,000 per annum, settled by Parliament on Her Majesty, constitutes but a very small portion of the actual cost of Royalty. The FINANCIAL REFORM ASSOCIATION do not mean to deny that, if the whole sum, whatever it be, were well spent for objects desirable in themselves though not indispensable, the blessing of settled government would be cheaply purchased even at that price; but they do contend that much of it is improperly squandered on persons and for objects contributing nothing towards either the comfort and happiness of the Sovereign, or the true honor and dignity of the Crown; and this they will proceed to demonstrate from the constitution of the Royal Household, after a brief exposition of some facts relating more immediately to the Royal Lady for whose supposed advantage it exists in its present form.

SECTION III

THE PRIVY PURSE.

As all possible expenses of Her Majesty, ordinary and extraordinary, are otherwise provided for, the £60,000 allowed annually, under this head, may be regarded as literally the Queen's pocket money, to spend or to save as she pleases. She need not, unless she chooses, spend a penny of it even in "alms and charity." For these objects a sum of £4,200 is yearly set apart, and more than double that amount for "Royal bounty and special services." Both charity and bounty are of that sort which is exercised with other people's money. As Her Majesty incurs no personal sacrifice in the benefactions which are so ostentatiously emblazoned by the press, there is, of course, no more merit in them than there is in the payment of butchers' and bakers' bills, which is provided for in the same manner. On the other hand, if the money annually drawn on these scores, or any portion of it, is supplied to other purposes than those of charity and bounty, it scarcely admits of question that the poor are wronged to whatever extent the national liberality is mis-applied. It is provided that if any particular department do not cost so much as is set down for it, the surplus may be transferred to other departments which fall short; but no provision is made for its application in case of saving occurring in all the

departments. It is understood that such savings may, and do, go in aid of the Privy Purse. In the year 1844; shortly after the death of Prince Albert's father, great reductions were effected in the Royal Household, and many persons were dismissed. His Serene Highness, Ernest, Duke of Saxe-Coburg and Gotha, had incurred debts, or penalties, involving, it is said, the forfeiture of his duchy or principality, to prevent which Her Majesty, Prince Albert and other members of the family, became bound for the payment of such debts or penalties. Her Majesty, no doubt, had a perfect right to spend the whole of her pocket money, and Prince Albert all the emoluments of his various offices, together with the profits of his farming, in this way; but there could be no right to appropriate funds voted by Parliament for objects which it expressly defined to a purpose which Parliament would never have sanctioned. Again :—Her Majesty pays no income tax, although the late Sir Robert Peel, in introducing the measure, on the 16th of August, 1842, did make the following announcement by way of gilding what was generally considered a very bitter pill :—“ I may take this opportunity of making a communication which, I am confident, will be received by the House with great satisfaction. When in an interview with Her Majesty, a short time since, I intimated that Her Majesty's servants thought that the financial difficulties of the country were such that it was desirable, for the public interest, to submit all the income of this country to a charge of £3 per cent., Her Majesty, prompted by those feelings of deep and affectionate interest which she has always shown for the welfare and happiness of her people, observed to me that if the necessities of the country were such that, in time of peace, it was necessary to impose a charge of £3 per cent. on income, it was her own voluntary determination that her own income also should be subject to a similar deduction.” The announcement, as may be supposed, was received with most loyal cheering by the House of Commons. It is alleged, however, that, notwithstanding this gracious declaration, Her Majesty has never, from that day to this, paid one single penny of income tax. Being desirous of ascertaining how the matter really stood, and having received a prompt and courteous reply on a former occasion, the Secretary of the FINANCIAL REFORM ASSOCIATION wrote thus to Mr. Wilson, Financial Secretary to the Treasury.

*Financial Reform Association,
Liverpool, Dec. 1, 1855.*

Sir,—Thanking you for your courtesy in replying to a question of mine respecting escheats to the Crown, some time ago, I venture to trouble you again by enquiring whether Her Majesty and the Royal Consort contribute their respective quotas to the income and property-tax; and if they do, whether Her Majesty pays on the whole £385,000 voted for the Civil List, or only on the £60,000 allotted to the Privy Purse.

On the 16th of August, 1842, the late Sir Robert Peel announced to the House of Commons that it was Her Majesty's gracious intention to bear the burden along with her subjects. It will be a satisfaction to know that she has fulfilled that intention, more especially as there is a rumour to the contrary.—I have the honour to be, Sir,

Your obedient Servant,

Jas. Wilson, Esq., Treasury.

C. E. MACQUEEN, Secretary.

The following is a copy of the official reply :—

Treasury Chambers, 4th Dec., 1875.

Sir,

I have been desired by Mr. Wilson to acknowledge the receipt of your letter of the 1st instant. I am to inform you in reply that it is contrary to the practice observed by this and other departments of the Government to answer inquiries of the nature of those contained in your letter, when made by private individuals or public bodies. Such information as you are anxious to obtain is only furnished through the medium of Parliamentary Returns, or when called for in either House of Parliament. The returns to which you refer are in all cases essentially of a nature which does not admit of being communicated in any other form.

I am Sir,

Your obedient Servant.

GEORGE RUSSELL.

C. E. Macqueen, Esq.

It is very certain that, if the Queen had really paid the tax in conformity with the determination announced by Sir Robert Peel, the official reserve here pleaded on Mr. Wilson's behalf would not have prevented the statement of a fact so creditable to Her Majesty and so gratifying to her people. The presumption, therefore, is, either that Sir Robert Peel had no authority for making any such announcement, or that Her Majesty, on second thoughts, and very probably at the instance of one near and dear to her, who seems to have a magnanimous dislike to the payment of rates and taxes, was pleased to change her mind.

SECTION IV.

THE LORD STEWARD'S DEPARTMENT.

It is usual, in classifications of the various departments of the palace, to place that of the Lord Chamberlain first; but, as the Lord Steward takes precedence of him, it seems only reasonable and proper to give the same precedence to the department over which the officer of leading rank presides. The FINANCIAL REFORM ASSOCIATION, therefore, commence with it their exposition of the duties, salaries, &c., of the Royal Household.

THE LORD STEWARD (Earl Spencer), £2,000.
(1874, Earl Beauchamp).

The functions of this great officer of State are thus defined :—
“The estate of the Queen's Household is entirely committed to the Lord Steward, to be ruled and governed according to his discretion. All his commands in court are to be obeyed. His authority reaches over all the officers and servants of the Queen's house, excepting those of the Queen's chamber, stable, and chapel. He has authority to hold courts for administering justice, and settling disputes amongst the domestic servants of the Queen.”
The post is, therefore, nominally one of great power and responsibility; it certainly affords the holder very extensive patronage in the appointment of inferior officers, clerks, and domestic servants;

but, as all the active duties are left to "the Master of the Household," who constantly resides under the royal roof, and as the attendance of the Lord Steward is only required at Court on great State occasions, the office is, in fact, little more than a political one, dependant on the Ministry of the day, which might be undertaken for the honour of the thing, the precedence, and the substantial advantages which it affords in the way of patronage. There is scarcely a city or borough in the kingdom in which individuals are not found to discharge the far more onerous duties of Mayors and Provosts without any salary at all, though they have, generally, allowances towards the expenses of their position, and the maintenance of civic hospitality. It would, perhaps, be idle to expect the same degree of public spirit amongst the aristocracy generally, although the Earl Marshall, and one or two other officers of State, do render their services to the Sovereign gratuitously ; and surely a wealthy nobleman like Earl Spencer, who is also receiving pay as a Rear-Admiral on the reserve list, might perform the easy and honourable duties of Lord Steward for half the present con-si-de-ra-tion, if he could not make up his mind to regard the distinction of personal communication with Royalty as, in itself, a sufficient recompense.

TREASURER (the Earl of Mulgrave), £904.
(1874, Earl Percy).

This is another political office without positive duties, or any necessity for actual attendance, except at certain State ceremonials. The holder of it is supposed to act as deputy for the Lord Steward in his absence ; but the latter being very little better than a sinecurist, the operations of both are very aptly described in the famous nautical trilogue,—Captain : "What are you doing down there, Tom? Tom : "Nothing, sir." "And what are you doing, Dick?" Dick : "Helping Tom, sir." Lord Mulgrave is eldest son of the Marquis of Normanby, and has many relations in the public pay.

COMPTROLLER OF THE HOUSEHOLD (Visct. Drumlanrig), £904.
(1874, Lord Henry Somerset).

Another political appointment, to which the only duty annexed is that of examining and checking the accounts connected with the departments, which duty is, of course, purely imaginary, so far as any vulgar dabbling with figures by the heir to the Marquisate of Queensberry is concerned. To give him one-third of the present allowance for the loan of his name as the occupant of a sinecure office (supposing his father unable or unwilling to maintain him), would be generous prodigality.

MASTER OF THE HOUSEHOLD (Col. Thos. M. Biddulph), £1,158.
(1874, Sir John C. Cowell).

To this officer belongs the "surveying" of the accounts which the Comptroller is supposed to examine and check. He has moreover, full control over the whole domestic establishment of Her

Majesty, that is to say, he does, or *may* do the work, for the reputation of doing which the Lord Steward, the Treasurer, and the Comptroller, are paid. Still, it is not to be supposed that even the Master is at all over-tasked, for he has a numerous and well paid staff to assist him. In addition to his own Secretary (Mr. Daniel Collins), with £300 a year, there are attached to the Board of Green Cloth (which consists of the Lord Steward, the Treasurer, the Comptroller, and the master, and has the power of adjudicating upon offences committed within certain limits of the palace) another Secretary (Edward Browell, Esq.) with £300 a year; three more clerks, with handsome salaries (Henry Hill, Esq., John Broster Esq., and George Marrable, Esq.) who keep all the accounts in the department; a Secretary to the Garden Accounts; and a Paymaster of Her Majesty's Household (William Hampshire, Esq.), with £500 a year; to say nothing of an office-keeper, two messengers, and a "necessary woman." With such means and appliances for the performance of any mere drudgery, it is probable that the heaviest duties of the "Master," though those of the Lord Steward, the Treasurer, and the Comptroller do, at the first glance, appear to devolve on him, are, after all, the counting of his salary and dining at the Queen's table, which is a privilege of his office. For whatever else he does in the shape of actual work half his present salary would be ample remuneration.

**THE CLERK OF THE KITCHEN AND SUPERINTENDENT OF THE
HOUSEHOLD (Charles Miller, Esq.), £700.**

This officer has great power, and is considered to be the *working man* of the Master, who is the deputy of the Comptroller, who officiates for the Treasurer, who represents the Lord Steward. In addition to his salary he has his keep; and to help him he has four clerks, with salaries ranging from £70 to £250 per annum, who keep all the kitchen accounts, check weights and measures, and issue orders to tradesmen; a messenger, with £70 a year, and a "necessary woman."

The Kitchen Staff comprises the Chief Cook (P. N. Moret, Esq.), with a salary of £700 a year, and four Master Cooks, at about half that sum each, who have the privilege of taking four apprentices, at premiums of from £150 to £200 each; two Yeomen of the Kitchen; two Assistant Cooks; two Roasting Cooks; four Scourers; three Kitchenmaids; a Storekeeper; two "Green Office" Men, and two steam apparatus men. In the Confectionery Department there are a First Yeomen (J. J. Le Blond, Esq.); with upwards of £300 per annum; Second Yeoman, with £250, an apprentice, three female assistants, and an errand man. There are, in addition to the confectioners, a Pastry Cook, with £250 a year, and two female assistants; a baker and his assistant; and three coffee-room women.

The EWER department, which has charge of all the linen, is on a less prodigal scale, consisting only of a Yeoman and two female assistants.

THE GENTLEMAN OF THE WINE AND BEER CELLARS
(James Christie, Esq.), £500.

This officer has to select and purchase wines for the Royal establishment, to superintend the decanting, and to send them up to table. He has under him two Yeomen at £150 per annum each, and a Groom at £80.

The laying out of dinner costs about half as much as the butler-ship. It is entrusted to the Principal Table Decker, who has £200 a year, the Second Table Decker, with £150, the third with £90, and an assistant with £52. There is also a Wax-fitter, with £1 a week. The duty of the "Deckers" is to superintend the arrangement of Her Majesty's table, and place everything in order before dinner is served.

The PLATE PANTRY is under the care of three Yeomen, with salaries of £160, £150, and £120 each (besides lodging money and board wages) a Groom and six assistants. From the number of the persons employed about them, COALS would seem to require especial attention. There are two "Principal Coal-Porters," and they have no fewer than eleven assistants. Thirteen people employed and paid all the year round to get in coals! Porters of other kinds there are in almost endless variety and profusion. In the van come the "Gentlemen Porters," consisting of the "First Gentleman Porter" (H. C. Sprenger, who, in the Court List, is dubbed "Esq."), and a first and second "Yeoman Porter," with salaries ranging from £150 to £190 a year, besides 7s. a week for lodging and board wages; an assistant porter and three groom porters. These "gentlemen porters" are only on duty in alternate weeks, so that for one half of their time they may be portering elsewhere. There are also ten "State Porters,"—viz., a "Serjeant Porter" (John Thornton Down, Esq.), five "Yeomen Porters," and four "Under Porters." There are, moreover, ten "Night Porters," at a guinea a week each, with a bountiful supply of victuals nightly, the remnants of which they are allowed to carry home to their families in the morning. In addition to this imposing force there are a first and second lamplighter, with £100 a year each, besides lodging money and board wages, and no fewer than seven assistant lamplighters. The introduction of gas has materially lightened the duties of these persons, but there has been no corresponding reduction in their number or pay. In the Stewards' Room there are a Yeoman, with about £100 a year, and five assistants, with about £60 each; and in the Servants' Hall an Usher, and three assistants.

The Court of the Marshalsea of the Queen's House costs annually £1,924 in salaries. It was instituted in the reign of Henry VIII., "to administer justice between the King's domestic servants, that they may not be drawn into other courts, and thereby the King lose their service." The Lord Steward is the judge, and his jurisdiction extends to all places within twelve miles of Whitehall. The Knight Marshall has £500 a year, and there are eight Marshalmen, with about £100 a year each besides fees. Their

duties are, principally, to attend at the entrances of the House of Lords, when the Peers are sitting; and also at levees, drawing rooms, &c., at St. James's Palace.

The "Almonry," which comes under the Lord Steward's Department, presents an exception that ought to be the rule,—two honorary offices without pay! They are those of the Hereditary Grand Almoner, held by the Marquis of Exeter, and the Lord High Almoner, held by the Bishop of Oxford. The former merely distributes at coronations the alms collected in a silver dish, claiming the dish as his fee; the latter superintends the distribution of the Royal alms on Maunday Thursday, and twice a year at the office in Scotland Yard. For filling the combined offices of Secretary and Yeoman, "Joseph Hanley, Esq.," receives £350 per annum, (about the amount distributed to poor persons on Maunday Thursday), for which all he has to do is to honor these eleemosynary occasions with his presence.

RANGER OF WINDSOR HOME PARK (Prince Albert), £500.

This is a mere sinecure, for distinguishing which by accepting it his Royal Highness has, besides his salary, the privilege of grazing cattle and sheep in the park, of which, as an enterprising breeder and feeder, he probably avails himself to the full extent. He is also Ranger of the Great Park at Windsor, a still more lucrative berth, with greater privileges, and quite as little to do, this little being, in reality, done by a deputy-ranger, for an additional £400 a-year and an official residence in one of the lodges.

In addition to those particularized in the foregoing list, the following sums are allowed for salaries, superannuations, &c., in this department:—

Secretary, Paymaster of the Household, Office-coopers and Messengers.	£3,920
Domestic Servants in the Entry, the Wine and Beer Cellars, the Clerk of the Kitchen's Office, the Kitchen, the Confessionary, the Pastry Department, and Table Deekers	9,963
Chapel Royal, Chaplain of St. James's, Whitehall Chapel, and Lutheran Chapel	2,535
Allowances in lieu of Table Money	4,557
Superannuations, Bounties and Allowances	2,320

SECTION V.

THE LORD CHAMBERLAIN'S DEPARTMENT.

THE LORD CHAMBERLAIN (Marquis of Breadalbane), £2,000.
(1874, Marquis of Hertford).

The nominal duties of this officer are numerous, and apparently important. They include the superintendence of all the officers and servants belonging to the Queen's Chambers, excepting those of the Bed-chamber, who are under the Groom of the Stole; of the officers of the wardrobe at all Her Majesty's houses; of the removal of beds, wardrobes, and tents; of revels, music, comedians, huntsmen, messengers, artisans, heralds, physicians, apothecaries, and chaplains. He has also to inspect the charges for coronations, Royal marriages, public *entrées*, cavalcades, funerals, and furniture

in the Houses of Parliament, and rooms for receiving addresses to the Queen. The office is however, almost entirely political, the noble Marquis being expected to trouble himself personally with few, if any, of these vulgar functions.

THE VICE-CHAMBERLAIN (Lord Ernest Bruce), £924.
(1874. Viscount Barrington).

His Lordship, who is second son to the Marquis of Aylesbury, and Member of Parliament for Marlborough, is supposed to officiate as Deputy for the Lord Chamberlain in his absence, but probably does quite as little of the actual work. This is left to the "Comptroller" of Accounts and Superintendent of the duties of the Department (Norman H. Macleod, Esq.), who, again, has under him a chief clerk, an "Inspector of Accounts," three assistant-clerks, an office porter, and three office messengers. The salaries, from the Comptroller to the third assistant-clerk, range from £700 to £150, and the others from £100 to £80 a year, amounting altogether to £3,110.

KEEPER OF HER MAJESTY'S PRIVY PURSE (Hon. Col. C. B. Phipps).
£2,000. (1874, Sir Thomas Biddulph).

The fortunate holder of this office is brother to the Marquis of Normanby, and Uncle to Lord Musgrave, the Treasurer. It is said that his principal duty is the signing of cheques on the Queen's bankers occasionally. To assist him in any other labours he has a Secretary (H. T. Harrison, Esq.), at a liberal salary. His own pay amounts to a per centage of £3 6s. 8d. on Her Majesty's £60,000. If the Marquis of Westminster, whose income is estimated at £600,000, were to give a keeper of *his* purse £20,000 a year for doing just what Colonel Phipps does for the Queen, a commission might be very properly issued to ascertain whether he himself were not a fit subject for a keeper of another kind. But in Court matters, the nation paying all expenses, prudence and common sense are ignored, and different principles prevail. Office and pay being wanted for political adherents, pretexts for both are easily found. In addition to his keepership, and his Colonelship in the army, the gallant officer is Treasurer to Prince Albert, Treasurer and Cofferer to the Prince of Wales, and enjoys the fat sinecure berth of Prothonotary of the County Palatine of Lancaster, which brings him in some thousands a year, every suiter, plaintiff and defendant, in every cause entered for trial at Lancaster and Liverpool, being mulcted in fees for his benefit.

MISTRESS OF THE ROBES (Duchess of Sutherland), £500.
(1874, Duchess of Wellington).

The duties of this office being quite honorary, and the presence of the lady holding it scarcely ever required, except on high State occasions, the honor of personal attendance on the Sovereign ought to be sufficient recompense to the wife of one of the richest peers of the realm.

GROOM OF THE ROBES (Colonel Francis Hugh Gough
Seymour), £800.

This officer is supposed to receive about the salary na. His duties are merely nominal, and in the discharge of the he is assisted by a clerk (James J. Kinloch, Esq.), a messenger, and a furrier, all liberally paid.

LADIES OF THE BEDCHAMBER (Eight, at £500 each), £4,000.

One of these ladies has to wait on her Majesty, that is, to keep her company only (for the picking up of a handkerchief or a pin would, probably, be considered *infra dig.* by all of them), for a fortnight at a time; and the rotation is so arranged that each has a turn about three times in the course of the year. Where they needy persons it would be quite proper to pay them, even for their six weeks' service; but, belonging to powerful and wealthy families, they ought to be ashamed of making themselves, virtually, domestic servants, by taking wages for their attendance. These titled menials are the Duchess of Arhol, the Duchess of Wellington, the Marchioness of Ely, the Countess of Gainsborough, the Countess of Desart, Viscountess Jocelyn, Lady Churchill, and Lady Macdonald. There are, moreover, three Extra Ladies of the Bedchamber, viz., the Duchess (Dowager) of Norfolk, the Countess of Mount Edgcumbe and Lady Portman—all in the receipt of wages, probably, though only supernumeraries in doing nothing.

MAIDS OF HONOR (Eight, at £300 each), £2,400.

The former duties of these ladies were thus defined in the "Ordinances for the Government of the Queen's Household," issued by Charles I., in 1625, shortly after his marriage with Henrietta of France:—"The Queen's Maids of Honor are to come into the Presence Chamber before eleven of the clock, and to go to prayers, and after prayers to attend until the Queen be set at dinner. Again, at two o'clock, to return into the said Chamber, and there to remain until supper time. And when they shall be retired into their chamber, they admit of no man to come there: and that they go not, at any time, out of the Court without leave asked of the Lord Chamberlain, Vice-Chamberlain, or Her Majesty. And that the Mother of the Maids see all these orders concerning the Maids duly observed, as she will answer to the contrary. And if she find any refractoriness in those who should obey, that she acquaint the Lord Chamberlain therewith." All this is now obsolete. The Maids may be ornamental in Court, but they are not likely to make themselves very useful, or to submit to any such restrictions as those prescribed for their great-great-grandmothers. Like the "Ladies," they are merely companions of Her Majesty, taking it in turns to attend, two of them for a month at a time, when they are relieved by the next two in rotation. The ladies receiving such very handsome wages for three months companionship in the year are Lady Maria Kerr, and the Hon. Misses Eleanor Stanley, Caroline Fanny Cavendish, Flora C. J. Macdonald, Beatrice Byng, F. Seymour, Mary Bulteel, and Emily S. Cathcart.

BEDCHAMBER WOMEN (Eight, at £300 each,) £2,400

Only one of these "Women" is required to be in attendance at a time, and then only for a fortnight, when she is relieved by the next in turn. They, as well as the "Ladies" and the "Maids," dine at the Queen's table when in attendance, and are only expected to figure on State occasions. Their duties appear to have been rather more arduous formerly, though not much, and somewhat Asiatic in the lowness of their abasement before the royal shrine. Those duties are thus described in the correspondence of Henrietta, Duchess of Suffolk :—"The Bedchamber *Women* came into waiting before the Queen's prayers, which was before she was dressed. The Queen often shifted in a morning. If her Majesty shifted at noon, the Bedchamber Lady being by, the Bedchamber *Woman* gave the shift to the Lady without any ceremony, and the Lady put it on. Sometimes, likewise, the Bedchamber *Woman* gave the fan to the lady in the same manner, and this was all that the Bedchamber Lady did about the Queen in her dressing. When the Queen washed her hands, the Page of the Back-stairs brought and set down on the side table the basin and ewer. Then the Bedchamber *Woman* set it before the Queen, and knelt on the other side of the table, over against the Queen, the Bedchamber Lady only looking on. The Bedchamber *Woman* poured the water out of the ewer upon the Queen's hands. The Bedchamber *Woman* pulled on the Queen's gloves when she could not do it herself. The Page of the Back-stairs was called in to put on the Queen's shoes. When the Queen dined in public, the Page reached the glass to the Bedchamber *Woman*, and she to the Lady in waiting. The Bedchamber *Woman* brought the chocolate, and gave it without kneeling." All this is now out of fashion; the "Women" get their wages without undergoing any such degradation. They are Lady Caroline Barrington (widow of the Hon. Captain George Barrington, and sister of Earl Grey); Lady Charlotte Copley (sister of the Earl of Yarborough, and wife of Sir Joseph William Copley, who is connected by descent with the Earl of Aberdeen); Lady Theresa Digby (daughter of the Earl of Ilchester); Viscountess Forbes (Mother of the Earl of Granard, and a doubly-jointured widow); Hon. Mrs. Campbell (daughter of the late Gen. Gascoyne, and wife of the Hon. G. P. Campbell, brother of Earl Cawdor, and a retired Rear-Admiral); Viscountess Chewton (widow of Viscount Chewton, and daughter-in-law of the Earl of Waldegrave); Lady Gardner; and the Hon. Matilda Amelia Murray, who has recently been dismissed, some say on account of her opinions respecting negro slavery; others because she was getting too ancient for her place. There is also an "Extra Bedchamber woman," Mrs. Pratt, who, though called an "Extra," probably does the whole of the work supposed to be divided amongst the Lady-Women.

LORDS IN WAITING (Eight, at £702 each), £5,616.

These appointments are mere political sinecures, though one of the Lords is supposed to be in "waiting" a fortnight at a time, or about thrice a year. To pay them £702 per annum each for six

weeks' service, and service of such a kind, is outrageous extravagance. The honour of dining with the Queen ought to be sufficient compensation to noblemen who, if they had any chivalrous feeling, would scorn to descend to the class of menials, by taking wages for waiting. These lordly waiters are Earl Somers, and Lords Camoys, Rivers, Waterpark, De Tabley, Byron, and Dufferin. The eighth, the Earl of Listowel, died recently.

GROOMS IN WAITING (Eight at £335 12s. 6d. each), £2,685.

These Gentlemen "help" the Lords, having similar terms of attendance, and enjoying the same privileges. Five out of the Eight have, or ought to have, military duties of some sort to attend to, in consideration of military pay:—viz., Lieut-General Sir Frederick Stovin (Colonel of the 83rd regiment); Colonel the Hon. Alexander Nelson Hood, Major-General Berkeley Drummond, General Sir Edward Bowater, (Colonel of the 49th foot), and Captain the Hon. Mortimer Sackville West. The other three, Sir Henry Seton, Bart., John R. Ormsby Gore, Esq., and W. H. F. Cavendish, Esq., are civilians. There is also an "Extra Groom in Waiting," the Hon. Charles Augustus Murray, uncle and heir presumptive to the Earl of Dunmore. He has been Secretary of Legation at Naples, Consul-General in Egypt, and Minister Plenipotentiary to Switzerland; and is now, or was lately, Envoy to Persia, with which Power, by most injudicious intermeddling with native squabbles, masculine and feminine, he has succeeded in breaking off all diplomatic relations. Whether he receives pay for imaginary extra-grooming in England, whilst injuring British interests in Persia, does not appear; but Her Majesty would not suffer the slightest inconvenience if all his colleagues in the groomship were with Mr. Murray at Teheran.

GENTLEMEN USHERS OF THE PRIVY CHAMBER.

Four at £200 each), £800.

These functionaries, also, have almost perfect sinecures, their attendance never being required excepting on extraordinary occasions. They are W. C. Masters, Esq., the Hon. Gerrard Frederick Byng (Brother to Viscount Torrington), who has been in receipt of a pension of £827 per annum since 1839, as "late Senior Clerk in the Foreign Office," Charles Heneage, Esq., and Major General Sir John F. Smith.

GENTLEMEN USHERS, DAILY WAITERS (Four at £150 each), £600.

Formerly one of these Gentlemen, taking it in monthly turns, had to be in attendance in the room adjoining the Sovereign's apartment, in readiness to wait personally, if required; but now this weighty service is performed by the Pages of the Back-stairs, and all the "Gentlemen" have to do is to count and pocket their salaries. For aught else, they have an "Assistant Gentleman Usher" to help them. They are Vice-Admiral Sir A. W. Clifford, Bart., (son-in-law of Lord John Townshend), who also holds the highly lucrative office of Usher of the Black Rod in the House of Lords;

Sir William Martins; Thomas Ramsden, Esq., and Henry Des Vœux, Esq., who is son and heir of Sir Charles Des Vœux, and is married to a daughter of the Seventh Earl of Coventry. Their assistant is Sir Alexander Duff Gordon, Bart., who holds, in addition, the office of Senior Clerk in the Treasury, with a salary of £750 per annum.

GROOMS OF THE PRIVY CHAMBER (Four, at £73 each), £292.

Four more places without duties, except that, on extraordinary occasions, these grooms attend in the passages, or on the staircases of the palaces. The parties who thus play the part of footmen, *pro tem.*, at such comparatively low, though really very high wages, comprise a Rear-Admiral in the navy, Courtney E. W. Boyle, Esq.; a Colonel in the army, Sir Thomas Noel Harris, Knt.; and two Esquires, Arthur Johnstone Blackwood and Samuel Randell.

GENTLEMEN USHERS, QUARTERLY WAITERS,
(Eight, at about £100 each), £800.

These persons had formerly to perform the duties of the "Gentlemen Ushers, Daily Waiters," in the absence of the latter, that is to say, they had to wait and see, whether they were wanted or not, which was, almost invariably, waiting to no purpose; but now, like the Daily Waiters, they are superseded in this toil by the Pages of the Back-stairs, though they still receive their pay. The office is dignified by three military officers of rank, Colonel Charles Diggle, Lieut.-Colonel Henry Sykes Stephens, and Major George Howard Vyse, of the Royal Regiment of Horse Guards, and by a Commander in the navy, Robert Trench Bedford, Esq. The others are Henry Greville, Esq., J. G. Green, Esq., Alfred Montgomery, Esq., and Wilbraham Taylor, Esq. There is also an Extra Gentleman Usher, Norman H. Macdonald, Esq., Comptroller of Accounts, &c, who it seems, finds quarterly waiting quite compatible with his other functions.

GROOMS OF THE GREAT CHAMBER (Ten, at £40 each), £400.

Another batch of sinecurists, supposed to attend occasionally at drawing rooms and levées, and seldom or never actually required to do so. On the death of the Sovereign, however, some of them may be summoned to the Royal funeral. They are Messrs. Thos. Gibbes, R. Meynell, James Walker, Henry Strover, W. Pollard, Jules Coendoz, Fredrick A. Andrè, John Wood, James Shoemack, and John E. Parry.

GENTLEMEN OF THE PRIVY CHAMBER.

These are the veritable *rare aves* of the Court, far more remarkable as curiosities there than any thing feathered, biped, or quadrupedal, to be met with elsewhere,—thirty-two courtiers, with nothing to do, and paid accordingly, that is, with nothing beyond the honor of occasional attendance on Royalty. As striking examples of disinterested loyalty, in a country where Dukes, Marquises, Earls and Barons, Military Officers and Naval Commanders,

Duchesses, Countesses, and Right Honourable Ladies descend, nominally at least, to the condition of lacqueys and chambermaids, for the sake of the wages, these gentlemen deserve to have their names displayed in the Court List in letters of gold. They are Rear-Admiral Alexander D. Y. Arbuthnot, Sir H. E. Austin, Knt., Sir Fred. G. Fowke, Bart., Sir R. P. Glyn, Bart., Sir J. C. Chatterton, Bart., Sir J. M. Stronge, Bart., Sir Frederick Madden, Knt., Michael Barne, Thomas Bowy, John H. Borrer, Henry Braidwood, Edwin Burnaby, Robert Fellowes, Jun., W. R. Gilbert, W. Ormsby Gore, M.P., T. C. Grattan, John Hames, T. S. Horner, W. T. Hall, G. B. Kingdon, Edward Moore, T. J. B. De Monteny, T. S. Robinson, T. B. Western, R. Innes, Edward Majoribanks, William Rose, Thomas Verner, E. H. Plunkett, George Marton, John Neeld, and George Dodd, Esqs.

MASTER OF CEREMONIES (Maj.-Gen. the Hon. Edw. Cust), £300.

The gallant presiding genius of ceremonial is aided by another military officer (Colonel Charles Bagot), with a salary of £121 per annum, and a Marshal with £100, in the discharge of his functions, which are to attend levées, drawing rooms &c., and to conduct foreign ambassadors to the presence of Her Majesty. The pay is small, but quite adequate to what is done for it. During the last reign, and for some time afterwards, the two minor offices were held by the same person; but in 1846 they were separated. The chains, badges, &c., the Master and his assistants, are paid for by the country, not out of the Civil List Fund.

PAGES OF THE BACK-STAIRS (Five, averaging £400 each), £2,000.

The duties of these persons are to wait upon the Queen, one of them being always in attendance at the door of Her Majesty's apartment, from eight in the morning until she retires for the night. Two of them wait at the Royal dinner table. Their salaries were, formerly, only £80 per annum, exclusive of perquisites, which seem abundantly sufficient for such service. There are also two State Pages and a Page of the Chambers. The last named office was created in 1842, as a sort of overlookership of pages, at the instance of Prince Albert, and was given to a foreigner. The new officer conducted himself so imperiously as to occasion some unseemly bickerings in the Household, and on one occasion a British Page, Mr. Kinnaird, told His Royal Highness plainly that he would not be insulted by a foreigner, threatening, at the same time, to throw the offender down stairs.

PAGES OF THE PRESENCE (Six, averaging about £180 each), £1,080.

Their duties are to attend upon the Lords, Ladies, and Maids of Honor at breakfasts and lunches; to be in communication with the Pages of the Back-stairs, and to wait upon Her Majesty's visitors. Their periods of attendance are in alternate months, and when not on duty they receive, in addition to their salaries, 7s. a week for "lodging money and board wages." There were formerly, eight of

these important functionaries; it is computed that the reduction of the number by two has led to a saving of nearly £1,000 yearly. There are also three "Pages' Men" to wait upon the pages.

SERGEANTS-AT-ARMS (Eight at £100 each), £800.

The Serjeants, have, besides, valuable fees and perquisites, compared with which the salary is a mere bagatelle. Their duties, originally, were "to capture any traitors about the Court, or other great offenders;" also "to hold watch outside the Royal tent, in complete armour, with bow, arrows, sword, and mace of office." Amongst the gentlemen, who would be rather at a nonplus if set to do such things now-a-days, are Lieut.-Colonel H. Sykes Stevens, Sir Alexander Campbell, Bart., Colonel Sir John Milley Doyle, and Lieutenant-Colonel Alves, the latter of whom is supposed to be at the head of the dépôt at Preston. There is also a Serjeant-at-Arms attending the Lord Chancellor (Lieutenant Colonel Alex Perceval), and one attending the House of Commons, Lord Charles James Fox Russell, brother of the Duke of Bedford and Lord John, who was promoted to his present post from that of doorkeeper to the House of Commons, the door of which he never opened or shut for anybody in his life, though he got £874 a year on the supposition of doing it. His Lordship's present salary exclusive of fees, is £1,500 per annum.

KINGS OF ARMS (Three) and HERALDS (Six), £355.

Such is the sum paid out of the Civil List to these personages. It forms an excessively small per centage of their fees of office on the creation of peers, knights, &c., and the hunting out of coats of arms and mottoes for wealthy *parvenus*, the existence of whose grandfathers, but for the presumptive evidence afforded by their own, would often be problematical. Such persons ought to be made to pay, and pay handsomely, for the baubles and frippery they covet, and the proceeds ought to go in aid of the taxes, not to favoured individuals for the augmentation of political patronage.

MESSENGERS.

Of these there are four in attendance on the Queen, and one on the Lord Chamberlain. Their emoluments, including fees, &c., are supposed to be from £300 to £400 per annum each.

INSPECTORS OF PALACES, &c.

Of Inspectors there are three at from £150 to £350 per annum each. Their duty is to superintend the furniture, of which they have the care and management. There are also three "Tapissiers" (Carpet-men), with similar functions.

HOUSEKEEPERS, &c.

There are nine Housekeepers, with salaries varying from £100 to £300 a year. The services required from them, excepting those at Windsor, Buckingham Palace, and Osborne, are very trifling. The situations are generally held for life, and, being easy and profitable, they are much coveted. There are three "Linen-room Women," three "Necessary Women," upwards of sixty House

Maid, and two attendants on strangers admitted to see the State rooms at Windsor Castle. All these appointments, like those of greater mark, are in the gift of the Lord Chamberlain.

ECCLESIASTICAL STAFF OF THE HOUSEHOLD, £1,236.

This consists of a Dean of the Chapel Royal (the Bishop of London), with a salary of £200 per annum; a Sub-Dean (Rev. C. Wesley, D.D.) with £91 5s.; a Chaplain (Dr. Wesley); a Clerk of the Queen's Closet (the Bishop of Chester); three Deputy Clerks; a Resident Chaplain in Ordinary; a Closet keeper; forty-eight Chaplains in Ordinary (four for each month); ten Priests in Ordinary; besides four Chaplains, three Preachers, and three Readers for the Chapels at Whitehall, Hampton Court, Windsor, and Kensington. Only a few of these gentlemen receive salaries, but the appointments are eagerly sought, as certain stepping stones to valuable preferment in the Church; they therefore constitute a powerful political lever in the hands of the Minister. It will be observed that, in addition to the above-named pittance, there is an allowance of £3,535 in the Lord Steward's department for similar objects. Of the clergymen holding these posts twenty-four are pluralists, several of them enjoying three livings each. In addition to this extensive provision for the care of the Queen's soul, Prince Albert has four Chaplains in Ordinary, and one at Osborne, to attend to his spiritual necessities, although His R. H. is said to dispute dogmas of the Church whose ministers they are. There are sixteen lay "Gentlemen of the Chapels Royal," who receive £73 per annum each for attending, eight at a time, four Sundays every other month, to assist in chanting the morning and afternoon services, as also on Saints' days, during lent, at Coronations, and at Royal Christenings and Funerals. There are also attached to the Chapel Royal, four Organists and two Composers, at salaries of £73 each; a Violist at £40; a Serjeant of the Vestry at £182 2s.; a Groom of the Vestry at £51 12s. 6d.; a Master of the Boys, who receives £500 a year for the board and teaching of ten boy choristers; besides sundry other minor officials. There was formerly a "Confessor of the Household," but this office was abolished, though only about twenty years ago, as savouring too much of Property.

THE SANITARY ESTABLISHMENT, £2,700.

The corporeal ailments of the Sovereign and her servants have been provided for on the same liberal scale as their spiritual wants. The Sanitary Staff consists of two Physicians in Ordinary, four Physicians Extraordinary, and one Physician of the Household; a first and second Physician Accoucheur, and one Surgeon Accoucheur; two Serjeant Surgeons, one Surgeon to the Household, and three Surgeons Extraordinary; four Apothecaries to the Person, two Apothecaries to the Household, two Apothecaries Extraordinary, and a Chemist and Druggist; one Dentist to the Household, and two Surgeon Dentists; an Aurist, and Oculist, and a Surgeon Chiropodist. All these appointments are in the gift

of the Lord Chamberlain, but they are generally left to Her Majesty. Salaries are not attached to the whole of them. The Physicians are paid by fees when their services are required. Dr. Locock, the First Physician Accoucheur, has occasionally received £1,000 for his fee. The Apothecaries generally contract for medicine and attendance; but the Apothecary at Windsor is paid an annual salary of £800, for which he has to attend all the members of the royal establishment (but not their families), and furnish them with medicines.

THE STATE BAND OF MUSIC, £1,916.

This consists of a Master at £200, a Conductor at £100, and twenty-five members at £40 each, besides a Serjeant Trumpeter at £100, and nine Household Trumpeters, £40 per annum each. Their services are only required on great State occasions, such as Coronations, Marriages, &c., although they are liable to be called on duty at other times, at the will of the Sovereign. In addition to their salaries, they have certain fees at coronations, &c. Splendid uniforms are provided for them, the expense of which, as well as that of "triennial and other allowances," is not defrayed out of the Civil List Fund, but voted by the House of Commons. Her Majesty has also a Private Band, in which, it being paid out of the Privy Purse, great reductions have been effected. It consists of twenty-five members, who are drafted into the State Band as vacancies occur, but are still expected to perform in the Private Band, the only difference being that their salaries are then paid by the public instead of by Her Majesty.

THE POET LAUREATE (Alfred Tennyson, Esq.), £100.

One-seventh of the Chief Cook's salary, excluding kitchen perquisites, and not much more than is paid to many of Her Majesty's *genuine* grooms and porters! Mr. Tennyson's bounden duty is to compose eulogistic odes (whether deserved or undeserved) twice a year regularly, and also on extraordinary occasions, such, for instance, as Prince Albert's installation as Chancellor of Cambridge University. The office is, politically at least, unique, no other nation than Great Britain having ever so far set or followed the example for or of Messrs. Day and Martin as to "keep a poet." The custom is one which ought to have been abolished along with the kindred one of having Court dwarfs and jesters, though it must be admitted that even the latter appointments were not a whit more irrational than very many others which are still retained. The strangest part of the business is that any man of genius can reconcile himself to the acceptance of such an office.

EXAMINER OF PLAYS (John Mitchell Kemble, Esq.), £400.

This is a much more lucrative situation, for, besides a salary four times as great as that of the poet, the holder of it has a fee on the licensing of every play, interlude, farce, or song intended for the stage, all of which it is his duty to examine, to see that they contain nothing improper or disloyal, or disrespectful, to

Church or State. The sincerity of this watchful care over the morals of the play-going community may be surmised from the fact that these were once entrusted to the guardianship of the Younger Colman, of "Broad Grins" notoriety.

MASIER OF THE TENNIS COURT (Right Hon. W. Beresford, M.P.),
£132.

There being no tennis played, and no court to play it in, "W.B." the celebrated correspondent of Mr. Frail, of Shrewsbury, condescends to pocket the pittance for doing nothing at all.

BARGEMASTER AND WATERMEN, £400.

The duties of these persons, three in number, are apocryphal, and their occasional attendance is charged for in the "civil contingencies," not to the Civil List Fund.

There are also in this department a "Keeper of the Swans" (Mr. J. T. Hamilton); a "Keeper of the Jewel House in the Tower" (Colonel Charles Wyndham), whose duties are little more than honorary; an "Exhibitor of the Jewels" (Miss Richardson), who really has something to do; a "Principal Librarian," and a "Librarian in Ordinary," both with liberal salaries; a "Painter in Ordinary" (Sir George Hayter), who receives only £50 a year, but derives great benefit from Court patronage; and a "Surveyor of Pictures" (Thomas Uwins, Esq.), who receives £132 a year and handsome allowances for expenses.

HER MAJESTY'S HON. CORPS OF GENTLEMEN-AT-ARMS, £5,129.
(1874, Marquis of Exeter).

This band was instituted by Henry VIII, under the name of "Gentlemen Pensioners," which, on the occasion of William IV, was changed for the present title. It was composed, originally, of members of the highest families, chosen by the Sovereign himself. In a letter to King James I, shortly after his accession, Lord Hudson, the then Captain, described it as consisting of men "chosen out of the best and the ancientest families of England, and some of them sons to Earls, Barons, Knights, and Esquires;" and furthermore, as "a nursery to breed up deputies for Ireland, Ambassadors into Foreign parts, Councillors of State, Captains of the Guard, Governors of places, and Commanders in the Wars, both by sea and land." "This palmy state of things," says the author of *The Book of the Court*, "was not doomed to a long continuance; for inconsiderate persons, nominated by favourites, or introduced by money, gradually filled all the vacant offices to the exclusion of the better sort of gentry." To remedy this, a regulation that no person in any way connected with trade should be permitted to enter the corps was introduced by command of William IV., and it is said to be still strictly enforced. But though *tradesmen* are thus tabooed, *trading* is not; for appointments in the corps, with the exception of that of the Captain, which is not saleable, are regularly bought and sold, some paying the purchase money for the honor of a place at Court, others considering it a good investment; and

there are always buyers in the market. It is very rarely indeed that any vacancy occurs in the corps by death; for, in case of dangerous illness, or serious accident, no time is lost in making and completing all necessary arrangements for the sale of the post whatever it may be. An instance is recorded in which the friends of a "Gentleman-at-Arms" who was thrown from his carriage and continued speechless until his death, a day or two afterwards, nevertheless contrived, in the interim, to sell his place just in time to secure the value of it. Since the prohibition of other sorts of trading every "Gentleman-at-Arms" has enjoyed the privilege of presentation at Court, and ranks with Captains in the army. On State occasions the Corps takes precedence of the Household-Troops. Its duties are to be present at certain ceremonies, twenty of the "Gentlemen" being in attendance during one-half of the year, and twenty the other. In plain terms, the "Gentlemen-at-Arms" are not soldiers at all, so far as their prescribed duties go, (though several of them are, or have been in the army), but only footmen in much richer liveries, with two of which, dress and undress, they have to provide themselves, at an expense of between £80 and £90. The following is the composition of the corps :—

CAPTAIN AND GOLD STICK (Lord Foley), £1,000.
(1874, Marquis of Exeter).

This officer is invariably a Peer, and, as invariably, comes in and goes out with his political patrons. The present Captain is nephew to the Duke of Leinster, and son-in-law to the late Duke of Norfolk. He has been appointed to the office four times, on the occurrence of as many changes of ministry.

LIEUTENANT AND SILVER STICK (William Topham, Esq.), £500.

The Lieutenant is entitled to the honor of knighthood on certain occasions. In January, 1847, Sir Henry Robinson retired, having previously sold his stick to Mr. Matthew Wyatt, the then Standard Bearer, for £10,000.

STANDARD BEARER AND SILVER STICK (D. J. Harman, Esq.), £380.

The market value of this office is from £4,000 to £5,000, which is always obtainable for it.

The other officers are :—the "Clerk of the Cheque, Adjutant and Silver Stick," who has £120 per annum, and fees averaging about £20 more; the "Gentleman Harbinger and Silver Stick," a sort of Commissary General to the Corps, whose stated pay is not more than £70 a year; two "Sub-officers"; and a "Secretary to the Captain," generally the senior "Gentleman," who in addition to his pay gets a fee of five guineas on the swearing in of each new member. There are forty "Gentlemen-at-Arms," each receiving a salary of £100, and when ordered upon country service, to Windsor Castle for example, three guineas a day for travelling and hotel expenses. The market price of the situation is £1,400. The fees on admission amount to £65 12s., of which £52 10s. goes to the Captain.

HER MAJESTY'S BODY-GUARD OF YEOMEN, £7,100.

(1874, Captain Lord Skelmersdale, £1,000).

This corps was instituted by Henry VII., in 1485, previously to his coronation. Its duties were thus defined —“The Yeomen of the Guard are to wait in the first room above stairs, forty by day, and twenty by night. They are to bring up the dishes for his Majesty's table, and deliver them to his servers, who place them on the table. They are to attend on the King's person on all occasions of solemnities, or at the King's going abroad by land or water.” Six “Yeomen Hangers” were “to remove the tapestry from the royal apartments when the Sovereign proceeds from one palace to another:” and two “Yeomen Bed-goers” were to remove “Beds and Bedding.” Such services are not now performed, but the places named and pay are retained. The Yeomen still wear the same fantastic garb as in the days of “bluff King Hal,” and are better known, popularly, as the “Beef-eaters,” than by that under which they figure, after the Field Marshals, Generals, &c., at the very head and front of the Army List. On certain State occasions they form part of processions, and are stationed in passages and corridors to keep order. They are, in fact, a sort of combination of the footman and the policeman, with a dash of the porter. Their captain (Viscount Sidney) has £1,000 per annum. He is, invariably, a peer, and a political adherent of the Minister of the day, kissing hands on appointment, and making his bow on retirement, along with him. The Lieutenant (Sir George Philip Lee, Knt.) has about £500 a year; the Ensign (Sir George Boulton, Knt.) £300; and the Adjutant and Clerk of the Cheque (Col. J. Fitzmaurice) about £150. There are also four Exons, or Exempts (Captain Sir J. Kincaid, Magnus Forbes Merton Herbert, Captain T. P. Rickford, and Captain G. V. Macdonald); and Assistant Adjutant; eight Serjeant Majors; two Messengers, and one hundred Yeomen,—all receiving salaries moderate in amount, and only extravagant in reality, because the services they render would be much better performed by ordinary policeman. The situations of the officers, excepting that of the Captain, are all marketable commodities; that of Exon readily commanding from £4,000 to £5,000. The post of simple Yeomen was, formerly, purchasable also, by fees amounting to £330, of which three hundred guineas went to the Captain; but now, by a very excellent regulation, which constitutes the sole commendation of this relic of feudal barbarism, vacancies, as they occur, are filled up by the most deserving non-commissioned officers of certain cavalry regiments, recommended by their Colonels to the Commander-in-Chief, by whom they are appointed. Considering, however, that there are no fewer than three regiments of “Household Troops,” highly paid and with great immunities, whose especial duty it is to protect a sovereign who needs no guard but her people's love, it is high time that these two bands of mock soldiers, with all their frippery, should be abolished.

GOVERNOR AND CONSTABLE OF WINDSOR CASTLE (Prince Albert), £1,120.

This office was, in former times, one of great trust and responsibility : but now no duties whatever are attached to it ; all that is done, which is very little, being done by the Lieutenant-Governors, who have £173 per annum. His Royal Highness, who is otherwise most amply provided for, has consequently, in this office, one of many fine opportunities of setting an example of conscientiousness to all court cormorants of high feather by retaining his sinecure Governorship and refusing to soil his fingers with unearned pay.

In this department the following sums are also allowed :—£502 for the Order of the Garter ; £419 for the Order of the Bath ; and £7,186 for “ Superannuation and Retired Allowances.”

SECTION VI.

DEPARTMENT OF THE MASTER OF THE HORSE

MASTER OF THE HORSE (the Duke of Wellington), £2 500.
(1874, Earl of Bradford).

Why this functionary should be paid one-fourth more than the Lord Steward and the Lord Chamberlain, under both of whom he ranks, for doing even less than they, is one of the mysteries of Court management. In addition to this advantage over them, he has the privilege of employing in his own service, and in his own domestic establishment, one coachman, four footmen, and six grooms, all wearing Her Majesty's livery, and receiving the national pay ; as also that of having his own carriage, &c., emblazoned with the Royal arms. No Master of the Horse has ever failed to exercise the former privilege to the utmost ; some have even exceeded it, whilst all may thus save in servant's wages, between £600 and £700 a year. The first Master of the Horse was appointed by Henry VIII. His duties are numerous, and, in appearance, important ; for he is described as having the sole charge of all the Royal stables and horses, the control of the Royal equeries, pages of the presence, footmen, grooms, saddlers, and the direction of all tradesmen employed in matters relating to the Royal stud. It is not to be supposed, however, that he troubles himself very much with anything beyond the due receipt of his salary, the exaction of his privileges and perquisites, and the exercise of his patronage, which is extensive. It was reported the other day that the Duke of Wellington had resigned, in consequence of a difference of opinion with Ministers on the life peerage question ; but his grace seems to have been too judicious to sacrifice so good a berth on such a punctilio.

CHIEF EQUERRY AND CLERK MARSHALL (Lord A. Paget), £1,000.

The present holder of this office is brother to the Marquis of Anglesey, a Lieut.-Colonel in the army, unattached, and Member of Parliament for Lichfield. The salary was formerly only £500. Why it was doubled by the Select Committee in 1837 does not appear, unless it were to make a good easy place for a political adherent of the Administration still better than it was.

EQUERRIES IN ORDINARY (Four at £750 each), £3,000.

These well-paid officers are Lord Charles Fitzroy, brother to the lucky Duke of Grafton (to whom the nation pays £11,418 12s. per annum in consideration of his ancestral infamy), connected by marriage with the Earls of Burlington and Waldegrave, and a Lieutenant-Colonel in the army, Major-General the Hon. Charles Grey (brother and heir-presumptive to Earl Grey), who, in addition to this Equerryship, is Private Secretary to Prince Albert; Major-General Edward P. Buckley, M.P. for Salisbury; and Major-General Bouverie. There is also an Extra Equerry, Lieutenant-Colonel Thomas Myddleton Biddulph, who, as "Master of the Household," might seem to have something better to do than to help in performing the services prescribed for the Equeries, which, noble and gallant as may be the persons pocketing £4,000 yearly for performing them, are literally those of footmen and errand boys only. One of them is required to be always in attendance on her Majesty (the Clerk Marshal taking his turn with the rest), twenty-eight days at a time; and all he has to do is to announce her Majesty's commands to the Clerk of the Stables as to what horses and carriages will be wanted for airings and journeys, and to ride out with her Majesty on such occasions. The Clerk-Marshal has the extra duty of swearing in all persons admitted to office in the department. It is questionable whether the Lord, the Major-Generals, and the Lieutenant Colonels do ever themselves actually run these errands, which might seem more suitable for one of the pages, but on the supposition that they do, and for a ride with Royalty now and then, they receive the handsome salaries named: though, until 1837, £300 was thought to be sufficient remuneration. Perhaps the sum was more than doubled to soothe any sense of degradation in descending to the running of errands; but, whatever the feelings of the gallant officers may have been, or are, the time will come when the public money will not be so unnecessarily squandered.

PAGES OF HONOUR (Four of £120 each), £480.

These appointments are eagerly sought by the aristocracy for their sons, as they always lead to commissions in one of the Household regiments without purchase.

CROWN EQUERRY AND SECRETARY TO THE MASTER OF THE HORSE (Major J. R. Groves), £800.

The first-named officer is a sinecurist, and the second little better, the actual duties being performed by the First Clerk of the Stables, who has a salary of about £500 a year, with an official residence at the Royal Mews, Piccadilly, and superintends all the business details of the department. The Second Clerk, who is stationed at Windsor, receives £400 a year, and is provided with a residence. There are also a Third Clerk and an Assistant Clerk; an Inspector of the Stables; a Veterinary Surgeon; a yeoman rider, and a lady rider,—all receiving liberal salaries; a Sergeant Footman at

£132, and fifteen footmen, at from £50 to £80 ; twelve coachmen at from £60 to £80, besides allowances and perquisites; twenty grooms, at from £80 to £95, and upwards of fifty helpers. All these situations are in the gift of the Master of the Horse. The whole sum appropriated annually for payment of these servants &c., is £12,563.

MASTER OF THE BUCK-HOUNDS (Earl of Bessborough), £1,700.
(1874, Earl of Hardwicke).

This mastership is only a political sinecure, without any duty whatever, save that of appointing the huntsmen, whippers-in, feeders, and grooms, all of whom are liberally provided for. The expenses, including the Master's salary, though her Majesty never hunts, amount to upwards of £8,000 per annum.

HEREDITARY GRAND FALCONER (Duke of St. Albans), £1,200

Connected with the Royal Hunt is this office, which, since her Majesty has never possessed, and is not likely ever to possess, a single hawk, is as gross an absurdity as would be that of Hereditary Grand Dragon and Griffin Keeper. To pay his Grace such a sum merely for bearing a nick-name is downright robbery of the public.

In the department of the Master of the Horse the sum of £2,766 is allowed for "Superannuation and Retired Allowances" and, £1,116 for "other charges."

SECTION VII.

RECAPITULATION AND REFLECTIONS.

From the foregoing list it appears that the number of individuals employed in the personal service of her Majesty, exclusive of huntsmen, whippers-in, &c., not enumerated in the department of the Master of the Horse, stand as follows:—

	Persons.
In the department of the Lord Steward	167
Ditto Lord Chamberlain	635
Ditto Master of the Horse	119
Total.	921

Here is almost an army of satellites to the sun of Royalty, of which very many are supposed to be constantly in attendance, watching every motion of their centre, though most of them are more intent on their own objects and interests and the pursuit of private bickerings, jealousies, and intrigues than on the discharge of their prescribed functions, or such of them as are capable of being discharged. Imposing as is this array, there must be added to it (since man and wife, though the helpmate occupy a throne, are but one and live together), the household of Prince Albert, which consists of a Groom of the Stole ; a Treasurer ; a Private Secretary ; two Lords of the Bedchamber ; a Clerk Marshal ; three Equerries in Ordinary, and an Equerry Extraordinary ; two Grooms of the Bedchamber ; four Chaplains in Ordinary, and a Chaplain at Osborne ; a Librarian ; two Gentlemen Ushers ; two Physicians in Ordinary and two Extraordinary ; four Surgeons in Ordinary, two

Surgeon Dentists, and an Apothecary ; and a Gentleman Rider : besides an army agent to receive his pay, and a solicitor to conduct his litigation. Adding these, the Household functionaries muster 955 strong,—and this, as will have been seen, because there are duplicate, triplicate, and even quadruplicate sets of persons to perform exactly the same services. It is to be remembered moreover, that in Scotland and Ireland there are two more Royal Households. The first of these consists of a Keeper of the Great Seal ; a Lord Privy Seal ; a Lord Clerk Registrar ; a Lord Advocate ; a Lord Justice Clerk ; an Hereditary Grand Constable ; a Knight Marischal ; an Hereditary Master of the Household ; an Hereditary Standard Bearer ; an Hereditary Armour Bearer, and Squire of the Royal Body (*Lady Seyton Stewart*) ; an Hereditary Carver ; an Hereditary Cup Bearer ; an Hereditary Usher (*heirs* of the late Sir Patrick Walker) ; an Historiographer ; three Physicians in Ordinary, and a Physician Accoucheur ; three Surgeons in Ordinary, two Surgeon-Dentists, two Chemists and Druggists, a Cupper in Ordinary, and an Oculist ; three Deans, and Six Chaplains ; six Hereditary Keepers of Palaces (nearly all mere ruins) ; and a Body Guard of Royal Archers, commanded by a Captain General, three Lieut.-Generals, and four Major Generals. The Irish Household, which is formed on the English Model, has amongst its functionaries two persons described as “Gentlemen at Large,” whose duties must be left to the imagination. If three-fifths of the Household proper were also made “Gentlemen and Ladies at Large,” in the ordinary meaning of the phrase, her Majesty would be much better served, and vastly more comfortable.

The question recurs,—To what useful purpose is all this pomp and ceremony,—this army of courtiers and court functionaries ? The object, as already intimated, is said to be two-fold,—1st to maintain the honor and dignity of the Crown ! and 2ndly, to promote the comfort and happiness of the Sovereign. In both respects it fails. It would be quite as near the truth to say that the fungi which disfigure the trunk of the oak, and the creeping plants that twine round its branches, are essential to the beauty and stability of the tree, as that the troops of courtly parasites and sinecurists surrounding the Crown contribute anything either to its honor or dignity. Amongst the barbaric nations of Asia or Africa, or even in semi-civilised Russia, where life and death, comparative freedom or downright slavery, hang upon the nod of absolute despots, who are, for the time being, treated, and some of them even worshipped as divinities, such adjuncts to Royalty may be useful, and even necessary for its maintenance ; but in a constitutional monarchy, and among a free, civilised, and enlightened people, where the Sovereign is nothing more than the first magistrate of the State, and is bound by its laws, in theory at least, equally with the meanest of his subjects, all these paraphernalia, all this homage at a human shrine, accompanied, as it is, with a most prodigal waste of the national means, is not only degrading both to the actor and the object, but is calculated to create disaffection amongst

the masses, who see their money unnecessarily squandered on such gewgaws, and thus to bring monarchy itself into hatred and contempt.

Still more untenable is the allegation that the personal comfort and happiness of the Sovereign are in any way promoted by, or even consulted in, the present arrangement of the Household. Not to speak of the highest offices, which may be filled and vacated twice or oftener, in the course of a single year, quite independently of her feelings and wishes, she cannot bestow a stick, select a chaplain, or even appoint a scullion, without the permission or connivance of that particular functionary in whose gift the place may happen to be. All must remember the famous "Battle of the Bedchamber," in May, 1839, when the late Sir Robert Peel, having been appointed Prime Minister on the resignation of the Melbourne Administration, himself resigned because Her Majesty was so unreasonable as to wish to retain about her persons of her own sex, to whom she had become attached, or at all events, familiarised, when all else were changed; and how Sir Robert afterwards carried his point, in defiance of the Royal will. All this turmoil being raised about a few ladies, old and young, what would the Minister have said if his nominal mistress had insisted on the selection of her own Lord Stewart, her own Lord Chamberlain, her own Master of the Horse, and all her own sticks? Flat rebellion would have been the word; the whole oligarchy would have been up in arms against such an invasion of its privileges; and no man, Whig or Tory, would have consented to serve the Queen on such terms as these.

The comfort and happiness of the Sovereign! Her Majesty's own private opinion on that point is not likely to be publicly expressed, but it cannot be any matter of mystery at all. Highly endowed with all the domestic virtues,—admirable as a wife and mother,—her heart centred in her husband and children, and capable of understanding and feeling all that is implied in those most British of all British words "HOME" and "comfort," she cannot be either happy or comfortable, living constantly amongst such a crowd of sycophants and time-servers, enjoying no such thing as privacy even for a moment, and knowing that even a kiss to one of her children is a matter which will be bruited immediately throughout the whole Court. She shows her distaste for all this parade by escaping from it as often as she can to Osborne or Balmoral; and those who duly appreciate the character of Her Majesty will be at no loss to imagine the bounding of the heart, the feeling of inexpressible relief, with which, on reaching her Highland home, she will utter some such exclamations as these—"God be thanked! Here, at least, Albert, we are left to ourselves, and can be happy! Here we are free from the dull and tiresome parade of pomp and ceremony,—from heartless lip-service, and the bent knee that seeks only selfish ends in its abasement,—from constant crowds of sycophants and parasites,—from all the annoyances that press on Royalty, making its nights restless and its days unhappy. From all this we have escaped for a time. Let us

thank Heaven for our freedom, and enjoy it whilst it lasts. Would that it were more enduring: for never man spoke more truly than the poet has made my Royal ancestor say, in his midnight communings with his own heart—

‘Then, happy low, lie down:
Creasy lies the head that wears a crown.’

Such, it may be safely assumed, are the genuine feelings of the Queen, with respect to all the pageantry maintained under the pretence that it is necessary for the honor and dignity of the Crown, and the happiness of its wearer. Its real object is the benefit of the aristocracy. In further pursuance of the same object the proposal to create separate households for the Royal children has been broached, and is now only postponed for a season. That the idea of thus separating the mother from her offspring, in their tender nonage, has emanated from, or is approved by Her Majesty, cannot be imagined without a litel on her maternal feelings:—that no pressure of the *res angustæ domi* can call for further supplies, just at present, for the maintenance of the Royal progeny, will be obvious from a glance at the following very imperfect sketch of the resources of their parents, which only errs in being far below the mark.

	Per Annum.
The Privy Purse of Her Majesty	£(61,000)
Revenues of the Duchy of Cornwall	3,000
Ditto Ditto Lancaster	12,000
The Necid Legacy of £500,000, equivalent to	25,000
PRINCE ALBERT.	
Parliamentary Annuity	80,000
Pay as Field Marshal	6,000
Ditto Colonel of the Grenadier Guards	2,685
Ditto Colonel-in-Chief of the Rifle Brigade	288
Grand Ranger of Windsor Great Park (amount of emoluments unknown, say)	1,000
Ditto Home Park	500
Governor and Constable of Windsor Castle	1,120
Total	£176,553

His Royal Highness is also Captain General and Colonel of the Artillery Company, Lord Warden and Chief Steward of the Duchy of Cornwall, High Steward of Plymouth, High Steward of New Windsor, and Master of Trinity House; but some of these posts are merely honorary, and the value of others must remain shrouded in that official mystery through which it is so difficult to penetrate. It appears, however, that the Royal pair, clubbing their resources together, have an united income of at least £176,553 per annum. In estimating how far this sum ought to go in the maintenance of their children, at least until they come of age, it is to be remembered that no part of it is required for Household expenses, or for the discharge of any one of the functions of Royalty,—all these being most bountifully provided for, either from the Civil List fund, or in the annual supplies voted by Parliament, to which, as has already been observed, many things formerly charged upon that fund have been transferred. The new scheme for extending aristocratic influence thus stands doubly condemned:—it must be contrary to Her Majesty's inclinations, on the one hand; and there is no pecuniary necessity for it on the other.

SECTION VIII. CONCLUSION.

The inferences which the FINANCIAL REFORM ASSOCIATION wish to be drawn from the foregoing exposition of the Royal Household are these:—that the professed objects for which so large a sum is spent upon its maintenance are not the real ones;—that instead of maintaining the honor and dignity of the Crown, it is derogatory to both;—that in nothing does it contribute to the comfort and happiness of the Queen;—that it subserves oligarchical purposes only,—that it is a combination of useless offices, founded on manners and customs long since exploded, and of extravagant salaries, for services which, in very many instances, are only nominal, and in very many others would be more honored in the breach than by the observance, both as regards those who render them and those to whom they are paid;—that it is the great nursery of indolence and corruption, holding out a constant bad example to the nation, which, acting, in the first instance, on the families of the great, afterwards spreads the pernicious influence through all classes of society; and, in fine, that, of all the institutions of the State, that which is most fruitful in abuses is that which stands at their head, and which ought to be a model for all the rest. To impress these facts upon the public mind was the object of the first Tract issued by the FINANCIAL REFORM ASSOCIATION; the more they have since reflected on the subject, the more they have been convinced that if the work of economical reform is ever to be really accomplished, it must begin at the head of the system; and that nothing can be more contemptible in spirit, or more effectual in operation, than that sort of economy which is limited to candle ends and cheese-parings,—to the cutting down of subordinate salaries, and the mulcting of poor clerks of a portion of their earnings, by way of providing funds for their own superannuation and retired allowances (from which a very small proportion of them ever derive any benefit), whilst the greatest abuses of the system are either touched with a most tender hand, just to save appearances, or not meddled with at all. The whole system requires reforming, from top to bottom; and reform to be real, must commence above—not below.

The one plausible objection to any meddling with the Civil List arrangements is, substantially, that a bargain has been struck between the Nation and the Crown, and solemnly ratified by Act of Parliament; that the duration of that bargain was to be for the life of the Sovereign; and that any modification of its arrangements, without the consent of the Sovereign, however desirable for the true and permanent interests of the Crown, and the welfare of the people, would be a breach of the national faith. This is but the old cry of “vested interests,” in submission to which the public good is almost invariably sacrificed, for the advantage of private individuals. But, granting all that can be urged, in way of objection to Parliamentary action, on this score, who has formed so low an opinion of Her Majesty’s virtue and patriotism as to suppose that

she would stand in the way of any measures of reform for the proved good of the nation? Who is there so disloyal as to say "True,—what you propose is for the general welfare, and also for that of the Crown;—but a bargain is a bargain. On certain conditions (not very strictly observed on the part of the Crown, or its advisers), Parliament has made certain allowances for certain purposes; and whether those purposes are good or bad,—or whether the money voted for them is really applied to those purposes or not, the bargain must remain in force during the Queen's life, and Her Majesty will never consent to any infraction of its provisions. Like Shylock, she has her bond, and will hold the nation strictly to it!" The FINANCIAL REFORM ASSOCIATION think better of the Royal Lady who now wields the sceptre. They believe that she would make no objection to any proposition on this head which might be submitted to her by a virtuous ministry and a wise Parliament. They even see no very violent stretch of imagination in supposing that Her Majesty may, some day or other (when once she is made fully aware of the shameful manner in which her people are plundered, and the national affairs unmanaged for oligarchical purposes), come down to Parliament and open what would then be the most important session of which there is any record on its rolls, with some such speech as this:—

"My Lords and Gentlemen,

"I have called you together to solicit your advice and assistance on matters of the highest importance to myself personally, to you, and to the nation over whose interests and well-being Providence has called me to preside.

"Recent events, to which I need not particularly allude, have shown, beyond contradiction, that the whole system on which the public service, civil, naval, and military, is conducted, is faulty in the extreme. Some palliatives have been applied with a view to improve its efficiency, and obtain a better class of servants for the State; but they do not reach the real root of the evil, which is the application of Government patronage for purposes of party and family aggrandizement only, irrespective of merit or qualification. My people have discovered the true remedy, and my Ministers will submit to you measures calculated, I hope, to carry into effect the popular maxim—'The right men in the right places,' of which you will, with me, fully admit the wisdom and the justice.

"Amongst the abuses which demand a remedy are sinecure offices, pluralities, and places maintained under various pretences, only for the benefit of those who fill them. Of these my own household presents striking instances, and may, indeed, be cited as a justification of them all, in whatever department they occur. I do not believe that that establishment, as at present constituted, is conducive to the honor and dignity of the Crown:—I am sure that it is very much at variance with my own comfort and happiness, as well as prejudicial to my people, by the bad example which it sets, with my supposed concurrence. I have, therefore, with the assistance of my Ministers, caused to be prepared such measures of reform as will greatly increase the efficiency of my establishment, whilst most materially diminishing the expense, and rendering it what it ought to be, a model to the nation. It affords me the greatest satisfaction to inform you that my Consort, high in virtue as in place, has set a good example to placemen of every class by resigning all his sinecure appointments, and that he is resolved to pay his rates and taxes for the future.

"The heroic valour of my army and my navy is now, as it has ever been, distinguished throughout the world; but, owing to the defective system on which the affairs of the former especially have been administered, my soldiers, though brave as lions in the battle, are generally, both officers and

mar, helpless as children, and as fruitless, in expedients, when left to their own resources, in the most ordinary circumstances attending their way of life. Measures for the effectual reform of both army and navy will, therefore, be submitted to your consideration. In the former, the purchase system, so calamitous and so disgraceful, will be wholly abolished. Merit and qualification will be the indispensable conditions of appointment and promotion, as to officers: and, as to the men, means will be adopted to improve their condition—physical, mental, and moral,—to perfect them in athletic exercises and accomplishments suitable to their condition,—and to enable the best and bravest amongst them to rise without impediment from the lowest ranks to the highest. With regard to the navy, landsmen will no longer be selected to preside over sea operations at the admiralty; and the command of vessels, squadrons, and fleets will no longer be regulated for purposes of political patronage, but by merit and qualification only.

“Gentlemen of the House of Commons,

“I have observed with great regret that you perform very inadequately your duty as stewards of the nation. It is your province to examine strictly both the nature of the taxes levied from my people, and the manner in which the proceeds are distributed for the purposes of the State. In the latter respect, especially, you leave too much to my Ministers, and they to their subordinates. I therefore recommend you to appoint, without delay, a permanent committee of your best and ablest men for the examination of all financial matters.

“The whole question of raising the funds necessary for the support of the State I submit to your most serious consideration. It may be that a system of Direct Taxation, involving the abolition of Customs, Excise and other establishments, which are enormously expensive in proportion to the sums realized, will be equally productive to the Treasury, much less oppressive to my people, and, at the same time, incalculably extend all the branches of commerce and industry. The Income and Property Tax, though objectionable in some of its details, is sound in principle; and it is for you to consider whether in may not be so extended as to become a substitute for nearly all other taxes.

“My Lords and Gentlemen,

“Other measures for the good of my people and the welfare of the empire will be submitted to you at the earliest possible opportunity, and amongst them, one giving to my Ministers access to both Houses of Parliament, without votes in either. At present they are judges of their own acts, and often decide in their own favour a verdict which should be left, in their own House at least, to their representatives of the people.

“As to these and all other measures I have the fullest confidence in your wisdom, patriotism, and integrity; and it is my fervent prayer that Divine Providence may give us blessing on your united labours for the common good.”

Let such a speech as this, or anything like it, be delivered from the throne, and the glories of Edward the Confessor and Alfred the Great, which still live, after the lapse of ages, in the hearts and memories of Englishmen, will pale before those of Queen Victoria. The least of its advantages would be that of rendering the Royal Household indeed “A Model to Parliament and the Nation.”

NOTE.

At the foot of page 8 it is stated that the sum demanded for Royal Palaces, &c., in 1866 was £24,460. This was their actual cost during the year ending March 31, 1866, the accounts for which were subsequently presented to Parliament. The amount demanded; under the same heads for 1866-7 is £204,693, viz., Public Buildings and Royal Palaces, £195,141; Buckingham Palace, £7,868; and Royal Parks and Pleasure Gardens, £91,664.

WILLMER AND SMITH, PRINTERS, CHURCH STREET, LIVERPOOL,
(Of the First Edition, 1856.)

GIBBS & CO., PRINTERS, 48, MOORFIELDS, LIVERPOOL,
(Of this Reprint.)

ANNUAL REPORT
OF THE
INDIAN ASSOCIATION
FOR THE YEAR
1918.

CALCUTTA.

1919.

Indian Association

Executive Committee

1919.

President

Rai Boikuntnath Sen Bahadur.

Vice-President

Sir Binode Mitter.

Hon. Sir Nilratan Sircar.

Hon. Sir Devaprasad Sarvadhikari.

Mr. Krishnakumar Mitra.

„ Herambachandra Maitra.

Secretary

Hon. Mr. Surendranath Banerjéa.

Asst. Secretaries

Mr. Nibaranchandra Ray.

„ D. C. Ghosh.

„ Sachindraprasad Basu.

„ D. N. Basu.

„ Satischandra Chatterji.

Treasurer

Mr. Jatindranath Basu.

Members

Sir Rasvehari Ghosh.

Hon. Mr. Pravaschandra Mitra.

Mr C. C. Ghosh (*resigned*).

„ Surendranath Mallik (*resigned*)

Hon. Mr. Ambikacharan Mazumdar.

„ Kumar Arunchandra Singha.

Mr. Prithwischandra Ray.

Hon. Mr. Abul Kasem.

Rai Yatindranath Chaudhuri.

Mr. Prafullanath Tagore.
„ Satyananda Bose.
„ Lalit Mohan Das.
Dr. Pramathanath Banerjea.
Mr. Annadacharan Sen.
„ Deviprasad Khaitan.
„ Sudhir Kumar Lahiri.
Mr. J. N. Roy.
„ J. Chaudhuri.
„ B. L. Mitter.
„ Nirmalchandra Chandra.
„ Bijay Kumar Basu.
Dr. Suresprasad Sarvadhikari.
Mr. Kshitischandra Niogi.
Hon. Mr. Surendranath Ray.
Mr. R. D. Mehta.
Rev. B. A. Nag.
Mr. Hemendranath Sen.
„ Narendra Kumar Basu.
Dr. J. N. Ghosh.
Mr. B. C. Chatterji.
„ Nirmalchandra Sircar.
„ Fanindralal De.

Auditor :

Mr. S. C. Roy.

Annual Report

OF

The Indian Association

FOR THE YEAR

1918.



There were 25 meetings of the Committee held during the year 1918, all of which were well attended. There was only one meeting of the Association held during the year, viz. the annual meeting.

Political work of the Association.

A Town Hall Meeting was held under the auspices of the Association on the 4th March 1918, in memory of Sir William Wedderburn, Sir Prafulla Chandra Ray presiding.

Another public meeting was held in the Hall of the Indian Association on the 26th August 1918, under the presidency of the Hon'ble Mr. Surendranath Banerjea, to consider the question of cloth distress.

The committee nominated the following gentlemen to give evidence on behalf of the Association before the committees mentioned against their names :—

Mr. J. N. Ray, (Rowlatt Committee)

Mr. N. K. Basu (Subjects Committee)

Dr. P. Banerjea (Franchise Committee)

Opinion of the Association was invited and given on the following measures :—

- (1) Questions framed by the Calcutta University Commission.
- (2) Usurious Loans Bill.
- (3) Juvenile Smoking Bill.
- (4) Primary Education Bill.
- (5) Hindu Limited Owners Bill.

- (6) Rules of Election to Legislative Councils.
- (7) Hackney carriage Bill.
- (8) Village Self-Government Bill
- (9) Bill regarding the Evidence of accused persons.
- (10) Reform scheme of H. E. the Viceroy and Rt. Hon. the Secretary of State.
- (11) Income Tax bill.
- (12) Bengal Tenancy Act amendment Bill.
- (13) Resolution of Govt. relating to the Police service.
- (14) Resolution of Govt. relating to the Provincial Judicial service.
- (15) Food Adulteration Bill.

The following measures in regard to which the opinion of the Association has been asked for by Govt. are still under consideration.

- (1) Criminal Procedure Code and Court Fees Act Amendment bill.
- (2) Provincial Insolvency bill.
- (3) Calcutta Municipal bill.

The Committee sent a representation to Govt. on the looting of *Hâts* and *Bazars* in Bengal by poor people who were driven to it in consequence of the high prices of cloth, salt and food stuffs and low price of jute. The Committee also represented to Govt. the desirability of allowing some of its members to help the Rowlatt Committee in considering the cases of individual detenus; but the offer was declined.

The Committee sent telegrams (1) to H. E. the Viceroy requesting him to order an enquiry into the case of Jyotis Chandra Ghosh, a detenu in the Berhampur Lunatic Asylum and praying for his removal to the Medical College Hospital for treatment; (2) to H. E. the Viceroy welcoming the Reform scheme as a real and definite stage towards the progressive realisation of responsible Government in India; (3) to the Rt. Hon. the Secretary of State and to Lord Sinha appealing for the issue of early orders about the increased pay of, and grant of King's Commission to, Indian Soldiers; (4) to H. E. the Viceroy regarding the high prices of cotton goods; (5) to the Rt. Hon. the Secretary of State protesting against the appointment of Sir John Hewett as chairman of the Reform Committees as reported by the "Madras Mail"; (6) to the British Press reporting that the Indian Association had decided to abstain from the special session of the Congress held at Bombay in view of the irreconcilable attitude taken up by its promoters towards the Reform

Scheme ; (7) to H. E. the Governor of Bengal regarding the high prices of cotton goods brought about by cornering and speculation.

The Reform Committees on the questions of Franchise and the division of subjects, of which Lord Southborough was President, visited Calcutta at the end of December. The Hon. Mr. Surendra Nath Banerjea was a member of the Franchise Committee and the Hon. Mr. Pravas Chandra Mitter, a member of the Association, was a co-opted member of the Subjects Committee. At the request of Government, the Committee nominated witnesses whose names have been already mentioned, to give evidence on behalf of the Association before the Reform Committees.

Obituary.

The Committee and Association recorded their deep sense of sorrow and the loss sustained by the country by the deaths of Sir Chunder Madhab Ghosh, Sir Gurudas Banerjee, Sir, W. Wedderburn and Nawab Abdul Jabbar.

The Committee have to record their sense of sorrow and loss sustained by the death of the following members :— Messrs Akshay Kumar Basu, Jnanapriya Mittra, Bhudev Ray and Subodh Chandra Banerjee.

Accounts.

The financial condition of the Association will appear from the accounts of the year given in Appendix A.

National Fund.

A sum of Rs. 651—0—3 was paid during the year by way of interest on the National Fund and spent on political work. Up to the end of 1918 the sum of Rs. 1317—4—0 has been paid out of Rs. 1820 due.

Building Fund.

The accounts of the Building Fund are shown separately in Appendix B. The bills of the Standard Engineering Co. for constructing the new Association premises and making sanitary arrangements in connection therewith, have been settled at Rs. 46000 and they have been paid off in full. The thanks of the Committee are due to the Indian Community of Zanzibar for contributing Rs. 100 to the Building Fund of the Association through Mr. M. K. Gandhi.

Appendix A.

General Fund Account, 1918.

Balance of last year	...	...	47	13	4
Subscriptions	...	1,452	0	0	
House rent	...	3,940	0	0	
Donations	...	444	3	9	
Costs of suit realised from K. K. Ray	...	160	0	0	
Total		5,996	3	9	
Grand Total	...				
		6,044	1	1	

	Dr.	
Establishment	1,108	10 0
Postage and telegrams	43	7 9
Stationery	13	8 0
Printing & typing	222	4 0
Travelling	13	2 0
Electric charges	38	6 0
Interest of National Fund spent on political work	651	0 3
Law charges	160	0 0
Municipal Taxes (for 3 quarters)	554	5 0
Library charges	9	3 0
Contingency	93	6 9
Amount contributed to the building Fund (during 1918)	3,061	14 0
Total	5,969	2 9
Balance in hand	74	14 4
Grand total	6,044	1 1

I have examined the above accounts and have checked the details with the vouchers and the resolutions authorising receipts and payments, and have found them correct. All papers and documents called for by me have been produced and all explanations have been satisfactory.

S. C. Roy,—Auditor,
15-3-19 Indian Association.

Appendix B.

Building Fund Account from 1914—1918.

<i>Cr.</i>		<i>Dr.</i>	
Sale Proceeds of the old Building ...	4,930 0 0	Loan to Indian Association General Fund ...	2,326 14 0
Borrowed from the National Fund ...	15,385 10 0	(including municipal taxes for one quarter)	
Contribution from the Indian Association ...	9,616 7 0	Salary of the Building Overseer for 10 months from	
Borrowed from Mr J. M. Ghosh (less		March to December 1915 ...	230 0 0
Rs 56 15 0 paid to him on account of		Cost of removing earth from site ...	250 0 0
interest on advance of Rs. 5000 from 27th		Fee paid to the Calcutta Corporation for footing of	
January to 17th April 1916) ...	24,943 1 0	Building walls ...	550 8 0
		Fee paid to Do for drain connection ...	28 8 0
Grand Total ...	53,975 2 0	Damages paid to Do for footpath repairs	67 10 3
		Fee paid to Electric Supply Corporation for connection	136 9 0
		Deposit paid to Do ...	50 0 0
		Stamp on mortgage Deed ...	125 0 0
		Registration of Do ...	29 8 0
		Settled costs of Messrs G C Chunder for Do ...	250 0 0
		Amount paid to the Standard Engineering Co in full	
		settlement of their bills for building the new Association	
		premises and making Sauntary arrangements	
		therefor ...	46,000 0 0
		Cost of electric fittings ...	100 0 0
		Interest paid on Mr J. M. Ghosh's mortgage for 2 yrs.	2,500 0 0
		Cost of the collapsible gate and its fixing ...	265 15 6
		Cost of marble slabs for entrance steps and railings	
		for windows on first floor ...	75 7 0
		Cost of repairs ...	198 0 0
		Miscellaneous	52 12 0
		Total ...	53,236 11 9
		Balance in hand ...	738 6 3
		Grand Total ...	53,975 2 0

(5)

The above accounts of the Building Fund of the Indian Association are for the period 1914 to end of 1918.

I have examined the accounts and have checked the details with the vouchers and the Resolutions authorising receipts and payments, and have found them correct. All papers and documents called for by me have been produced and all explanations have been satisfactory.

S. C. Roy,—Auditor,
Indian Association, 15-3-19.

Appendix C.

OPINIONS

I.

Questions framed by the Calcutta University Commission.

It is requested that, in communicating their views to the Commission on all or any of the following subjects, correspondents will be so good as to reply to the different questions on separate sheets and on one side of the paper only.

The Commission will be glad to receive any suggestions or recommendations on aspects of the university problem in which you are specially interested and which are not covered by the following questions.

1. Do you consider that the existing system of university education affords to young Indians of ability full opportunity of obtaining the highest training? If not, in what main respects do you consider the existing system deficient from this point of view?

2. Do you consider that university training at its best involves—

(a) that the students should be placed under the personal guidance of teachers of first-rate ability and of recognised standing in their subjects; (b) that the teachers and students alike should have access to well-appointed libraries and laboratories; (c) that there should be a large degree of freedom of teaching and of study; and (d) that the teachers should have sufficient leisure to be able to pursue independent investigation in their own subjects?

If you share this view as to the functions of a university, do you consider that the ideal is attained or attainable under the existing system in Bengal? If you hold that the standard indicated above cannot fairly be applied, please explain your reasons for this conclusion.

3. What resources exist in Calcutta for the formation of a great centre of learning such as other cities of comparable

size possess ? How far are these resources organised to serve this purpose ? What changes, if any, and what expansions would you suggest ?

4. (i) If you have studied the 'Dacca University' scheme, have you any suggestions to make with regard to it ?
(ii) Do you think that universities on the lines of the Dacca scheme, or on other lines, could, with advantage, be established at other centres of population within the Presidency, either now or in the future ? If so, what centres would you suggest ?

5. (i) What, in your view, should be the relation between the University and colleges situated—

(a) in the university town ; and

(b) in other centres of population in the Presidency ?

(ii) How would you propose to ensure that every institution at which students are permitted to follow the course for a university degree is adequately staffed, and adequately equipped ?

(iii) To what extent do you consider it possible to grant to colleges some degree of freedom in the design of their courses and, under proper safeguards, in the conduct of the examinations of their students for university degrees ?

(iv) Should it be found practicable so to organise the intellectual resources of Calcutta as to create a powerful centralised teaching university in that city, how would you propose to deal with colleges not incorporated in that University ? Would you favour—

(a) the creation of a new controlling body to regulate the studies and examinations of such colleges, or

(b) the maintenance, as far as possible, of the existing system, or

(c) the establishment of a new kind of relationship between the University and such colleges, which would allow some autonomy to the latter ?

6. What are the callings and professions which are necessary for service to, and the advancement of, India and for which a high degree of training is required ? How far do the special needs, and the traditions and characteristic powers of India differentiate her requirements in these respects from those of other regions and notably from those of Great Britain ?

How far are these requirements met by the University and how far should it be within the province of the University to meet them ?

(i) Should the University provide or recognise approved

(including such departments as engineering, agriculture, and commercial science) as qualifying for degrees or diplomas or both? Should the University also provide facilities for research in these branches of knowledge?

(ii) Do you think that higher technological training should, or should not, be segregated from other branches of higher education?

(iii) If, in your judgment various branches of applied science and technology should be recognised as departments of university teaching and research,

(a) what safeguards would you suggest in order to secure that every university student of applied science and technology should also receive adequate training in pure science?

(b) what relations should be established between the University and technological institutions including those which have at present no connexion with the university organisation?

8. Are you satisfied with the present conditions of admission to the University of Calcutta and, if not, what changes would you suggest?

9. We desire to ascertain the views of our correspondents as to the use and abuse of examinations with special reference to the educational opportunities and needs of Bengal. Will you favour us with your observations on the following points:—

(i) Whether, in your judgment, there is validity in the criticism that, in the existing university system, teaching is unduly subordinated to examination?

(ii) Whether an attempt should be made to reduce the rigidity of the examination system and, if so, whether you consider that the use made of examinations might be varied to meet the needs of different subjects of study and of different groups of students in one or more of the following ways:—

(a) the teaching might for certain purposes be defined, as at present, by prescribed examination requirements,

(b) the teacher might be left with a maximum of freedom and the examinations be adjusted to the courses given by individual teachers,

(c) in some particular subjects or sections of a subject, though teaching might be given, there might be

(iii) The limits within which examinations may serve as a test of fitness for a specific career :—

e.g.,—the professions of medicine, law, teaching and engineering ; agriculture ; commerce and industry (including the aspects both of management and of scientific guidance and research) ; and administration in the public service.

10. Have you any further suggestions to make as to the improvement of the existing methods of the university examinations ?

11. (i) Do you hold that English should be used as the medium of instruction and of examination at every stage above the matriculation in the university course ?

(ii) (a) If your answer to (i) is in the affirmative, do you consider that university students have on their entrance to the university an adequate command of English ?

(b) To what extent do you think that English should be used as the medium of instruction in secondary schools for those students who are being prepared for the matriculation ?

(c) Are you satisfied with the kind of training now given in English before entrance to the university ? If not, what improvements do you suggest ?

(d) Would you draw a distinction, both in school and university, between practical training in the use of the English language and training in the study of English literature ?

(e) Do you think that the matriculation examination in all subjects should be conducted in English ?

(f) Do you think that English should be taught to all students during their university course and, if so, what kind of teaching would you advocate for those students whose general course of study may be other than linguistic ?

(iii) If your answer to (i) is in the negative (*i.e.*, if you think that English should not be used as the medium of instruction and of examination at every stage in the university course above the matriculation), what changes would you recommend, and at what stages in the university and pre-university courses

12. Do you think that the University should do more, than is now done, to encourage the scientific study of the vernaculars of the Presidency ? If so, what changes would you advocate ?

13. Are there any branches of science or learning not now represented in the curricula of, or not actually taught in, secondary schools in Bengal, and the University of Calcutta or its colleges, which, in your judgment, it is of importance to introduce ?

14. What, in your judgment, should be the relations of the Government of India and of the Provincial Government to the university or universities of a province such as Bengal ?

15. Do you hold it to be advantageous or the reverse,
(a) to the public services,
(b) to the students,
(c) to the progress and advancement of learning,
that university examinations should be regarded as the qualification for posts under Government ? Would you advocate the practice, adopted in many other countries, of instituting special tests for different kinds of administrative posts under Government ?

16. What steps would you recommend for the encouragement and stimulation of independent investigation into Indian and other problems among the alumni of the University ? Do you hold that the chief root of such work must be the existence of a widespread and genuine intellectual curiosity among the students ? Do you consider that the existing system creates and develops such curiosity ?

17. Do you consider that the conditions under which many students live

- (a) in Calcutta,
- (b) elsewhere in Bengal,

are such as to undermine traditional morality and family ties, or to be deleterious to the character or physical health of the students ? If so, to what causes do you attribute this, and will you suggest the steps which, in your opinion, should be taken to secure for the students wise guidance in matters of moral principle and of personal hygiene ; protection against injurious influences ; fuller opportunities for physical exercise and training ; and the discipline and comradeship of corporate life ?

18. What is your experience as to the health and physical development of students during their university career in Bengal? Have you any reason for thinking that the present system imposes an undue physical or mental strain upon students who are not exceptionally robust? If so, please suggest remedies.

19. Will you contribute any suggestions arising from your experience regarding the organisation of residential arrangements for students, including hostels, messes and lodgings?

In regard to hostels and "attached messes," will you discuss especially—

- (a) the relation of these institutions to the University as well as to the collegēs ;
- (b) the functions and status which you would give to the Superintendent ;
- (c) the methods of management, control and inspection ;
- (d) the proper equipment of a hostel, including kitchen and dining-room arrangements, provision for the treatment of illness, library facilities, etc.;
- (e) the best size for hostels ;
- (f) the desirability of their providing tutorial assistance ?

In dealing with these problems, we beg that you will have careful regard to what you deem to be financially practicable.

20. Do you consider that the financial resources already available for higher education in Bengal are employed in the most economical way? If not, with a view to the strengthening and expansion of higher education, can you suggest some form of university organisation, which, while securing economical administration, would make a more powerful appeal for support from private liberality as well as from public sources?

21. Have you any suggestions or criticisms to offer with regard to the proposal that the University (and such of its constituent colleges as may desire) should be removed to an easily accessible site in the suburbs, with a view to facilitating—

- (a) an expansion of the activities of the University ;

- (b) the erection of suitable buildings for colleges and residences for teachers and students ; and generally,
- (c) the growth of corporate university life.

22. To what extent do you consider that the needs and interests of particular communities should be specially considered—

- (a) in the government of the University,
- (b) in its courses of study,
- (c) in its residential and other arrangements ?

23. (i) Are there any points in which your answers to the foregoing questions would be different in respect to the needs of men and of women ?

(ii) To what extent, and in what fields, are additional and special facilities for higher education required for women ?

(iii) What are the peculiar difficulties and needs which affect the higher education of women in India ?

Answer to question No. 1.

No, in the sense that full opportunity is not afforded.

It is deficient in the following respects :--

Passing examinations is usually given a prominent place as a passport to employment or a profession. At best, books are made the end of study while they should be regarded as a means only for helping the student's mental development. The relation between education and life is not sufficiently impressed.

These observations may not be fully applicable to students of medicine and engineering.

Answer to question No. 2.

(a) Yes, preferably the teacher should belong to their own nationality as they would understand them best and sympathise with them.

(b) Yes,

(c) Yes.

(7) Yes. Provided they have the capacity and the enthusiasm for such work.

The ideal is not attained nor is it attainable in Bengal under the existing system. This is chiefly due to the absence of the conditions indicated in (a) (b) (c) (d) of the question.
Answer to question No. 3.

By resources for the purpose of a University are probably meant,

- Money
- Libraries,
- Laboratories,
- Workshops,
- Teachers,
- Organisers.

Calcutta possesses these only to a limited extent at present. But whatever resources there are, are imperfectly organised for the highest ends of University education. Their proper and effective organisation would need the Joint Co-operation of the State, the University and the leaders of public opinion guiding the philanthropic impulses of the Community.

Answer to question No. 4.

(i) The Dacca University Scheme should be modified as follows :—

1. The official control exercised either directly or through the University should be reduced to a minimum.

2. There should be a commercial, industrial and agricultural side to it. There should be a faculty for technology generally.

(ii) An increase in the number of Universities, with our present limited resources would not be desirable in the interests of high education.

Answer to question No. 5.

(i) The relation between the University and the colleges wherever situated should be the same. The affiliated colleges should be subject to the general control and supervision of the University.

(ii) By a regular system of inspection

(iii) While considerable freedom in the method of teaching is desirable, colleges should not, under the existing conditions, be empowered to design their own courses of studies or grant degrees.

(iv) There should be, as already observed no distinction drawn between colleges in and out of Calcutta so far as the control by the University is concerned.

(iv) (a) No.

(b) The existing system should be maintained subject to this that a college should have a right to undertake post graduate teaching although the University may arrange for post graduate lectures.

(c) No.

Answer to question No. 6.

All callings which are calculated to develop the industries and the resources of the country such as (i) Engineering in all its branches e. g. mining, electrical, civil and mechanical, (ii) Scientific agriculture and horticulture, (iii) Manufacturing industries which can deal with the raw materials of the country, (iv) Trade and commerce

Very few of these requirements are at present met by the University. It is desirable that the University should make provision for them.

Answer to question No. 7.

(i) The University should provide and recognise approved courses of instruction in science and technology. The best way to do it would be to found a powerful faculty for the purpose. Facilities for research in these branches should also be provided.

(ii) "Other branches of higher education" may include Scientific, Historical, Philosophical and other subjects.

So far as science is concerned there should be co-ordination but as regards other branches of knowledge, there is bound to be some sort of segregation after a certain stage.

(iii) (a) Science and technology should be taught as allied subjects.

(b) The relation should be one of co-operation.

Answer to question No. 9.

(i) Under the present system, education is subordinated to examinations which largely fill the mind of both the teacher and his pupil.

(ii) It will not do merely to relax the rigidity of the examinations. For then the teaching will further deteriorate. Teaching must be associated with life and practical utility. Professor Jowett's great dictum was that the end of all education should be the application of the reasoned judgment to all concerns of life. But whatever is taught must be periodically tested and the oftener the better. The present test of a 6 hours' examination for the work of a whole year or more in respect of any subject is insufficient and inefficient. It is extremely doubtful if the University can undertake this closer test by more frequent examinations. That must be left to the teachers who should be made responsible for the periodical examinations.

(b) (c) It is doubtful how far such a course will enhance the effectiveness of teaching. If formal examinations are dispensed with some means must be found for testing the knowledge imparted.

(iii) In all professions except the administration in the public service, the knowledge of theory acquired by the student and his capacity for the practical application of it, should be tested by examinations conducted on sound lines.

For the public services there should be held special examinations to see if the candidates are fit to take part in the administration. University examinations alone should not furnish any opening to the public services except in the case of ministerial appointments.

Answer to question No. 10.

The actual assimilation by the student of the knowledge that is taught and the growth of his mind may be weekly if not daily tested. Some means must be taken to secure a standardisation of such tests. The result of such tests should be considered along with the result of any examination held at the end of the year. In examining papers the examiner should not go by the marks carried by the question only but he should have a discretion to judge the paper generally.

The students' note books and other writings may furnish useful guides for the more frequent examinations.

Answer to question No. II.

(i) In the existing condition of things English should be used as medium of instruction and of examination at every stage above the matriculation course.

(ii) (a) It can not be laid down as a general proposition that all students on their entrance to the University have an adequate command of English but many have.

(b) For students who are preparing for the Matriculation, the vernacular should be chiefly used as a medium of instruction. Growth of ideas and expansion of the mind should be the objective. This will reduce the number of text books in various subjects which are in the English language. The difficulty that the students now suffer from, having to learn these subjects in English, will be considerably reduced. They will be therefore, more free to attend to the study of the English language. Care should be taken that special stress is laid upon their acquiring a greater familiarity with the English language than now.

(c) The way in which English is now taught in Schools is capable of considerable improvement. The grammar method which takes life out of the languages is generally followed. There are mechanical exercises which do not tend to produce assimilation. The students cannot acquire any idea of the living tendencies of the language. The language should be taught rather through the ear than through grammar and dictionary.

In schools the teachers should encourage the students to read English Story books as a help to acquire a good knowledge of English.

(d) There is a great distinction between the practical training in the use of the English language and a training in the study of English literature. What is necessary for our students generally is the practical training or in other words a good "working knowledge."

(e) No.

(f) For students whose course of study is other than linguistic a good "working knowledge" of English would be very useful.

Answer to question No. 13.

· History of Indian culture.

Anthropology including Sociology Ethnology and Ethnography.

This answer should be read along with the answer to question No. 7.

Answer to question No. 15.

For administrative posts under the Government, there should be special examinations except for the posts in the ministerial ranks.

This will involve a special preparation by the candidates, who, if they have a University training will find it very useful. This happens in the service examinations in the United Kingdom.

Even if these candidates are unsuccessful in the services examinations, they will find their University education helpful in life.

Answer to question No. 16.

There should be well equipped and well organised libraries, with librarians who can help students; with useful information about books. Prizes and scholarships should be given for investigation into different problems. Result of the investigation should be published in periodicals if a special journal for this purpose can not be afforded. An investigating attitude of the mind should be developed in the student by proper and well conducted courses of education in college. Mere intellectual curiosity in the student will not help this kind of work. There should be impressed upon the student the idea of some benefit derivable from the investigation of the problems. This benefit may be to the student personally or to the community at large.

Societies may be formed for the work of investigation and members may co-operate to solve the problems that may arise. Free exchange of ideas among men devoted to the same work will create an atmosphere of eagerness and enthusiasm.

The present system except in rare cases does not rouse this attitude of the mind.

Answer to question No.17.

Students who have to live away from their parents and relations do not often times live under very healthy conditions. The influence of the family is reduced by the distance and young minds are liable to the risk of coming under unwholesome influences. Want of proper food and exercise go in numerous cases to affect the health of the students. In a large city like Calcutta these influences may be more operative than in the Mofussil.

Such students should be accommodated in hostels and messes under the control of the college authorities. The cost of living should be moderate and suited to the students' station in life, care being always taken that they are not brought up in habits of life which are more expensive to them than those to which they are accustomed. Luxury and unusual comfort should be discouraged. The supervision of such an institution should be placed in the hands of persons preferably teachers, who are respected for their character and temper and capable of sympathising with the young men under their care. They must be in a position to impress upon the students the benefits of cleanliness in life and purity of conduct more by example than by precept.

Student Societies, inexpensive out-door games, social service and development of co-operation and fellow-feeling among students will go a great way to improve student life in this province.

The hostels and messes should be visited occasionally by non-official gentlemen of education, culture and influence who are interested in student life.

Answer to question No. 21.

The idea is good but the outlay would be enormous and perhaps prohibitive. Further it would be difficult to remove existing colleges which are already located in Calcutta.

Answer to question No. 22.

In the government of the University or its courses of study, needs and interests of particular communities should not be considered. There should be a uniformity.

In its residential and other arrangements where habits of life of particular communities have to be taken into consideration, attention may be paid to communal needs if the communities so desire.

Answer to question No. 23.

(i) The educational needs of women vary. There may be many women who will devote themselves to the ordinary University course for the acquisition of higher knowledge, there may be others again who may have to make a living out of such a study. But to the generality of women who want to make themselves useful at home a different course of education will have to be designed.

(ii) To this part of the question the recommendations of the Dacca University Committee generally furnish a good answer in principle.

The question of cost is of great importance.

If the additional course recommended by the Dacca University committee be found too heavy to be taken along with the regular University course, students may be given to choose their subjects from the University and the additional courses. The result of the examinations in the subjects chosen will entitle the student to certificates of efficiency.

There is no provision for imparting scientific education to women in Bengal.

(iii) (a) The purdah system.

(b) Early marriage.

(c) The end of education with marriage.

(d) General apathy against giving higher education to women.

But the conditions set forth above are fast changing in favour of education of women in this country.

II

Usurious Loans Bill.

The following opinion has been submitted by the Indian Association on the Usurious Loans Bill, to the Secretary to the Government of Bengal Legislative Department.

Sir,—In reply to your letter No. 3139—35 J. dated 25th October 1917, inviting the opinion of my Association on the Usurious Loans Bill now before the Imperial Legislative Council, I have the honour to state that the Committee of the Indian Association is in complete sympathy with the intention of Government in introducing this legislative measure. My Committee is satisfied that the provisions of the Indian Contract Act of 1899 are not sufficient to cope with the evil and that fresh legislation is urgently needed for the protection of a helpless class of people.

The matter, however, is not free from difficulties. Credit is almost an inevitable condition of small farming. It is also essential for the means of industrial enterprises. The money-lender is thus a rural necessity under the existing conditions of society and credit. On the other hand, as Sir Frederic Nicholson has pointed out, "he is most undoubtedly an expensive and dangerous necessity." The attempt of the Government should, therefore, be to devise means to check usury without discouraging money-lending.

In view of the fact that the local conditions are not the same in all the provinces, or even in all the districts of the same province, my Committee hopes that great care will be taken by the Local Government, before giving effect to this measure by notification in the local Gazette to ascertain the conditions prevailing in each particular area. In considering these circumstances, the Local Government concerned should lay special stress on the number and scope of the Co-operative Credit Societies which exist in the area to be notified under Section I, Sub-section 3 of the proposed Act.

Clause 2 (1) line 6—My Committee does not consider it desirable that the Bill should include within its scope

any settlement of accounts not amounting to an agreement, between debtor and creditor, after the commencement of the Act in respect of loans made before. .

Clause 2 (1) line 4—My Committee is of opinion that loans of grain should be included within the scope of the Bill, otherwise attempts will be made to evade the law and the object of the law will be frustrated.

Clause 2 (1) line 25—My Committee does not think it desirable to give to the Courts the power to order any creditor to repay any sum which may have already been paid in final settlement of any previous transaction, when considering any subsequent agreement.

Clause (2) Sub-Clause (2) (a)—In interpreting the term “excessive” the Court should take into consideration not only the risk and the ordinary rate of interest prevailing in the locality but also the period of time for which the loan is taken and also other circumstances which may affect the demand for loans for the time being.

Clause (2) Sub-Clause 2 (a)—My Committee considers it absolutely essential that a proviso should be added here to the effect that a Court, in affording relief under 2 (1) should not ordinarily award a rate of interest less than simple interest at 12 per cent per annum ; but for sums below Rs. 100, minimum rate of Rs. 15 per cent may be fixed.

III

Juvenile Smoking Bill.

The following opinion has been submitted by the Hon. Assisant Secretary to the Indian Association to the Secretary to the Government of Bengal Legislative Department, Council Branch.

Sir,

In reply to your letter No. 1302.L., dated the 5th December 1917, asking for the opinion of my Committee on the bill for the prevention of smoking by juveniles, I am directed by that body to make the following observations thereon.

1. My Committee are convinced that the evil of smoking is growing among juveniles in this country, particularly in

the larger towns where tobacco in various forms can be readily obtained. They therefore accept the principle of the bill ; at the same time they suggest that heads of educational institutions may be directed to exercise stricter control over their students in this respect so that smoking may be entirely forbidden within the College or school precincts.

2. My committee are of opinion that no particular class or classes of people should be exempted from the provisions of the Bill except those referred to in clause 3 (1) thereof.

3. In the opinion of my Committee the age limit should be 18 years.

4. My committee are of opinion that clause 4 of the bill should be so modified as not to empower any one to seize cigarettes etc., in the possession of the juvenile smoker, but to empower only a teacher of an educational institution to enquire of the offender as to the person from whom he purchased the cigarette etc, and then to report the case to the Police who should initiate prosecutions. My Committee hold that in no case should the Police be authorised to deal with the juvenile smoker or the Magistrate punish him

5. My Committee think that hookah smoking is not possible in the public, at any rate to the same extent as cigar, cigarette, biri or pipe smoking and they are therefore of opinion that it should not come within the purview of the bill.

IV

Primary Education Bill.

The Secretary of the Indian Association has submitted the following opinion on the Bengal Primary Education Bill, 1917, to the Secretary to the Government of Bengal. Legislative Department.

Sir,

I am directed by the Indian Association to acknowledge receipt of your letter No. 81L. - 96L., dated 15th Jany, 1918 forwarding a copy of the Bengal Primary Education Bill introduced by the Hon'ble Mr. Surendra Nath Roy in the Bengal Legislative Council, and to submit the following opinion on its provisions.

2. My Association desire at the outset to express their whole-hearted sympathy with the objects and aims of the proposed Bill. They are definitely of opinion that having regard to the slow progress of primary education in the province so far, a resort to compulsion is indispensable, if any real step forward is to be taken towards a general diffusion of education amongst the people. There can be no doubt that under the existing system the progress of primary education has been very meagre. In 1911, it appears that out of a population in Bengal of 46,305,642 only 3,575,231 were literate, of whom 3,323,195 were males; in other words, in a population of 46,305,642 the number of illiterates was 42,730,411. The Quinquennial Review gives the following record of the progressive increase of pupils in primary schools from 1911 to 1917 :—

1911-12	1,073,849
1912-13	1,045,400
1913-14	1,027,684
1914-15	1,046,694
1915-16	1,124,109
1916-17	1,159,786

While, then, the increase in the number of scholars was from 1,073,849 in 1911-12 to 1,159,786 in 1916-17, the increase in the number of primary schools in the quinquennium was from 28,602 to 32,583. There can be no doubt, therefore, in the opinion of my Association, that the time has now arrived for having recourse to other methods than those hitherto employed with such poor results. My Association are, however, relieved of all anxiety on the principle of compulsion by the unequivocal pronouncement of His Excellency the Viceroy in the Imperial Legislative Council that the Government will offer no opposition to any legislation for compulsory primary education (*vide* his speech of the 6th February 1918).

3. The question of the extension of primary education is in the opinion of this Association, mainly an operation of finance. It will be useless to vest the Local Bodies with powers to enforce compulsory primary education within their areas without at the same time providing them with adequate financial resources. The Municipalities of Bengal, it is well known, suffer at the present moment from no abundance of financial resources, and if over and above the burdens which

they are now but inadequately able to cope with, they are called upon to undertake the additional financial responsibility which the present Bill seeks to impose upon them, my Association apprehend that the Bill will, to all intents and purposes, remain a dead letter. If, therefore, the great experiment which it is now proposed to inaugurate is not to be foredoomed to failure, it will not do in the opinion of my Association to throw the whole burden of financing the measure on the all too limited resources of the Local Bodies, but a fair proportion of the burden should be borne by the Local Government who have obviously a duty in the matter. There should, therefore, be a clear provision in the Bill about contribution by the Local Government towards the cost of compulsory primary education within given areas. The proportion of such contribution may fairly be fixed at two-thirds of the entire cost. That was the proportion advocated by that stalwart champion of free and compulsory primary education in the country, the late Mr. Gokhale. It is also the proportion in which the expenditure on elementary schools is divided between the State and Local Bodies in England. In Scotland the proportion of State contribution is even higher than in England, while in Ireland practically the whole cost of elementary education is borne by the State. It is notorious that the total expenditure on primary education which the Government of Bengal has hitherto undertaken is ridiculously meagre, much lower in fact than that of the Bombay and Madras Governments. The following figures will illustrate the niggardliness of the Bengal Government in the matter of primary education :—

	Bengal	
	1916-17.	
Male Population.	Total Expenditure.	Government Contribution.
23,365,225	Rs. 37,97,976	Rs. 1,89,739
	Bombay.	
	1916-17.	
Male population.	Total Expenditure.	Government Contribution.
10,252,255	Rs. 53,71,241	Rs. 30,74,325,
	Madras.	
	1916-17.	
Male Population.	Total Expenditure.	Government Contribution.
20,382,955	Rs. 58,87,538	Rs. 17,06,023

Calculated with reference to the total revenue of the province the contribution of the Bengal Government towards the cost of primary education works out at 43 per cent, or $\frac{3}{7}$ rd part only. Surely it was time for a progressive administration like that of Bengal to take the earliest possible steps to wipe out this reproach. In asking the Government to bear two-thirds of the cost of compulsory primary education in the province, my Association feel that they are not asking too much. Taking the figures from the official reports, we find that out of a total male population in Bengal of 3,504,784 of school-going age, the number of males actually in school is 1,067,782. So that the number of potential male scholars for whose education means will have now to be found under the proposed Bill is the difference between the above figures, namely, 2,387,339. The average cost of educating a single boy in a primary school being Rs. 3-5-7 according to the official estimate, it is clear that the additional expenditure which the training of the whole of the potential school-going male population will require will amount to Rs. 79,95,098-13-5, say Rs. 80 lacs. Of this 80 lacs the Government is asked to bear two-thirds only, namely, a sum of nearly 54 lacs. My Association venture to think that this does not represent a peculiarly onerous burden which it would be in any way inequitable to expect the Government to shoulder.

4. With regard to the Local Bodies, which the Bill seeks to give power to introduce compulsory primary education within their areas, my Association suggest that besides the Municipalities the provisions of the Bill should be made applicable to all other Local Bodies, including Union Committees which are already in existence, and Village Committees which will come into existence as a result of the Bengal Village Self-Government Bill being passed into law. My Association therefore suggest that clause I of the Bill should be amended accordingly.

5. My Association are of opinion that there should be a provision in the Bill whereby it should be obligatory upon Municipalities and other Local Bodies to spend every year a certain percentage of their respective income upon primary

education for boys and girls within their areas. It should also be provided that the amount which Local Bodies should spend on the education of girls must be twice the sum to be spent on boys, in view of the backwardness of the education of girls and also because the Local Bodies have so far done very little in the direction. My Association venture to think that a provision like this will help much in facilitating the progress of primary education in the province and will give an impetus to the education of girls.

6. My Association are of opinion that it would not be wise to dispense with the payment of fees altogether. They submit that the abolition of fees would mean the sacrifice of a necessary and useful income, namely, more than seventeen lacs of rupees, and it would be most difficult for the Local Bodies to find enough money to make good the loss of this income. They suggest therefore that the payment of fees should not be dispensed with but to prevent hardship on poor people, instruction should be gratuitous in the case of children whose parents are extremely poor, not earning more than Rs. 15 a month.

7. As regards the question of the compulsory period of attendance at school, my Association are of opinion that such period should be only four years, namely, that boys must be in school from their sixth year to tenth year,

8. Lastly, my Association suggest that a Board of Education, consisting of officials and non-officials, should be constituted to discharge all the functions which have been conferred on the Local Government by the Bill. The principal duty of the Board should be to direct and control primary education in the province and take active steps for its development. It will supervise the work of the Local Bodies in this connection and whenever any Local Body fails to make adequate provision for the purpose as suggested in paragraph 5 or to take other necessary action, the Board will have power to intervene and compel it to perform its duty.

V. HINDU LIMITED OWNERS' BILL.

From

The Secretary to the Indian Association.

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL
Legislative Department.

62, Bowbazar Street, Calcutta.

Dated, the 29th. July 1918.

SIR,

In reply to your Circular letter Nos. 841-58J dated the 28th Febr. 1918 I am directed by the Committee of the Indian Association to submit the following observations on the Hindu Limited Owners' Bill introduced by the Hon'ble Mr. Ramchandra Rao in the Madras Legislative Council.

1. Transfer by limited owners with leave of Court is a sound policy in as much as it is calculated (1) to give adequate protection to the transferee, (2) to realize adequate value, (3) to prevent future litigation at the instance of the reversioners and (4) to assist the limited owner in speedily administering the estate.

2. Should the leave of the court be optional or compulsory? There are serious objections to compulsion in as much as it interferes with lawful exercise of ownership. On the other hand, limited owners are mostly women without experience and the substitution of the Court's Judgment for their own is calculated to their benefit. Inexperienced women are often victimized by unscrupulous persons. A bonafide transferee would in case of option insist upon leave of Court; but a malafide transferee seeking to acquire property at an undervalue would avoid scrutiny by the Court. The option therefore is likely to be invariably exercised in proper cases and non-exercise of the option would be suspicious. The balance seems to weigh in favour of compulsion. But my committee think that there should be no compulsion in the case of properties of small value, say Rs 500/-. It may be provided that no leave should be necessary

when the reversioners join in the transfer, for then the presumption would be that the transaction is proper.

3. The next question requiring careful consideration is whether the courts' leave should be limited to cases of legal necessity or should extend over cases of benefits to the estate? It seems that the courts' power should on no account be extended beyond cases of strict legal necessity. Extension to cases of benefit to the estate, would in the first place be a most unwarrantable interference with ownership and secondly would open the door wide to speculation. It is difficult to draw the line between development and speculation with regard to the management and improvement of an estate. If it is provided that the limited owner and reversioners can jointly make a valid transfer in any case there would be no need to come to court for leave to sanction a transfer for the benefit of the estate. Legislation should not go beyond substitution of the courts' judgment for the limited owner's judgment in cases of legal necessity.

4. The third question which calls for consideration is who should have the right to apply. The estate belongs not merely to the limited owner, but to the reversioners as well, although for the time being the limited owner represents the estate. If a transfer be necessary, it may be necessary for the benefit of the estate. Take a concrete case. An estate is under a load of debt carrying high interest. It may be to the interest of the creditor not to call for the debt or even the interest, e. g. when the margin is ample, and he will wait for a long time, with a view to swallow up the estate. The limited owner, not having to pay the interest, enjoys a large present income to the detriment of the reversioners. In such a case, the reversioners should be given liberty to apply. The safeguard against unnecessary or harassing applications would be the risk of dismissal and liability for costs. Therefore it seems the right to apply should be in the limited owner as well as the reversioners. It should be remembered that such a right, given to the reversioner, involves the enforcement of the right by compulsory transfer, in the event of the limited owner not making the transfer. That is an interference with the ownership of the limited owner and is tantamount

to transfer of administration by the limited owner to administration by court. This is a serious objection. In further support of the objection, it may be stated that the act of the limited owner in allowing interest to grow may amount to waste, giving the reversioners occasion to institute a suit for restraining waste. Under these circumstances the right should ordinarily vest in the limited owner, but the reversioner may also be permitted to apply if there is a debt binding on the estate and if the interest remains unpaid for a period of over 2 years and if he is prepared to swear to the fact that the income of the estate was such that 2 years' interest should not have been allowed to accumulate.

5. My committee are of opinion that the Bill should enable the validation, by the Court, of a private transfer within one year after the transaction, in which case the purchaser or the mortgagee also should have the right to apply to the Court for such validation of the transaction.

6. The proposed legislation is essentially for the Imperial Council and should have operation for the whole of Hindu India.

7. The Court and its jurisdiction should be on the lines of the provisions contained in Section 90 of the Probate and Administration Act.

—o—

VI. RULES OF ELECTION.

From

The Secretary to the Indian Association

To

The Chief Secretary to the Government of Bengal.

Dated 62, Bowbazar Street, Calcutta.

The 31st. July 1918.

Sir,

I am directed by the Committee of the Indian Association to acknowledge receipt of your circular letters Nos. 1583-1687 A dated the 8th. March 1918 asking for the opinion of the Indian Association about certain changes in the rules of election of members of the Imperial and Provincial Legislative Councils and in reply to say that my Committee are of opinion that in view of the impending

changes proposed by the Reform Scheme of the Rt. Hon'ble the Secretary of State and H. E. the Viceroy, it would not be desirable to proceed with the consideration of the rules for the present. My Committee think that when the proposed reforms come into operation, it will be necessary to examine all the rules of election anew. The consideration of these changes should therefore be postponed for the present.

—o—

VII. CALCUTTA HACKNEY CARRIAGE BILL.

From

The Secretary, Indian Association.

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL,
Legislative Department.

*Dated 62, Bowbazar Street, Calcutta
The 22nd July 1918.*

Sir,

I am directed by the Committee of the Indian Association to acknowledge receipt of your circular letter Nos. 362 L - 379 L dated the 28th. February, 1918, regarding the Calcutta Hackney Carriage Bill and to submit the following observations thereon.

1. My Committee generally approve of the provisions of the Bill, but they strongly and emphatically disapprove of the suggested transfer of the Hackney Carriage department from the Corporation to the Commissioner of Police.

2. In Cl. 14 (3), a fine of five rupees seems to be insufficient, in as much as if the offence continues, the owner may earn very much more than that amount and he will not care for such a small fine. The words "for every day during which he shall so use the same" in Section 12 (2) of the Act should therefore be restored.

3. In Cl. 17 (2), the person authorised by the Corporation should be required to wear a badge as under the existing law.

4. In Cl. 17 (4) it is not clear who is to sell the carriage. This is a defect of the existing law which should be provided for in the Bill by making it clear that no officer below the rank of an Inspector of Police will have such power.

5. In Cl. 17 (5) the period of twenty days should be extended to three months.

6. Clause 18 of the Bill should require the Registering Officer to provide a plate with legible writing and Clause 22 of the Bill should be so altered as to require only a warning or a notice to be given to the person using a plate with indistinct or obliterated writing, to take out a fresh plate. Clause 21 Para 2 should be omitted as it is not just that a person in possession of a lost plate should be punished and the ordinary criminal law is competent to punish a person in possession of a stolen one.

7. In Cl. 33 (2) (c) the age limit should be raised to 20 years.

8. In Cl. 34, the license should be required to contain a description of carriage and horse the driver is licensed to drive. This is the existing law and there is no reason why it should be altered as it is not clear from clause 71 that such description would be provided for by the bye laws.

9. In clause 52, there seems to be an omission of the words "or horse" after the word "hackney carriage" twice and the words "owner and" before the word "driver," as the reference is to clauses 13 and 31 which deal respectively with hackney carriages and horses. Without these words the clause could refer only to clause 13.

10. In Cl. 66 the words "as prescribed under the bye-laws framed under cl. 71" or words to that effect should be added at the end.

11. In Cl. 50 and Cl. 51 (b) the Magistrate is empowered to punish a driver, attendant or person in charge of a registered hackney-carriage for refusing a hire or for demanding or taking more than the proper fare. Most hirers decline the trouble of going to a court of law for these offences, and my committee think that the Registering officer should be empowered to deal with such cases upon complaint by suspending the license of such offender for a short period.

12. In Cl. 55 provision should be made for awarding compensation to the owner. This is the existing law.

13. In Cl. 70, the maximum distance to which a rickshaw may be driven should be fixed at 3 miles and not 5 miles as for palanquins.

14. Cl. 71 (I) should make it clear that the Corporation may from time to time repeal, add to or alter the bye-laws.

15. In Cl. 71 (I) (f) and (h) the maximum fees payable for registration and quantity of luggage carried by hackney-carriages should be prescribed by law as at present.

—0—

VIII. VILLAGE SELF-GOVERNMENT BILL.

From

The Secretary to the Indian Association
62, Bowbazar Street, Calcutta.

To

The Secretary to the Government of Bengal,
Legislative Department.

Dated, the 20th September 1918.

Sir

I am directed by the Committee of the Indian Association to acknowledge receipt of your Circular letter No. 769-808L dated the 25th April 1918, inviting the opinion of the Indian Association on the Village Self-Government Bill and in reply to submit the following observations thereon :

1. My Committee is of opinion that the Village Committees and Circle Boards should be links in the chain of local self-government and therefore subordinate to the District Boards in their civic capacities. The Local Government Board should be the central administrative authority in the system of local self-government and exercise supervision and control over the local bodies as laid down in the recent circular of the Government of India. The Bill should therefore be modified in accordance with this view.

2. In Cls. 4(3), (4), (5), 6(2), 15(1), 17(2), the words "District Magistrate" should be replaced by the words "Chairman of the District Board."

3. In Cl. 5(1) (i) the words "a sum of not less than one rupee as," in Cl. 5(1)(ii) the words "a sum of not less than one rupee" and the words "as Chaukidari-tax" and in Cl. 5(1)(iii) the words "a sum of not less than one rupee" should be replaced by the words "any cess", "any sum" "has paid a Chaukidari tax" and "any sum" respectively.

4. In Cl. 5(1) (iii), the word "or" should be added at the end and the following sub-clause added thereafter:-(iv) "who has passed the Middle Vernacular Examination."

5. In Cl. 8 (1) (a) and (b) the words "three" and "twelve" should be substituted for the words "five" and "ten" respectively.

6. In Cl. 9(1) the words "either by name or by virtue of office" and the words "or the Circle Board may * * * * appoint a chairman" should be omitted.

7. In Cl. 9(2) the words "from among the members of such Board" should be added at the end.

8. Cl. 18(3) should be omitted.

9. In Cl. 23(1) the words "the District Magistrate after consideration of the views of" should be omitted.

10. Cl. 24(1) should be amended as follows :—

"The Village Committee shall appoint such person as it thinks fit to be a Dafadar or a Chawkidar under this Act when a vacancy exists.

Provided that if the Village Committee fails within a reasonable time to appoint a person to be a Dafadar or a Chawkidar, when a vacancy exists, the District Magistrate shall appoint any person whom he thinks fit to be a Dafadar or a Chawkidar".

11. Cl. 24(2) should be amended as follows :—

"The Village-Committee may dismiss any Dafadar or Chawkidar".

12. In Cl. 25 the words "in the opinion of the District Magistrate" and the words "by the District Magistrate" should be omitted.

13. In Cl. 28 the word "Board" should be substituted for the word "Magistrate".

14. In Cl. 29 (1) (a) the words "after payment of compensation to the owner or owners thereof" should be added at the end.

15 In chapters IV and V the provisions for the finances of the Village Committees and Circle Boards are, in the opinion of my Committee, very inadequate. The finances of the former should be

(i) Assignment of a portion of the cesses levied within the areas under their jurisdiction.

(ii) Receipts from cattle pounds, ferries, and reserved tanks.

(iii) Local rates.

(iv) Special grants from Government and the District Boards.

The finances of the Circle Boards should be

(i) Assignment of a portion of the cesses levied within the areas under their jurisdiction.

(ii) Grants from Government and the District Boards.

(iii) Receipts from works undertaken by them.

16. In Cl. 59 the words " District Magistrate " and " Commissioner " should be replaced by ' District Board " and " Local Government Board " respectively.

17. In Cl. 63 the words " The District Magistrate or " should be omitted.

18. In Cl. 64 (1) the words " District Magistrate " should be replaced by " Chairman District Board," and in Cl. 64 (2), the word " Magistrate " should be replaced by " Chairman."

19. In Cl. 65 the words " the District Magistrate or " in the first line should be omitted; the words " District Magistrate " in line 3 should be replaced by " Chairman, District Board ", in line 4, the word " Magistrate " should be replaced by " Chairman ", and the word " Commissioner " in lines 5 and 9 should be replaced by the Local Government Board."

20. In Cl. 77 (1) the words " stating reasons " should be added at the end.

21. In Cl. 81 (2) the words " or untrue " should be added after the words " or frivolous."

22. In Cl. 84 the following should be sub-clause (1) and the other- subclauses renumbered :

"(1) Which relates to immoveable property."

23. In Cl. 85, the fig. "(1)," the words " other than a suit relating to immoveable property," " or any of " and sub-clause (2) should be omitted.

24. In Cl. 103 (1) (b) the words "excepting Chapter XXXIII" should be omitted.

25. The following sub-clause (5) should be added at the end of Cl. 104

"(5) In no case shall the Bench or Court exercise its judicial functions unless at least three of its members are present,"

26. In Cl. 111 (2) (q) the words "and prescribing the method of forming a quorum" should be omitted.

27. In Schedule II, para 3 the words "or of a Chairman, or Vice-Chairman of a Circle Board" should be omitted as they seem to have been inadvertently put in, the Commissioner and not the District Magistrate having the power of appointing such Chairman or Vice-Chairman under Cl. 17 (2).

28. In Schedule II paras 4, 5 and 6 should be omitted.

29. In Schedule IV Part A para 4, figures "430" and "509" should be inserted between the figures "426" and "447" and after the figure "504" respectively. The word "and" before the figure "501" should be transferred to after it. The words "sections 379 and 411" should be "section 379."

30. In Schedule IV Part B the figures "430" and "509" should be omitted and the word "and" after the figure "506" should be transferred to before it.

IX. Criminal Procedure Code Amendment Bill.

From

THE HONY. SECRETARY,
INDIAN ASSOCIATION.

To

The Secretary to the Government of Bengal,
Judicial Department.
Calcutta, the 25th June, 1918.

Sir,

I beg to acknowledge your letter No. 204 J. D., dated Darjeeling the 27th May, 1918, enclosing copy of letter No. 260 dated Simla the 8th May, 1918, from the Offg.

Deputy Secretary to the Government of India, Home Department, and I desire to make the following observations in reply thereto.

My Committee generally approve of the principle of the English Criminal Evidence Act of 1898 which is receiving the consideration of the Government of India with a view to its incorporation in the Indian Code of Criminal Procedure. My Committee are, however, of opinion that it would be premature to introduce the provisions of the English Act into India having regard to the peculiar circumstances attending the administration of Criminal Law in India.

My Committee strongly object to the repeal of Sec. 342 of the Code of Criminal Procedure having regard to the fact that the English Criminal Evidence Act of 1898 expressly saves a similar provision in 11 & 12 Vic. C. 42 Sec. 18.

Upon a consideration of all the circumstances—such as the general ignorance of the Indian people, the utter helplessness in most cases of accused persons while under the influence or in the custody of the Police, the well-known practice prevailing amongst the Police in this country of obtaining confessions, admissions and statements to the serious prejudice of accused persons by threats or inducement in preference to laborious investigations in the cases, the constant desire on their part to find a short cut to conviction, the difficulty of poor people in obtaining proper legal advice notably at the early stages of the case, the pronounced tendency amongst Magistrates deficient in legal training to identify themselves with the prosecution and their leanings towards conviction, my Committee are inclined to think that the suggested innovation will lend itself more often to abuse than otherwise. It may be that the more intelligent and clever amongst accused persons would, with the help of the proposed measure, succeed in clearing themselves by being examined as witnesses ; but with regard to the average run of accused persons such a result cannot be looked for with confidence in a country where, contrary to the well known principle of English jurisprudence, Magistrates wanting in experience in the practice of law practically start with a presumption against the innocence of the accused. Speaking generally, unless and until the present Police method of investigation is

thoroughly reformed, and there is a complete separation of judicial and executive functions in the magistracy, the suggested amendment of the Criminal Procedure Code will in effect afford further facilities to the Police for extorting or inducing confessions from under trial prisoners, or otherwise getting the unwary accused enmeshed in the charge with the help of a provision of the law intended primarily for his benefit. If again, an accused giving evidence on his behalf be held liable to prosecution for perjury, as any other witness is, it will furnish the Police with an additional instrument of harassment.

My Committee further think that so long as the judiciary is not wholly recruited from the ranks of the legal profession, the administration of justice in India can bear no analogy to that in England in many important particulars. And care should be taken to see that the lower judiciary in India is not armed with powers which have to be exercised with a discernment and caution that can only be acquired from experience at the Bar. Reference may in this connexion be made to the following observation made in an Editorial note in the Law Quarterly Review of 1899, upon the English Criminal Evidence Act of 1898 :—

“That the admission of an accused person’s evidence has a tendency to make the attitude of a judge less favourable than it has hitherto been towards a prisoner is, we take it, true, and is a valid argument, as far as it goes, against allowing a person charged with crime to be a witness. The conclusion which sensible observers would probably draw is that the possible tendency of the recent Act to turn a judge into a prosecutor or a cross-examiner must be carefully checked, and that the result of the Act for good or bad depends entirely upon the way in which it is worked by the courts.”

My committee desire to draw your prominent attention to the last portion of the above remarks. If the question is attended with so much uncertainty in England, how much more risky it must be to introduce the system in India in the present circumstances.

With reference to the opinion of the Government of Bombay that the protection afforded to the accused persons in India by “ a very complete appellate system ” against any thoughtless answers that they have given, my Committee regret to observe that a distinct tendency is noticeable in the

courts of criminal appeal and revision towards an attitude of general non-interference with the decision of the lower courts. The protection referred to by the Government of Bombay therefore does not seem to be adequate.

As for the alternative suggestion of confining the operation of the suggested amendment to Courts of Sessions and other selected courts, my Committee cannot approve of any such distinction in the matter of privileges accorded to accused persons in India.

I have the honour to be,
SIR,
Your most obedient servant,
S. N. BANERJEA,
Honorary Secretary.

X. CONSTITUTIONAL REFORMS.

Dated Calcutta, the 14th September 1918.

From—Secretary to the Indian Association.

To—The Chief Secretary to the Government of Bengal.

I beg to acknowledge receipt of your Circular letter No. 954—1009 A.D, dated the 27th July inviting opinion of the Indian Association on the Scheme of Constitutional Reforms.

I am directed by the Committee of the Indian Association to say that the Reform proposals as formulated by the Right Hon'ble the Secretary of State and His Excellency the Viceroy are a distinct advance on the existing order of things and represent an earnest endeavour towards the progressive realisation of responsible Government in India within the limits of the policy declared on the 20th August 1917 by the Secretary of State for India in the British House of Commons.

My Committee, however, thinks that the scheme requires important modifications in detail to ensure its successful working and to render it more acceptable to the people.

With this end in view my Committee begs to offer the following suggestions which it hopes will be embodied in the scheme.

1. The pay and status of the ministers in the Provincial Governments should be the same as that of the members of the Executive Council.

2. The ministers should always be Indians possessing the confidence of the Legislative Council.

3. There should be no additional official members on the Executive Government as provided for in paragraph 220 of the Report.

4. In the advanced provinces Law, Justice and Police (excepting rural and Municipal Police) should be the reserved subjects for the present and all other subjects should be transferred to popular control.

5. The Indian Member of the Executive Council should be placed in charge of the department of Police.

6. The proportion of elected members in the Legislative Councils should be 4-5th. of the total strength of such Councils, at least in the advanced provinces.

7. The Vice-President should be elected by the Legislative Council.

8. Provision should be made for allowing a motion for adjournment of the Provincial Legislative Council to be brought forward for discussion of a definite matter of urgent public importance if such motion be supported by one-fifth of the members present.

9. The interval between one session of the Legislative Council and another should not be more than three months.

10. From the very beginning of the Reformed Legislative Councils there should be no bar against the moving of a vote of censure on the minister or ministers by any member of the Legislative Council provided that such vote shall be deemed to be of no effect unless it is carried by a majority of two thirds of the members present at the meeting, provided also that when such a vote is not carried as above, no such vote shall again be moved on the same minister or ministers within a period of six months.

11. The Provincial Budget should be framed by the Executive Government as a whole, all allotments whether on reserved or transferred subjects being decided by a

majority of votes of the members of the Executive Government. The contribution to the Government of India shall be the first charge on provincial revenues but there shall be no priority to the supply for the reserved subjects. The proposal for new taxation, if any, should be decided by the Executive Government as a whole for both transferred and the reserved subjects. The Governor shall not have power to certify any allotment on a reserved subject which is in excess of what was provided in the previous year's Budget on that particular head, if two thirds of the members of the Legislative Council vote against it.

12. The principle of nomination should not be adopted for the representation of minorities or the representation of any particular class or community in the Legislative bodies. The system of proportional representation by means of single transferable vote or the provisions for reserving to a particular community a certain number of seats in plural constituencies with a general electoral roll should be introduced for the purpose.

13. The provision in the Congress-League Scheme for the representation of Muhomedans should be given effect to and the system of communal electorates should not be further extended to any other community.

14. There should be a complete separation between the Executive and Judicial functions of officers and the Judiciary should be placed under the Highest Court of the province.

15. The first commission should be directed to recommend the establishment of full responsible Government except in provinces where a strong case is made out to the contrary.

16. The principle of responsibility should be introduced in the Government of India similar to what is proposed for the Provincial Governments simultaneously with its introduction in the Provinces.

17. Half the members of the Executive Government of India should be Indians.

18. Subject to any agreement which may be arrived at in the Post War Conference in regard to the fiscal relations of the Empire and the rest of the world the Government of India should have full power to determine all Indian tariffs independently of the Secretary of State for India and this matter should be treated as a transferred subject.

19 The Budget of the Government of India should be framed by the Executive Government in consultation with a committee of the Legislative Assembly.

20 The India Council should be abolished

21 The cost of the India Office should be borne on the British Estimates.

22 One of the Permanent Under-Secretaries of the India Office should be an Indian

23 The annual recruitment of Indians to the Indian Civil Service should be 50% of the appointments made every year until the position is reviewed by the Periodic Commission.

24 The pay, pension and other emoluments of the higher public Services in India should not be further increased

25 Provision should be made for the adequate representation of Indians in the Periodic Commissions of Enquiry.

XI. Mr. Sarma's Income Tax Amendment.

From

The Secretary to the Indian Association,
62, Bow Bazar Street, Calcutta.

To

The Under-Secretary to the Government of Bengal,
Finance Department,
Separate Revenue.

Dated Calcutta, the 7th September, 1918.

Sir

I am directed by the Committee of the Indian Association to acknowledge receipt of your letter No. 1769 S. R. dated the 2nd. July 1918 and in reply to say that my Committee are in favour of the incorporation of the Hon'ble Rao Bahadur B. N. Sarma's amendment in the Income Tax Act substituting separate assessments on individual shares of the members of a Hindu undivided family in the joint family income for assessment on the income of the undivided family as a whole. My Committee fully endorse the reasons

given by Mr. Sarma in favour of his proposed amendment and are of opinion that it would not be difficult at any time to ascertain the shares of the individual members of a joint Hindu family whether of the Dayabhadg or of the Mitakshara School.

XII. Bengal Tenancy Act-Amendment Bill.

From

The Secretary to the Indian Association,
62, Bowbazar Street, Calcutta.

To

The Secretary to the Government of Bengal,
Legislative Department, Calcutta.
Dated Calcutta, the 7th September, 1918.

Sir,

In reply to your letter No. 918 L dated the 6th. May 1918, inviting the opinion of my Association on the Bengal Tenancy (Amendment No. 2) Bill, 1918, I am to say that my Committee approve of the Bill as it will bring the law into consonance with the intention of the framers of the Cess Act, 1880

XIII. Police Service.

From,

The Secretary to the Indian Association
62, Bow Bazar Street, Calcutta.

To

The Chief Secretary to the Government of Bengal,
Appointment Department.
Dated Calcutta, 5th December 1918

Sir,

I am directed by the Committee of the Indian Association to acknowledge receipt of your letter No. 2703-16 A D. dated the 2nd November, inviting the opinion of the Association on the Government Resolution regarding the Police Service (No. 5825A). In reply, I am directed by my Committee to observe as follows ;

1. My Committee considers that the recommendations of the Public services Commission regarding the organization and recruitment of the Police Service fall far short of the times. The findings of the Police Commission of 1902-03 are also out of date. My Committee is strongly of opinion that there is no ground for retaining the division of the Service into the Imperial and Provincial branches. The Indians have proved, more specially in recent times in coping with the anarchical movement, their high efficiency and strong sense of duty under imminent personal risk and deserve the honour of being placed on a footing of equality with their English confreres. My Committee agrees that any division between the two branches of the service if considered necessary should be made on the basis of the work to be done and not on a racial distinction as at present.

2. My Committee cordially approves of the proposal of the Government in paras 3 and 4 of the Resolution that the competitive examination for the recruitment of the members of the Imperial branch of the Police Service should be thrown open to Europeans of pure and mixed descent and Indians on a footing of absolute equality and that the condition of five years' previous education in the United Kingdom as recommended by the Public Services Commission should not be insisted upon.

3. But my Committee is unable to accept the proposed age limit of 19 to 21 years as that would most seriously affect the number of Indian candidates at the examination. In order to appear at an examination in England at the age of 19 an Indian candidate should have to go to England at least at the age of 17 or even earlier. My Committee therefore, suggests that the age limit should be the same as that for the Indian Civil Service Examination, viz: 22 to 24 years.

4. My Committee goes further and suggests the holding of simultaneous examinations both in England and India for the recruitment to the Imperial branch of the Police Service. This opinion of my Committee is strengthened by the recommendation of the Right Honourable the Secretary of State and H. E. the Viceroy contained in para 316 of their report on constitutional reforms that in the case of all public services for which there is recruitment in England open to Europeans and Indians alike, a definite percentage

of recruitment should be made in India. The principle has been in part accepted even by the Public Services Commission in as much as that body has recommended the recruitment for a certain number of appointments in the Indian Civil Service by open competition in India. My Committee is emphatically of the opinion that there are no valid objections to the holding of simultaneous examinations in England and in India for the recruitment of the Indian Civil Service, nor of the Police Service.

5. My Committee is in favour of a proportion of the Superintendships being filled by promotion of the deserving members of the lower service, but it notes with regret that no definite figure has been laid down in para 6 of the Resolution for this purpose. My Committee thinks that the present figure of 5% is too low and that the suggestion of the Public Services Commission that it should be raised at once to 10% and ultimately to 20% should be given effect to.

6. My Committee emphatically protests against the proposals contained in paras 8, 9 and 10 of the Resolution regarding an increment in the pay and emoluments of the higher officers of the Police Service. In the last few years, the expenditure on the Police Service in Bengal has gone up by leaps and bounds and it absorbs now nearly a fourth of the total expenditure of the Government of Bengal. Moreover this expenditure compares most unfavourably with the expenditure on such subjects as education and sanitation which are of vital importance to the people of the Province. It may also be pointed out that the pay and emoluments of the higher offices in the Police Service are, comparatively considerably better than those that obtain in most civilized countries. Under the circumstances my committee hopes that the proposals referred to will be dropped or at any rate, postponed till the Reform Scheme comes into operation.

7. As regards the point discussed in para 11 of the resolution my Committee is of the opinion that all officers of the Imperial Police Service wherever recruited should have the same status, pay and prospects irrespective of race or the place of recruitment. It should further be laid down that the total recruitment of Indians to the posts of the higher police Service should not be less than 50% every year.

8. It is an anomaly that the Assistant Superintendents and the Deputy Superintendents have not the same departmental status and position though they perform the same kind of work. This should be done away with.

9. In conclusion my Committee begs to suggest that the re-organization of the police as of the other public Services should be made in the spirit of the constitutional reforms laid down in the report of the Secretary of State and the Viceroy and a disregard of the new condition of things will only lead to public disappointment.

XIV. Provincial Judicial Service.

From

The Secretary, Indian Association,
62, Bowbazar Street, Calcutta.

To

The Chief Secretary to the Government of Bengal.
Dated, the 23rd. December, 1918.

Sir,

I am directed by the Committee of the Indian Association to acknowledge receipt of your letter No. 6280-89 A dated the 21st. November 1918 asking for the opinion of the Association on the Resolution of the Government on the Provincial Judicial Service, and in reply I am directed by my Committee to observe as follows :—

1. My Committee considers that the question of improving the pay and prospects of the Provincial Judicial Service has been long overdue and should no longer be deferred.

2. My Committee emphatically protests against the view that members of the Provincial Judicial Service fill only positions of minor responsibility. My Committee desires to point out that the Subordinate Judges in the Mofussil exercise unlimited jurisdiction in original civil suits, in this respect their functions being identical with those of the

Judges of the High Court in the Original Side. They also exercise appellate jurisdiction over the Munsiffs, the District Judge generally reserving himself for criminal work and general supervision. The work of the Munsiffs is also not less important and responsible though they deal with cases of smaller pecuniary value. The claims of the Provincial Judicial Service are deserving of careful and sympathetic consideration at the hands of the Government.

3. My Committee approves of the present method of recruitment with modifications suggested by the Public Services Commission. The age limit, in the opinion of my Committee, should be raised to 28 and 30 years ; the lower limits of 27 and 29 were fixed at a time when there was no age limit for the University Matriculation Examination and the B. L. Degree Examination required a two years course. The University has fixed 16 years as the earliest age for Matriculation and the B. L. Course has been spread over three years. Another reason for increasing the age limit is that the candidate should have opportunity of practice at the bar for some time after he gets the B. L. degree. Some practical experience at the law courts is desirable in the interests of the service and though my committee does not desire to make it obligatory on a candidate it should, at any rate, be taken into consideration at the time of selection. Under the circumstances my Committee approves of the clauses (1), (2), (3), (a) and (b) of para 3 of the resolution under review. My Committee is however of the opinion that the recommendations for the nomination of Munsiffs now being exercised by the Judge of the English Department of the High Court (vide Rules of the High Court, Appellate Side, Chap. 1, Cl. VII (b) should be exercised by the English Committee of the said Court as in the case of Subordinate Judges (Ibid, Chap. 1, Cl. III (b)).

4. My Committee is strongly of opinion that in making appointments to the provincial Judicial Service merit and merit alone of the candidates should be the one consideration. The claims of various communities and interests and of heredity are quite out of place in a matter which concerned the administration of civil justice in the country.

5. My Committee approves of the recommendations of the Public Services Commission relating to the probation and training of Judicial Officers as contained in para 4 clauses

(1) to (4) of the Resolution. My Committee disapproves of the proposal of the Government to reduce the initial pay from Rs. 200 to Rs. 175 as this will not attract the best class of men.

6. My committee thinks that the pay of the Munsiff on confirmation should be Rs. 300 a month and there should be a time scale of Rs. 300-4⁰-500 a month as recommended by the Public Services Commission. My Committee thinks that there is no necessity for changing the present scale of pay and cadre of the Subordinate Judges viz Rs. 600, Rs. 800 and Rs. 1,000 and that the posts of and above the pay of Rs. 500 a month should not be considered as selection posts. The comparison between the scales of pay of the members of the Provincial Judicial and Executive Services from the age of 27 to 41 will yield a different result if the ages of 30, 33, 36 and 39 at which the Deputy Magistrates will get their promotions are taken into account. The difference will be nominal. In view also of the arduous nature of their work and the disadvantage of living in out of the way places, an initial pay of Rs. 300 will be quite fair and reasonable.

7. In the opinion of my Committee one-fourth of the full cadre of District Judgeships in Bengal should be filled by members of the bar and another one-fourth by promoting selected officers from the Provincial Judicial Service irrespective of their pay and position in the Service. Those officers when they are appointed as Assistant District and Sessions Judges or District and Sessions Judges should enjoy the same pay and prospects as the members of the Indian Civil Service filling the other half of the entire cadre of District Judgeships in Bengal.

8. My Committee considers that members of the Judicial Service may be allowed one month's privilege leave on full pay with liberty to combine it with the vacation.

9. My Committee approves of the recommendation of the Public Services Commission that members of the Judicial Service should be allowed to reckon as service qualifying for superannuation pension, the number of completed years by which their age at the time of appointment exceeded 25 years (para 7 of the Government Resolution.)

XV. Food Adulteration Bill.

From

The Secretary, Indian Association,
62, Bow Bazar Street, Calcutta.

To

The Secretary to the Government of Bengal,
Legislative Department.

Dated, the 23rd. December, 1918

Sir,

In reply to your letter No. 1313 L dated the 23rd. September 1918 asking for the opinion of the Indian Association on the Bengal Prevention of food Adulteration Bill 1918, I am directed by the Committee to submit the following opinion thereon:

1. My Committee welcomes the bill in the interests of public health and gives a general support to its provisions.

2. My Committee thinks that Cl. 5(1) should be modified so as to read as follows:

“ No person shall sell to a purchaser any article of food which is adulterated ; and no person shall manufacture for sale any article of food by the process of adulteration within the meaning of this Act”

3. My Committee thinks that in the proviso of the same clause (5), sub-clauses (c) and (d) should be omitted. If these clauses are retained it would be difficult to fix responsibility on any one and prosecutions would be rendered nugatory. On the same lines, Cl. 6(3) and Cl. 7 should also be amended.

4. My Committee suggests that in clause i. of subsection I of section 6, the words “or to which the milk of any other animal” should be inserted after the words “or other substance.”

5. My Committee thinks that the bill does not clearly indicate that any purchaser may start a prosecution although the intention seems to be so. This point should be made clear in the bill and a member of the public other than a person authorized by Government in this behalf should be at liberty to start a prosecution if he so prefers and in his case no sanction from a local authority should be necessary as laid down in Cl. 16 of the bill. Provision should also be made as in Cl. 18 (1) for a time limit after the granting of a certificate referred to in Cl. 15(1) within which the sanction to prosecute in Cl. 19 may be granted.

6. Finally my Committee considers that the punishment of fine alone will not be sufficiently deterrent to unscrupulous men who make huge profits by adulteration of food stuffs. My Committee thinks that the alternative of imprisonment should be provided for the second or at least the third offence.

Appendix D.

ROWLATT COMMITTEE.

MEMORANDUM OF EVIDENCE

OF

Mr. J. N. ROY.

There is more revolutionary feeling in the country than revolutionary conspiracies, or any one great Revolutionary Movement.

These conspiracies are local and provincial rather than inter-provincial. In other words, while there may be cases where a Bengalee has strayed into a Panjab conspiracy, or a Maharatta in a Bengalee conspiracy there is, I believe no all-India organisation. The use of picric acid bomb, or the finding of the same formula, or the adoption of more or less of same methods do not prove it, any more than the finding of the *Jugantar* or *Mukti Kon Pathe* or *Bartaman Rana niti* proved, though it was attempted so to prove, the conspiracies in Bengal to have been one or related. Consider the Alipur Bomb case, the Howrah Gang case, or the Dacca conspiracy case.

The truth seems to be that they are so many isolated conspiracies without any cooperation, or connection between them.

The nature of these conspiracies seems to have undergone a change, and the class of men engaged now in them seems also to be different. From the Alipur Bomb case, or earlier, say from the days of *Jugantar* prosecutions, to the Howrah Gang case, or the Dacca conspiracy case the last two being simultaneous we still meet the same type of men as Barin Ghosh and his associates. The avowed aim of those was Independence.

They were a band of men, fearing nothing. They had a philosophy, they had a faith, they had a message. There was a severe novitiate prescribed an all who came to join them. They enjoined austerity, and practised it. Last such man, I believe, was Jotindra nath Mukerjee. I do not think it is

quite the same now. What was somewhat reluctantly adopted as a means by Barin and his associates appears to have been transformed into an end. I mean, the Dacoities, Terrorism (which Barin almost regretted) rather than Independence, seems to be the thing. There is not the gleam of any large thought behind.

I should like to know something more of the difficulties that have arisen in dealing with such conspiracies.

I have heard it said that the standard of evidence required in our courts is such that trials are more or less useless. I have also heard it said that men are not willing to come forward to give evidence for fear of the revolutionaries. I have further heard it said that proper investigation has become well nigh impossible as the investigating police is frequently tracked down to death.

If these are some of the difficulties I do not see how fresh legislation will help. In the first place, the rules of Evidence here are the same as in England. Any lowering of the standard is to be condemned. It is worth remembering that in England, it is the English Judges who have averted more than one revolution. Next, while there has been one or two signal acquittals, notably the Howrah Gang case, most cases have ended in conviction, and the sentences one would think, have been severe.

I have been associated with the defence of most of these cases, certainly with all the important ones. I do not recollect that crown has suffered for want of witnesses; only in several instances they have not been believed; and that alike in the days of jury trials (and that was not for long), and in the days of the special Tribunals. Since the days of Noren Gossain, the approvers have been guarded, and the approvers themselves have not failed to make the most of their position. As regards ordinary witnesses, I have heard suggestions made of threats against them, but I can not recall more than one or two instances where the courts have found that to be the fact.

It is unfortunately true that some of the Indian police officers have been assassinated, whilst the lives of some others have been attempted. In the early days these men used to be socially boycotted, now they are killed. Bitterness is increasing. It is possible that there is a reluctance on the part of police officers to engage in investigation of revolutionary crimes. But it can not be said that investigation in

general has suffered in consequence. In any event, I do not see how legislation will help.

Legislation continuing the operation of the Defence of India Act after the war is sometimes suggested. It has been claimed in high places that the application of the provisions of that Act has greatly diminished revolutionary crimes, if great many revolutionary societies have not also been broken up at the same time. I think it is rather an optimistic claim. It should not be forgotten that these crimes have always been somewhat fitful and occasional. As to the break up of revolutionary societies, I think that not to be the case : rather is it a case of suspended animation. Meantime the internments are adding to the volume of revolutionary feeling, and the consequences might be serious.

Remedy does not lie in adding to or altering the Criminal Law, or the Law of Evidence, or the Procedure, nor in carrying over of the provisions of the Defence of India Act, but elsewhere. What is needed, is a change of policy

FUNCTIONS COMMITTEE.

STATEMENT OF

Mr. NARENDRA KUMAR BASU.

1. The functions to be discharged by the Provincial Government —

I would accept the list of subjects given in Appendix I with the addition of

- (1) Emigration, other than Inter-Provincial.
- (2) Trading by Foreigners,
- (3) Development of Industries and Industrial Banks.

2. Powers of Control to be retained by Government of India :—

As regards *reserved subjects* the Government of India should continue the same powers as heretofore.

As regards *transferred subjects*, the power of control should be by *legislative* and not by *administrative* action.

In case of emergency the Governor-General may exercise his powers by ordinance or otherwise.

3. (1) Subjects to be transferred.

All provincial subjects excluding subjects 1 to 6, 18, 19, 21 to 27 and 29 of the illustrative list I in Appendix II, and including

Provincial services relating to transferred subjects, Development of arts, crafts, local as well as large industries, and Industrial Banks, and village courts and village police to be transferred.

As regards 1 and 2 (Taxation for Provincial purpose, and Borrowing on sole credit of Provincial revenue) I would make them neither reserved nor transferred but subject to the Executive Government as a whole.

(2) Powers to be exercised by Governor-in-Council with respect to Transferred Subjects.

Governor-in-Council to have no powers, unless similar powers are given to Governor with Minister in respect of Reserved Subjects.

Governor may be given power to interfere, but only with the previous sanction of the Government of India.

Occasions and reasons for such interference to be embodied in Instructions to Governor.

FRANCHISE COMMITTEE.

MEMORANDUM OF EVIDENCE OF

Dr. PRAMATHANATH BANERJEA, M.A., D. SC

on behalf of the Indian Association,

1. In regard to the elections to the Provincial Legislative Councils, two principles were urged in the Scheme of Reforms framed by the Indian National Congress and the All-India Moslem League; and they have been accepted by the authors of the Report on Indian Constitutional Reforms. These principles are, first, that the franchise should be as broad as possible, and secondly, that the method of election should be direct. We fully approve of these principles. Difficulties may, however, arise in some cases when trying to giving effect to them, and modifications may be necessary on such occasions. On the question of the franchise, it would be necessary to take into account the existing circumstances of the country. In the beginning, the franchise should be neither unduly restricted, nor too wide. We ought to start with a fairly broad franchise and advance by gradual steps towards the goal of Universal Suffrage *

2. The Bengal Legislative Council should, in our opinion, consist of 150 members. The population of the province is over 45 millions, and adequate representation of the people and of the various interests is not likely to be secured in a Council of a smaller size.

3. The elected element should be at least four-fifths of the total strength of the council; that it is to say, the number of elected members should be not less than 120.

4. Of the elected members, 11 should represent special interests in manner following :—

Calcutta University	2
---------------------	-----	-----	---

* Reference may in this connection be made to the history of Parliamentary Representation in England. It was the Reform Act of 1832 which put an end to the smallness, the corruption, and the non-representative character of the constituencies in England, but this did not introduce a very wide franchise. The franchise has since been broadened by the Acts of 1867, 1885, and 1918. The proportion of the votes to the population has grown from one-twentieth in 1832 to one-third in 1918. It is interesting to note that the system of Responsible Government had been fully established in England even before the Reform Act of 1832.

European Commerce	...	...	8
Indian Commerce	...	...	1

One of the representatives of the Calcutta University may be returned by the Registered Graduates, and the other by the members of the Senate and of the Councils of Post-graduate Teaching and the Professors of Colleges affiliated with the University. When the Dacca University comes into existence, one seat ought to be given to it, and this should be found by reducing the nominated element in the Council. The eight members allotted to European commerce may be distributed as follows :

European commercial community of Calcutta	...	...	3
" " Chittagong	...	...	1
Calcutta Port Trust	...	...	1
Jute interest	...	...	1
Tea interest	...	...	1
European trade outside the towns	...	...	1

5. Of the 109 members who would represent the body of the people, 44 (that is to say, a little over 40 p.c.) should be returned by the Mahomedan Community through separate electorates. The remaining 65 should represent the rest of the population on a territorial basis, Mahomedans being debarred from participating in these elections.

6. The territorial electorates may be divided into two parts, urban and rural (or better, municipal and non-municipal), 23 members being given to the former, and 42 to the latter. Men who possess intelligence, culture, political capacity, and desire to serve the community are mostly to be found in the towns. They ought to have constituencies of their own, while agriculturists and others connected with the land should be represented through the rural constituencies. This should be in accordance with existing practice in this country and also in conformity with the electoral system which prevails in the United Kingdom.

7. The total urban population in the British territory of Bengal is about 3 millions, of which the non-Mahomedan population is about 21 lakhs. Proper representation of the urban areas can be secured if 23 seats are set apart for them. A number of seats may be allotted to each division in the proportion, on an average, of one member for every lakh and

a quarter or less of the non-Moslem population. * Accord-
to this method, the urban seats would be distributed between
the different divisions as follows ;

Chittagong	...	...	1
Dacca	...	...	3
Rajshahi	...	...	2
Presidency	...	...	6
Burdwan	...	...	4
Calcutta	...	...	7

8. The election of urban members as representatives of
administrative divisions has this advantage that in most of
these divisions it is possible to introduce some method of
proportional representation. But it has also a great draw-
back. It is no easy matter for the electors to intelligently
vote for candidates from remote parts of the division. It
would, therefore, be necessary to form smaller electoral areas,
and district electorates would, on the whole, be the best for
the purpose. On a district basis, the distribution of urban
seats would be as follows :

Chittagong Division

Tippera	}	1
Noakhali				
Chittagong				

Dacca Division :

Dacca	...	...	1
Mymensing	...	...	1
Faridpore	}	...	1
Backergunj			

* This is merely a rough attempt to secure some sort of equal re-
presentation. It is impossible to preserve this proportion in the represen-
tation of the different districts either for rural or urban constituencies.
Four principles have been adopted in this connection: (1) No district
goes unrepresented; (2) where the population of a district is small, it has
become necessary to put it in a group with another district or other dis-
tricts; (3) Small fractions of the unit have been ignored; and (4) where
an electoral area sends a large number of representatives the proportion
has been slightly reduced.

Rajshahi Division :

Rajshahi	} I
Dinajpore			
Jalpaiguri			
Darjeeling			

Rangpur	} I
Bogra			
Pabna			
Malda			

Presidency Division (outside Calcutta)

24 Pargannas	...	... 4
Nadwa	}	... I
Murshidabad		

Jessore	} I
Khulna			

Calcutta : 7

I

Burdwan :

Burdwan	} I
Birbhum			
Bankura			
Midnapore			
Hoogli I	
Howrah I	

Calcutta should be treated as one constituency with a system of cumulative votes.

9. The total non-Mahomedan rural population of Bengal is about 22 millions. The representation would be fair if 42 members were given to them. The rural seats should be allotted to the different districts in the proportion, on an

average, of one member for every five lakhs of the non-mahomedan population. The distribution would be as follows :

Chittagong Division :

Tippera ...	...	1
Noakhali ...	...	1
Chittagong (together with the Hill Tracts)		1
		<hr/>
		3

Dacca Division :

Dacca ...	...	2
Mymensing	...	2
Faridpore	...	2
Backergunj	...	2
		<hr/>
		8

Rajshahi Division :

Rajshahi ...	...	1
Dinajpore	...	1
Jalpaiguri ..	...	1
Darjeeling	...	1
Rangpur ...	...	1
Bogra ...	...	1
Pabna ...	...	1
Malda ...	...	1
Rangpur and Dinajpur alternately...additional		1
		<hr/>
		9

Presidency Division :

24 Parganas	...	3
Nadia ...	...	1
Murshibabad	...	1
Jessore ...	...	1
Khulna ...	...	1

Nadia and Mushidabad	
alternatly additional	1
Jessore and Khulna	
alternately additional	1

9

Burdwan Division :

Burdwan ...	...	2
Birbhum ...	...	1
Bankura ...	...	2
Midnapur...	...	5
Hoogly ...	...	1
Howrah ...	...	1
Hoogly and Howrah		
alternatly additional		1

13

10. The Mahomedan electorates also may, if the community so desires it, be divided into two parts, namely, urban and rural. But as the urban Mahomedan population is small, 8 seats will suffice for their representation. 5 of these seats may be given to the five divisions, and 3 to Calcutta. The remaining 34 seats may be distributed among the districts or groups of districts according to population.

11. The question of qualifications is one on which there is a great deal of divergence of opinion. In my opinion, for the urban electorates, every male person above the age of 21 who is (a) at present entitled to the municipal franchise, or (b) pays an income tax or profession tax, or (c) is a Matriculate of the University, or (d) is a Barrister, Vakil, Pleader, Mukhter, a licensed medical practitioner, Kaviraj, hakim or engineer ought to be entitled to vote, provided that no person shall have more than one vote, although he may be qualified under more than one of these heads. The qualifications for voters in the city of Calcutta would be similar to those for voters in the other urban areas. In the rural areas, the following classes of persons being above the age of 21, should be entitled to vote. Any person (a) who pays a road cess of the sum of not less than Rs. 2 annually, (b) pays a license tax of a sum of Rs 4 - in respect of a trade or industry

carried on within the district, or (c) pays a Chaukidari of not less than Rs2. annually, or (d) is possessed of an annual income of Rs 300- or (e) is a Matriculate of any University or holds the certificate of a pleader or a Mukhtar or of a licensed medical practitioner, or Kaviraj or hakim, or an Upper Subordinate of an Engineering School. Provided that no elector should have more than one vote in the same constituency. In the case of a joint-family, if the family as a whole possesses the minimum qualifications, one member selected by the family should be allowed to vote. The qualifications of voters in Mahomedan constituencies should be similar to those mentioned above.

12. The qualifications of candidates ought to be the same, as those of voters, but residence within the constituency should not be insisted upon.

13. I am opposed to the idea of special electorates for land-holders as a matter of principle. Such electorates are also unnecessary, because it is more than likely that the land-holders who are men of position and influence will manage to capture not a few of the rural seats.

14. I am also opposed to the idea of special representation for the non-official European Community. The authors of the Report also do not contemplate a system of special electorates for them.

15. The question of the representation of the backward classes should be sympathetically considered. The Namasudras are practically the only homogeneous community in Bengal which can claim representation in the council. Two or three seats may be reserved to Namasudra candidates by rotation in the five plural constituencies of Faridpur, Backerganj, Dacca, Khulna, and Jessore, in which they form a considerable proportion of the population. There should however, be no separate electorates for Namasudras, and voting should always be general.

16. The number of Indian Christians in Bengal is about 1,30,000 but as they are scattered all over the country, they are unable to secure any representation to themselves. The community contains within its fold many well-educated, intelligent, and capable men, and it would be fit and proper to reserve one seat to an Indian Christian candidate in the

plural constituency of Calcutta. The voting should be general, but Indian Christians of other parts of Bengal may be given the right to transfer their votes to Calcutta.

17. Of the nominated members of the Bengal Legislative Council, not more than 12 should be officials, representing the different departments of provincial administration. Government should also nominate a limited number of non-official experts in Public Health, Engineering, etc.

18. On the question of the representation of Bengal in the Indian Legislative Assembly, it is proposed in the Report to allot 11 seats to the province. These seats may be distributed as follows :

European Commerce ...	1
Indian Commerce ...	1
Mahomedans ...	3
Calcutta ...	1
Five administrative divisions one each ...	5
	<hr/>
	11

19. In principle I am in favour of direct elections to the Indian Legislative Assembly. But as the number of seats is small compared to the population to be represented, a division as an electoral area for direct elections will be inconveniently large. It will also be difficult to form constituencies outside Calcutta, for direct elections, in which a considerable proportion of the people will be electors and which will represent the general interests of the province. At the outset, therefore, the member for each division may be elected by an electoral college composed of the members of the Municipal Councils and of the District and Local Boards and Union Committees (or Village Unions) and the representatives on the Legislative Council of the division. The bulk of the people will thus participate, though indirectly, in the formation of the Indian Legislative Assembly. After a few years, when the people will have become familiar with election methods by returning members to the provincial council, a system of direct elections on a fairly broad franchise may be substituted. In the city of Calcutta, however, where the area is limited, the election should be direct. The member for Calcutta may be returned by an

electoral college composed of (a) all graduates of the Calcutta University resident within the province, (b) persons who pay an income tax, (c) persons who are either owners or occupiers of premises valued at Rs600 a year, and (d) Barristers, Vakils, pleaders, attorneys, engineers, licentiates in medicine and engineering.

20. It is proposed in the Report that two members should be returned to the Council of State by the Bengal Legislative Council. If it be thought desirable to increase the elected element in the Council of State, I would suggest that 3 members be allotted to Bengal. In any case, the Bengal members should be elected by the elected members of the provincial council, and nominated members should not take any part in the elections.

Appendix E.
REPRESENTATION
ON THE
LOOTING of HATS and BAZARS
IN
BENGAL.

From
The Honorary Secretary,
Indian Association.

To
The Chief Secretary to the
Government of Bengal.

Dated, the 16th January, 1918.

Sir,

I am directed by the Committee of the Indian Association to submit the following observations regarding the looting of Hats and Bazars in Bengal.

2. It would appear from the newspaper reports that there have been cases of looting of about 49 Hats and Bazars for salt and cloth from the 19th November 1917 to the 8th January 1918 and the looting has gone on in all parts of Bengal; and up till now there are no signs of its abatement. The looting has been chiefly in respect of salt and cloth; and is undoubtedly due to the high prices of these articles. The Government Pleader in opening the case for the prosecution of some of these rioters before the Special Tribunal at Rungpur observed that "the loot was of cloth and salt only and was due to the high prices of these things." That seems to be the public verdict on the subject, and the Committee appeal to the Government to take immediate steps for the regulation of their prices. The Committee fully recognize that it is a matter of some difficulty for any Government to interfere with conditions which are dependent

upon economic causes. But the situation is abnormal and the Committee believe that it is largely due to the activities of speculators. That appears to be the general opinion ; and quite recently a resolution was moved in the Bombay Corporation inviting the Commissioner to approach the Government with a prayer to take steps for regulating the prices of charcoal, salt, cloth and other necessaries of life, the prices of which have considerably gone up within the last few months. The whole question was submitted to a Committee for report. In the meantime lawlessness is spreading apace in Bengal and there have been cases of looting of Bazar and shops in the vicinity of Calcutta and in places not far from official head-quarters. A big loot of cloth and salt is reported from Dhasarhat within the jurisdiction of Joynagar police station. And Joynagar is only 40 miles from Calcutta. It is said that property worth about Rs. 50,000 to Rs. 60,000 was carried away. A similar case of looting took place at Basantihat, Satkoonah Hat and Dhariahat within the jurisdiction of the Canning Town Police where about ten shops were plundered and cloth and salt valued at about Rs. 2,000 were taken away. On the 10th January it was reported that several shops were looted at Satmih, a place only a few miles from the sub-divisional head-quarters of Contai in the district of Midnapur. Again an attempt was made on the 10th January at the Contai Hat to loot the stalls of cloth. An alarm was at once raised and the armed police arrived in time to prevent the disturbance. All shops were closed. The facts cited above are sufficiently alarming and the Committee submit that they point to the urgent necessity of immediate action on the part of Government with a view to the regulation of prices of salt and cloth.

3. The Committee would beg leave to make the following suggestions in this connection:

- (1) Permission should be given for the manufacture of salt in suitable and selected areas in Bengal such as Cox's Bazar, Sojamuti, Jalamuti and other Places.
- (2) Facilities should be afforded for importing Madras salt into Bengal.
- (3) The Government should control the sale of salt.

4. As in the case of salt, so also as regards *Dhutties* and *Saries*, the Government should assume the control of their sale. If the Government however is unwilling or unable to do so, the Government, the Committee submit, should issue an official *communiqué* stating that it is considering what measures should be adopted for regulating the price of *Dhutties* and *Saries*. Such an announcement, the Committee are convinced, would have an immediate effect in lowering prices. The Committee further recommend an export duty on raw cotton which would help to reduce the price of cotton and home-made *Dhutties* and *Saries*. The Committee are aware that this is a matter for the Government of India to deal with, but it is open to the Government of Bengal to recommend its adoption. An enquiry into the quantity of cotton and cloth in stock would in the opinion of the Committee be found to be useful.

5. The looting of Hats and Bazaars is intimately connected with the discontent of the agricultural classes who have been hard hit by the high prices of some of the necessities of life. The low price of raw jute has contributed to aggravate the situation. While the price of the necessities of life has gone up, the selling price of the one article of agricultural produce upon which the ryot of East Bengal mainly, and the agriculturist of North and parts of West Bengal largely depend, has gone down. He has to pay much more than what he did before for his necessities, while his earnings are much less than what they used to be before. That such a condition of things should produce serious discontent among the agricultural classes is only natural, and economic discontent penetrating the masses call for prompt and immediate relief. The jute-mills now work for five days a week. The Committee would suggest that the time for the working of the mills should be extended from five to six days in the week. This would mean an increase in the consumption of raw jute, and an increased demand would bring about an enhancement of price. The profit would probably be slightly less; but whatever it be, it would, to some extent at any rate be made good by enhanced production and sale. The price of Hessian has steadily gone up. It rose in December last from Rs. 23 to 36 per hundred yards indicating the increased demand. The only possible objection to the extension of the time-limit is the inadequate supply of coal. But the Committee are informed that the increased consumption of coal would

only represent one per cent. added to present quantity consumed. The Committee understand that the Indian Jute mills Association are in favour of the extension of the time-limit for the working of the Jute Mills to six days in the week.

6. The Committee are of opinion that it would be helpful if the Government were to announce the price of raw jute in all the markets.

7. The Committee have now made their submission and they pray that Government will be pleased to take prompt measures for the relief of the great agricultural population of Bengal. They once again desire to emphasise the fact that the situation is grave and demands immediate action.

GOVERNMENT OF BENGAL.

Commerce Department.

No. 1113-Com. Dated Calcutta, the 28th February 1918.

From

The Hon'ble Mr J. Donald, M.A., C.I.E., I.C.S.,
Secretary to the Government of Bengal.

To

The Honorary Secretary,
Indian Association.

Sir,

I am directed to acknowledge the receipt of your letter dated the 16th January 1918, on the subject of the looting of hats and bazars in Bengal.

2. Though fortunately, for the time being, these occurrences have abated, the economic causes which contributed to the unrest which thus manifested itself are still operative, and high prices continue to prevail. It is with the remedies for this state of affairs that your letter is mainly concerned, and the Governor-in-Council is anxious

to examine all possibilities in that direction. If he is unable to go so far as your Association would recommend, it is not from any want of appreciation of the hardships which are now being borne by the poorer classes especially.

3. In answer to questions and resolutions in the local Legislative Council a certain amount of information has been given regarding the general position, and attention is invited in particular to the discussions of the 22nd January and 19th February. The difficulties with which the province is confronted in common with the rest of India, are directly due to the war, and no measures which can be adopted will save the province from the ill-effects which the war has, indeed entailed throughout the world. The most that can be hoped is that these may in some degree be mitigated, and the regulation of prices is one of the devices to which prominence has been given. It will have been observed that a rule has now been framed under the Defence of India (Criminal Law Amendment) Act 1915, which confers on Government certain powers of this description, in accordance with which orders have recently issued in respect of salt.

4. As regards that article, this meets the third suggestion contained in paragraph 2 of your letter, while with reference to the first recommendation therein, that permission be given for the manufacture of salt in suitable and selected areas in Bengal, matters were explained at the meeting of the Legislative Council on the 22nd ultimo. Government are prepared to give all reasonable assistance to persons desiring to manufacture salt, and at the present time the officers of the salt Department are advising certain would-be manufacturers, but it is by no means certain that manufacture according to the ordinary indigenous methods is feasible in Bengal on a large and profitable scale. The encouragement of the importation of salt from Madras (which is the second line of action, proposed in your letter) has already engaged attention, and a press communique on the subject was published on the 10th December 1917, though hitherto the trade has evinced little anxiety to avail themselves of the facilities which exist.

5. The problem of *dhutis* and *saris* (raised in paragraph 4 of your letter) is more complicated than that of salt, and is beset with many practical difficulties. The matter is now under discussion with the Government of India, and certain

points connected therewith were explained at the meeting of the Legislative Council of the 19th February 1918.

6. In paragraph 5 of your letter you notice the low price of raw jute, and ask that the working of jute mills might be extended from five to six days in the week. Your Association is doubtless aware that full time working in the mills is now again in force.

7. It is not clear in what way the suggestion made in paragraph 6 of your letter that the price of raw jute should be announced in all the markets would be of any practical benefit to the ryots. The actual current prices are presumably well known to those interested.

8. Your letter concludes with the remark that the situation is grave and demands immediate action. The Governor-in-Council is perfectly willing to consider any action likely to prove feasible and beneficial but, as has been already said, it is impossible to expect that the economic consequences of the war can be entirely avoided, however much they may be regretted.

GOVERNMENT OF BENGAL.

Political Department.

Special Intelligence Branch.

No. 1982X. Dated Calcutta, the 12th February 1918.

From—THE HON'BLE MR. H.L. STEPHENSON, C.I.E., I.C.S.
Additional Secretary to the Government of
Bengal.

To—The Honorary Secretary to the Indian Association.

SIR

I am directed to acknowledge the receipt of your letter dated the 2nd February enclosing for the consideration of Government the following resolution of the Indian Association.

"That a Committee consisting of the Hon'ble Mr. Surendra Nath Banerji, Mr. H. D. Bose Bar-at-Law and Mr. Narendra Kumar Basu, Secretary of the Vakils Association be appointed to approach Government for permission to assist the Rowlatt Committee in examining the cases of individual detenus."

2. It is further requested that this Committee may be permitted to attend the meetings of the Rowlatt Committee and be furnished with materials for helping them to examine and come to a decision with regard to the case of each interned person.

3. In reply, I am to say that in so far as the Committee presided over by the Hon'ble Mr. Justice Rowlatt was appointed by the Government of India, in accordance with terms of reference which have already been made public, the local Government are unable to intervene in its proceedings, while as regards the request that certain materials should be furnished by the local Government to a Committee of the Indian Association, the Governor-in-Council regrets that he is unable to agree to this course.

To,
The Secretaries, Indian National
Congress and All-India
Moderates' Conference.

Sir.

I am directed by the Committee of the Indian Association to communicate to you the following resolution passed at its meeting held on the 30th Dec. last.

That the Indian Association is of opinion that the Standing Committee of the All-India Moderate Conference and the All-India Congress Committee be addressed with a request to appoint Sub-Committees thereof with a view to discuss the possibility of a truly united Congress in which both parties may have the opportunity of full discussion in order to arrive at decisions acceptable to both parties and which may be deemed just and expedient in the interest of the country, same procedure being applicable to the principal congress organisations.

Appendix F.

Messages.

1. Private Secretary to H. E. the Viceroy.
Delhi

Indian Association prays His Excellency will be graciously pleased to order prompt enquiry into the case of Jyotish chandra Ghosh State prisoner now in Berhampur Lunatic Asylum. His condition reported grave. Association prays for his transfer Calcutta Medical College for treatment.

Surendranath Banerjea.

1. (a) Lady Wedderburn, Meredith, Gloucester.

Indian Association recorded resolution expressing profound sorrow, sense irreparable loss death Sir William Wedderburn whose self-less devotion ceaseless efforts India's good will place him forefront rank India's truest benefactors. Association offers respectful condolence.

Surendranath Banerjea.

Reply.

Dear Mr. Surendranath Banerjee,

I received your kind cable expressing regret and condolence with us in our great grief on behalf of the Indian Association a few days ago. We are much touched at the number of sorrowful and affectionate messages we have received from Sir William's Indian friends.

Will you please convey a message of thanks from us to the Association for their very kind sympathy which we much appreciated.

17th. February, 1918.

Yours Sincerely,
M. B. Wedderburn.

2. Indian Soldiers.

The Hon'ble Mr. Surendranath Banerjee, Secretary Indian Association, has sent the following telegram to the Rt. Hon'ble the Secretary of State for India :—"Indian Association earnestly appeal to direct issuing early orders announcing increment to pay and the King's commission to Indian soldiers. Early announcement will help recruitment."

3. Sir S. P. Sinha, India office, London.

Indian Association appeals issuing early orders increased pay King's commission Indian Soldiers which will help recruitment.

Surendranath Banerjee.

4. High Prices of Cloths.

Rai Bahadur Baikunthanath Sen, President, Indian Association, sent the following message to His Excellency the Viceroy on the 10th. June :—

Indian Association earnestly requests His Excellency to take immediate steps to alleviate distress due to high prices of cloths in Bengal which has assumed grave proportions. In particular Association appeals to His Excellency to stop export of cotton goods and grant railway facilities for cotton goods.

The following reply has been received :—

Simla, 17th. June, 1918.

From

P. C. Tallents, Esqr. I. C. S.

Offg. Under Secretary, to the Government
of India.

To

Baikuntanath Sen, Esq.,
President, Indian Association,
Calcutta.

Sir,

I am directed to acknowledge the receipt of your telegram dated the 10th. June 1918, addressed to his Excellency the Viceroy, regarding the high prices of cotton goods, and to say that the matter is receiving the careful attention of the Government of India.

I have the honour to be
Sir,
Your most obedient Servant.

P. C. Tallents,

Offg: Under Secretary to the Government
of India.

5a. Secretary of State for India, London.

Madras Mail reports information received from London Sir John Hewett will be chairman one Committee possibly both. Report created alarm and consternation throughout country. Indian Association earnestly hopes report unfounded otherwise reform scheme seriously prejudiced. Association prays British Statesmen of Parliamentary experience be chairmen both committees. Surendranath Banerjee, Secretary Indian Association.

5b. Reuter, London.

For Publication.

Surendranath Banerjee, Secretary, Indian Association, sent following cable Secretary State India.

Madras Mail reports information received from London Sir John Hewett will be chairman one Committee possibly both. Report created alarm and consternation throughout Country. Indian Association earnestly hopes report unfounded otherwise reform scheme seriously prejudiced. Association prays British Statesmen of Parliamentary experience be chairmen both Committees. Reuter.

6. British Press, through Reuter :

Indian Association decided to abstain from attending special session Congress in view of irreconcilable attitude of its promoters towards Reform Scheme and favour the idea of an all-India Conference of Moderates supporting it.

Surendranath Banerjee.

7. Private Secretary to H. E. the Governor, Darjeeling

Indian Association understands that existing stocks of cloth sufficient for two years which were purchased at previous cheap rates. Cornering and speculation in markets prevalent unknown in normal times. Cloths pass numerous hands before they reach customers. Consequently prices have risen amounting to an increase of 50 % since July and daily rising. Temper of market will appear from fact that price of Rallis top mark has increased by five annas per pair in course of day. Indian Association earnestly prays for regulation of prices in the spirit of His Excellency's Barisal speech and restriction of speculation. Distress acute widespread everywhere particularly mufossil. Prompt Government intervention absolutely necessary at this critical juncture.

Surendranath Banerjee.

OUR DEMAND FOR SELF-GOVERNMENT

(A PAPER READ AT THE INDIAN ASSOCIATION,
CALCUTTA, ON APRIL 8, 1916)

BY
MR. PRITHWIS CHANDRA RAY,
LATE EDITOR, "THE INDIAN WORLD."

(Second Impression)

PUBLISHED BY MR. BEJOY KRISHNA BOSE, ASSISTANT SECRETARY,
INDIAN ASSOCIATION,

Calcutta.

May, 1916

'Published by—

MR. BEJOY KRISHNA BOSE,
ASSISTANT SECRETARY,
INDIAN ASSOCIATION.
62, BOWBAZAR STREET.

CALCUTTA :

PRINTED BY SARODA PROSAD DAS,
WEEKLY NOTES PRINTING WORKS,
.3, HASTINGS STREET.

Our Demand for Self-Government

Man, according to Aristotle, is a social animal. This social trait is the foundation of a community of interest and the genesis of states and governments. We had in the dim morning of history the family-state developing into a city-state in Rome and Greece, and into a caste or tribal state in India. The city-state was the last word of ancient Rome and Greece in politics, but in India we passed through various forms of it until we came to territorial states in the days of the *Ramayana* and the *Mahabharata*. The idea of the territorial state had firmly got into the soil of India from the earliest historical times down to the beginning of the tenth century, when, with the Mahomedan invasion of India, a process of disintegration set in all over Upper or Northern India resulting in the complete collapse of the powers that were then in force.

While ancient Greece and Rome were the happy hunting-grounds of all sorts of crude essays and experiments in government, no particular form came to occupy a very outstanding feature of it. Aristocracy, timarchy, oligarchy or plutocracy, democracy and tyranny, all have had a fair trial in the ancient polity of Greece and Rome, though the ideal city,—governed by philosopher-statesmen with no anxiety to make money or take any advantage of the opportunities of position and devoting all their attention and energy to the best interest of the state,—remained confined to the *Dialogues* of Socrates and the *Republic* of Plato.

In ancient India, democratic ideas had permeated a good deal into the constitution of local institutions, but they hardly found much favour in the constitution of states. In

ancient India, therefore, we do not meet with a large variety in the forms of government. Though some of the monarchies and empires had nearly materialised the platonic ideal of a city "whose maker and builder is God," republics and democracies never came into much vogue at any time in our history. The Indian aspiration of good government was generally satisfied by the Rajah who, in early times, meant the man who pleased his people. This central idea of Hindu government continued till the seventh century, when Hieun Thsang came into India and left a glowing account of the principalities of his day.

Government has been defined by competent jurists to be organised force,—a force to rule and dominate. In well-developed states, behind this organised force lies the authority and the sanction of the people. In less-developed states and conquered countries, this authority is the dread of the mailed fist and the consequent acquiescence or sufferance of the people to be governed by superior force.

Since India lost her independent states and passed into the hands of our Mahomedan conquerors, the authority of the government in this country was transferred from the willing consent of the people to a spirit of resignation to circumstances. Under British rule, no material change has taken place in the fundamental character of government, and the authority that the British possesses to-day for the governance of India is nothing unlike the power with which the great Mogul ruled this country in the fifteenth and the sixteenth century.

WHY DO WE WANT IT?

The British, having taken up the threads of government and administration from the Mahomedans, have worked steadily to broaden the basis of their rule in India. According to Dr. Wilson, I am referring to the present President of the United States, modern states have two different functions to discharge. What he calls the constituent part

is the usual category of governmental function,—the protection of life, liberty and property, together with all other functions that are necessary to the civic organisation of society. So far as the satisfactory discharge of this function goes, the British administration in India can stand all tests fairly well. Dr. Wilson's other category consists of the ministrant functions of the state, which are undertaken not by way of governing but by way of advancing the general interest of society and assisting every social organisation. In the modern world, a wide latitude of opinion prevails as to what exactly should constitute the ministrant functions of the state. There is not much difference of opinion, however, in the civilised world, regarding the inclusion of education, sanitation, care of the poor and incapable, and the regulation of trade and industry and labour under this category. Some of the modern states, as for example Germany, Switzerland, United States and Japan, are pushing these ministrant functions to raise the condition of the people by all manner of means, from the ministration of their spiritual needs down to meeting all their individual and corporate requirements. In this paper, however, we are not concerned with an examination of these ministrant functions as they prevail in other countries of the world. I have introduced the point here to show how badly wanting the Government of India has been in the discharge of these functions.

In trying to broaden the basis of their rule in India, the English have discharged the constituent functions of the state very satisfactorily, and to-day *Pax Britannica* is more firmly established in this country than in any other part of the British Empire. The maintenance of peace and security is indispensable to the maintenance of law and order, but in their anxiety to discharge the policeman's work efficiently, the English have very much overdone this part and neglected the other and evidently the more important function. I must confess we are a bit too over-governed in many matters.

Of all the ministrant functions of the state, the fight with

ignorance and poverty, disease and death, and the uplift of the condition of the masses are now regarded in every part of the civilised world as the most urgent and pressing. In India, however, the existing government has not so far succeeded in achieving any notable progress either in spreading the light of knowledge fast or wide, or in reducing to any appreciable extent the havoc and misery caused by plague and malaria, famine and poverty. In education, which Plato considered 'the sure basis of a well-ordered state' and which every modern country is putting to-day at the forefront of all its activities, India has made such an unconscionably slow progress that a few years ago Mr. William Jennings Bryan, a great figure in contemporary American life, found compelled to lament over it in very strong terms. In sanitation also, we have made very little progress: and so on to the end of the chapter. The sum total of Indian prosperity may have advanced under British rule, but large classes have gone down before unequal competition. India still continues mainly to be an agricultural country. A race that sticks like a limpet to the soil may be happy and even self-satisfied, but can never be great. And as for the literate classes, though so small in number, they have hardly many avenues of life opened to them and they have hardly any considerable share in the industrial and commercial exploitation of our resources and raw materials and other assets. The lack of multiplicity of occupation has converted our middle classes into practically a nation of clerks. As Treitschke, the great German apostle of blood and iron, says with a sneer: "clerks of good family are found only in India, if at all." Our government has also failed to make many serious attempts to conquer the vagaries of Nature and harness her forces for the benefit of our people. We remain condemned before the civilised world as an 'unprogressive' people, because our government has not found it wise to accelerate the pace of reform as we would have it. It appears very natural, however, and modern history corroborates the fact, that no foreign power can dis-

charge the ministrant functions of the state adequately and satisfactorily so long as it does not enlist the active co-operation, and is thoroughly identified with all the interests, of the governed. Our first reason for demanding self-government is, therefore, to enable the state in India to discharge its ministrant functions properly and in healthy competition with all civilised countries, and to enable it to march side by side with the proudest nations of the world.

Our second reason for demanding self-government is our anxiety, both in the interest of England and India, to see the end of a system of benevolent despotism. In the history of this world, this system of government has not been always an unredeemed chapter of misery and oppression. Cincinnatus and Marcus Aurelius, Augustus and Hadrian in the West, and Sree Krishna and Ram Chandra, Asoka and Akbar in the East, have been benevolent despots whose rule would be welcome in any clime and under any circumstance. But, unfortunately for the world, despots of such a type are not easy to find in every generation. The House of Bourbon have been as great a curse in France as the Great Mogul in India. With a different education and under the influence of a different civilisation, India no more wants her governors to play the role of benevolent despots. India has suffered too long under various restrictions of personal and public liberty, and her forbearance has been very much over-taxed. She is now anxious to see the end of personal rule, no matter how Lords Morley and Curzon may look at the question.

Despotism, however benevolent and self-sacrificing it may be, has generally been found everywhere in the world as helpless, nervous, irresponsible, capricious, and weak. It is more often than not inspired by panic, because it is not always sure of the mind of the governed, and panic inevitably brings cruelty in its train. The state under such a rule is bound to be a weak one, and the weak state cannot afford to be tolerant any more than the poor can afford to be generous. Even in England, so long as the state was under foreign

influence and was consequently weak, it was much more cruel than the present Government of India is, and distinguished historians have told us that the hideous treason laws of Tudor times were due more to unfounded fear and panic than to any real necessity. To all intents and purposes, our state is weak, and it is weak because it does not carry the community with it. We desire the end of benevolent despotism in India because, in the first instance, as pointed out by John Stuart Mill, consciousness of responsibility to no one but oneself is always a precarious guarantee of right action, and in the second, we want our state to grow strong and puissant. We would rather be governed by a cold, soulless, representative machinery than be fantastically treated to fits of concession and oppression by the most well-meaning despots of the world.

The next reason for our asking for self-government is that, instead of a foreign bureaucracy, we want the people of India to be the real state in this country. "The State? I am the State," said Louis XIV: and this presumptuous assumption of the functions of the state made a travesty of government in France in the 18th century. It is impossible for a foreign bureaucracy to get into the skin of an alien people, divided by 7,000 miles of deep sea, and then be closely identified with the interests and aspirations of the latter. If the object of the state is to become virtually personified in the thought of the people, and if it is to be the centre of civic affection and civic virtue of the people, surely the present Government can never pretend to fill up that place.

England can never understand India even if she had a mind to, though we know Sir Valentine Chirol goes from Whitehall to Simla and Simla to Whitehall twice every year. Monsieur Georges Bourdon, a distinguished Frenchman, after having conducted an enquiry among Germans for a long number of years as to what they think, what they want, what they can do, writes in his new book,

the *German Enigma*: "In spite of all our excellent and just estimates of her, we know nothing of Germany: neither does she know anything of us." If this be true of two European countries which have lived for centuries as neighbours and derived their inspiration of life from a common civilisation, how abysmal must be the ignorance of England with regard to the life and thought of the Indian people? I maintain, with Lords Morley and Cromer, that no democracy can maintain an Empire, particularly with such an imperfect knowledge of its affairs. This ignorance may prove fatal both to England and India, and the only remedy is to take the whole people of India into the confidence of the rulers by introducing a large measure of self-government into the constitution of this country.

India to-day grumbles being governed by a foreign bureaucracy. The rule of the Indian Civil Service has become abhorrent to the cultivated intelligence and the sense of self-respect of the educated Indian of the twentieth century. He would have very little of it, if he could help it, though one must admit that many members of this service have given the best of their lives in ameliorating the conditions of our people in various ways. "Officials," justly remarks Mr. Nevinson, "usually govern badly, because they naturally magnify their office and routine above life, regarding the intrusion of reality as an unwarrantable disturbance to their habitual toil or leisure. But that is not the worst of it. Even under the most efficient officialdom, the governed suffer a degrading loss of personality." If this be true of an indigenous officialdom, how bitter and galling must it be when the officialdom is alien, as in India? Mr. Nevinson continues: "It is disastrous to maintain order, however mechanically perfect, or to organise virtue and comfort, however judiciously proportionate, if personality and variety are gone. Self-government is better than good government and self-government implies the right to go wrong. It is nobler for a nation, as for a man, to struggle towards excellence with its

own natural force and vitality, however blindly and vainly, than to live in irreproachable decency under expert guidance from without." This is another additional reason why India desires self-government.

India, fortunately or unfortunately, no longer looks upon the problem of government with the self-satisfied complacency of the middle ages. She has now been thrown into the vortex of world-politics and she cannot, therefore, live in an atmosphere of detachment outside the currents and forces of modern life. She realises to-day what very little progress she has made under the heel of despotic and bureaucratic rule for over a thousand years, and looks abroad and is amazed by the giant strides that some of the European countries have made during the last three or four centuries, and Japan in fifty years, on the road to progress.

In Europe, the seventeenth century was marked by the overthrow of absolutism through the efforts of the English, the eighteenth found the overthrow of oligarchy, thanks to France; and the nineteenth saw the birth of *nationalism*, due chiefly to Germany, and some advance towards democracy. Democratic rule is now practically established all over Europe and America, and in Japan and China and Persia in Asia. India refuses to lag behind and to be deprived of the heritage of modern life.

The sort of democracy that was accepted as the gospel of ancient Greece and Rome has been supplanted in the course of evolution by a system of government which is representative of the people. Plato and Aristotle conceived the state as one unit and human beings as fractions of this unit. Representative government, as conceived by De Tocqueville, Rousseau or Comte in France, or by Bentham, Mill, Grote and Bain in England, makes the individual the unit of the state and makes 'the greatest happiness of the greatest number' as its principal concern. It is not possible for me, nor is it necessary for my purpose, to define this happiness. I may, however, in

passing, mention that Aristotle defined this happiness, in his *Ethics*, to lie in the active exercise of a man's vital powers along the lines of excellence, in a life affording full scope for their development. India desires that her people should also claim the greatest happiness of the greatest number, a thing which is only possible by the establishment of self, or representative, government.

But a more potent reason for our calling for self-government is the insistent anxiety of India to develop a political personality. As Treitschke observes: "The ideal of one state containing all mankind is no ideal at all. The whole content of civilisation cannot be realised in a single state. All people, just like individual men, are one-sided, but in the very fulness of one-sidedness the richness of human race is seen. The rays of the divine light only appears in individual nations infinitely broken: each one exhibits a different picture and a different conception of the divinity. Every people has, therefore, the right to believe that certain powers of the divine reason display themselves in it at their highest. Without overrating itself, a people does not arrive at knowledge of itself at all . . . such a feeling is necessary in order that the people may preserve and maintain itself." India has very often in the past contributed very materially to the civilisation of man and carried the light of the East to the Western world. Why, why on earth, should she not again be asked, or allowed the opportunity, to come to the front of nations and give her best to the service of God and man?

And then, above everything, we desire self-government because that seems to be the natural condition of all people and communities. Locke says: "Men being by nature all free, equal and independent, no one can be put out of this estate and subjected to the political power of another without his consent. The only way whereby anyone divests himself of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join and unite into

a community ” Rousseau had similarly laid down the proposition in his *Social Contract* that man is born free, and that his primitive nature was not anger or strife but liberty and equality. Or as Swift says: “ All government without the consent of the governed is the very definition of slavery ” We want, therefore, to stand upon the natural rights of man. Like the sleeping lion in the story, India has now awakened to a consciousness of her power and position, thanks to her contact with England, and she will have no rest or peace till she has become a free, organic, self-conscious and self-directing nation with her great organs of popular representation and all constitutional guarantees of personal and public liberty,—the great lever of social morality organised to enforce the collective and co-ordinating conscience of her whole people.

I have stated above, as fully as I can, *why* we demand self-government I consider this to be the only practical issue in the consideration of this subject, and that is why I have discussed and put this part of my discourse before anything else. The question of India’s fitness for self-government appears to me to be a merely academic question, with which practical politicians need not concern themselves to-day Every nation has a right to govern itself, no matter whether she is fitted for it or no As self-government varies from ordinary representative government to the most complicated popular control culminating in the ‘ referendum,’ so there can be no particular or definite standard of fitness for it. As soon as a nation gets into this heritage, it begins to grow into freedom and work out its destiny to the best of its light, however feeble that light may be There is no special qualification, no specified time, no particular condition of development for a nation to come by its natural heritage of self-government. The history of every independent state will show that each of them has developed its peculiar and distinctive form of self-government, independent of any parallel or precedent and not unconditioned

by heredity or environment. It is the equal privilege of savage tribes in the Pacific Islands as well as of highly-developed social organisms in the continent of Europe. It does not even depend upon any measure of social or intellectual freedom. To ignore, therefore, the famous principle of political liberty enunciated by the late Sir Henry Campbell-Bannerman that self-government is better than good government, is the prime offence of all benevolent despots, who either seek to benefit by their rule the people of their own country or the subject races of an Empire. Englishmen and Indians who raise the question of our fitness really do not comprehend the right issue and only cover the atmosphere with a fog in order to avoid the realities of life.

England herself has, at different periods, been conquered and held under subjection by the Romans, Angles, Saxons, Jutes, Danes and Normans, not to speak of the successful inroads by the Picts and Scots from the North. Not a long time before Simon de Montford laid the foundation of representative government in England, Anglo-Saxon patriotism never transcended provincial boundaries, and the English language went underground and became the patois of peasants, for the upper classes would have very little of it, as they themselves wrote Latin and spoke French. Foreigners ruled and owned the land and the term 'native' became synonymous with 'serf.' The great mass of the population were always at the beck and call of their lords, were like their goods and chattels, and could not leave their land, nor marry, nor enter the church, nor go to school without their leave. Even so late as the seventeenth century, under James I, parliamentary and popular privileges in England existed by royal grace and could not be claimed as rights. And not till the Long Parliament, which met in the reign of Charles I, did the English people demand that the ministers of the state should have the confidence of parliament, or, sovereignty being indivisible, as Hobbes puts it, peace could not be kept between a sovereign legislature and a sovereign executive. And, lastly, it was not till the middle

of the 18th century that Walpole became the first Prime Minister of England, when the responsibility of government was really transferred from the head of the monarchy and fixed to the head of the parliament. And as for education, England had not made any decisive or satisfactory advance till the passing of the Elementary Education Act in 1870. If full and free responsible government has developed in England under such circumstances, India has no need to despair of her future.

The example of French Canada, of the South African Republic, of Ireland, and the Philippine Islands also precludes us from considering the question that submission to superior physical force involves the forfeiture of the right to self-government. Nor is it any good discussing the fact that several countries in the world, together with some of our own native states, enjoy this privilege under very discouraging circumstances and unfavourable conditions of life. Nor, with the cases of Persia, China and Japan before us, can it any longer be maintained that self-government is the privilege of only the West, and that in the East it is like the desire of the moth for the star.

Buckle and Seeley have both held, of course from two different points of view, that we are unfit and disqualified for self-government. Buckle has maintained that our climate, our conditions of social life, principally the caste system, and our staple food, rice, keep us out of the zone of the civilised world. Seeley, on the other hand, has laid down the proposition that the people which has no community of interest in the matter of religion, speech and blood, must necessarily lack the solidarity which can make of it a nation. Though the theories of Buckle and Seeley have not been completely exploded by modern historical investigations, not much weight is attached to these opinions in these days in view of the great development of representative institutions in countries like Russia and Germany, in Persia and China, and also in some parts of South America. On the other hand, in many essential res-

pects, we have outlived the conditions of life which led Buckle and Seeley think so poorly of us and our civilisation in their day.

England has placed to her credit many humanitarian efforts in the present-day administration of India, but in no matter has she met with greater success than in welding the heterogenous masses of our population into one nation. We may not yet be *one* nation, though there can be no doubt that we are on the fair way of being one. India no longer represents a mere geographical expression as it used to do in the days of Sir George Chesney and the Strachey brothers, and the throbbing of an Indian nationality is now distinctly audible in every part of this great empire. As the Norman, coming from outside and exempt from all local prejudice, applied at one time the same methods of government and exploitation to all parts of England, so the Englishman has brought common ideas and common laws to bear upon all parts of India. And as in England, in Norman times, so in India to-day, the steady pressure of a superimposed civilisation has tended to obliterate local and class distinctions. In a recent and brilliant summary of English history [Mr. Pollard's *History of England*, Home University Library], we read: "unwittingly Norman and Angevin despotism made an English nation out of Anglo-Saxon tribes, as English despotism has made a nation out of Irish septes and will make another out of the hundred races and religions of our Indian Empire." Mr. Pollard elaborates this theory at length, and I find it impossible to resist making one extract from this portion of his book as a reply to Buckle and Seeley. "The difficulties of despotic rule," says Mr. Pollard, "were mitigated in the past by the utter absence of any common sentiments and ideas among the many races, religions and castes which constituted India, and a Machiavelian perpetuation of these divisions might have eased the labours of its governors. But a government suffers for its virtues, and the steady efforts of Great Britain to

civilise and educate its Eastern subjects have tended to destroy the divisions which made common action, common aspirations, public opinion and self-government impossible in India . . . They have built railways and canals, which made communications and contact unavoidable: they have imposed common measures of health, common legal principles, and a common education in English culture and methods of administration. The result has been to foster a consciousness of nationality, the growth of a public opinion, and a demand for a greater share in the management of affairs. The more efficient a despotism, the more certain is its supersession: and the problem for the Indian government is how to adjust and adapt the political emancipation of the natives of India to the slow growth of their education and sense of moral responsibility." This is just the problem for us and our administrators to tackle to-day, and, as self-government is not only the end but also the means to the end, we beg to offer this as the most satisfactory solution if it.

WHAT DO WE WANT?

We now come to our scheme of self-government. In formulating our demands, however, we have unfortunately, like the town-planner, not a clean slate to draw upon. It has been suggested in several quarters that we should go in for the colonial form of self-government. I am very sorry to point out that the 'colonial form' does not mean anything definite, as the government of the South African Union differs very materially from the government of the Commonwealth of Australia, and both of them lack several essential features of the constitution of the Dominion of Canada. It would not be possible or convenient to transplant in Indian soil the constitution of either Canada, Australia or Africa. Nor would it be wise or prudent to break away altogether from old moorings and turn the existing constitution topsy-turvy. Our aim must be evolution and not revolution. We must build upon existing materials, take things, facts, and

difficulties as we meet them to-day, and proceed on lines of least resistance.

In the first place, we must accept for the present the connection of England with this country and the government that England has established here during the course of nearly two centuries as unalterable and inevitable. For obvious reasons, it would also be wise to accept the system of provincial governments which have sprung up since the days of Clive and Hastings. We must not also overlook the fact that India is no longer the home of the Hindus alone, or the Mahomedans either, but the home also of a very large class of European and Asiatic people brought together to our shores from all parts of the world in different ages and under different conditions. There are also important classes of minorities domiciled in this country, besides large sections of the submerged population known as untouchables, whose wishes and interests have always got to be safeguarded and protected. These are the bed-rocks of Indian politics, and all schemes of reform must consider them as sacrosanct for all practical purposes.

I shall briefly state now what sort of self-government we are anxious to see established in India. In the first place, we want the entire scheme of local self-government, from union boards and panchayets upwards, to be manned and controlled by non-official Indians, with non-official chairmen, and placed in charge of a mixed official and non-official local Government Board. We want more power and resources at the elbow of rural, circle, sub-district, and district boards. We want the district officer to be absolutely freed from his judicial and magisterial functions and to do a good portion of his work with the assent of a representative council at his own headquarters. Then, we want the offices of the divisional commissioners, except in Sind, and the Board of Revenue, to be knocked on the head where they do exist, for, instead of adding to the efficiency of the administration in any way, they are like a fifth wheel in the coach and needlessly

add to the expenditure of the state. In the next place, we want our provincial Legislative Councils to be far more representative of the people than they are at the present moment, and to see in them the establishment of a majority of elected non-official Indian members. These Legislative Councils should be possessed of plenary powers over the entire internal administration of the provinces and provided with autonomy, not in the sense in which Lord Hardinge or Lord Crewe would have it, but autonomy in the sense of having both the power to administer and to control. This control we want all along the line,—in administrative, legislative and fiscal matters. In our scheme of legislative autonomy, we demand the right for private members to introduce bills and resolutions without any previous sanction of the Government and the right of interpellation to be extended to all manner of subjects. In the first stage of this development, we shall not mind the veto of the Governor being frequently used under proper constitutional safe-guards. In fiscal matters, we want provincial autonomy to include the power to raise loans, to impose or alter taxation, and the right to vote upon the budget. In administrative measures, we desire the provincial Government, working under the control of the Legislative Council, to have complete freedom of initiative and execution. At the top of all this, we want the Executive Councils of the Governors to consist of four members, two of whom we want to be Indians. In the hands of these Indian members, to be elected by the Legislative Councils, we want to be entrusted the portfolios of (a) Education and Sanitation, and (b) Local Self-Government, Police, and Public Works. We want it also to be distinctly provided that no place should be reserved or earmarked in the Executive Councils for members of the Indian Civil Service, and that no member of the provincial Government should ever be recruited from the Bench of any High Court or *vice versa*.

In the Viceroy's Council, out of six members we want

three to be Indians, two of whom must have charge of Education, Sanitation, local Self-Government and Police. In our scheme of reconstruction, we want a general redistribution of work among the members of this Cabinet and the law member to have an independent portfolio with a distinct proviso that none of them is to be promoted to the office of a Lieutenant-Governor of any province. We want also the Viceroy's Legislative Council to be expanded to an Imperial Legislative Assembly of 120 members, three-fourths of whom must be elected non-officials. We want larger powers for non-official members to introduce Bills, move Resolutions and ask questions. We want the Indian members of the Executive Council to be elected out of a panel to be specially created by the Provincial Councils, and then we want the Government of India, acting under the advice of the Imperial Legislative Assembly, to be free from all interference of the Secretary of State for India.

In the constitution of the Commonwealth of Australia, the legislative powers of the federal parliament are enumerated and limited, while the governments of New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania retain the residuary powers of government over their respective provincial territories. In the constitution of Canada also, the nine provincial governments have independent legislatures with full powers to regulate their own local affairs and dispose of their revenues provided only they do not interfere with the action and policy of the central administration, which is a parliament of two houses similar in principle to that of the United Kingdom. In our scheme of legislative reform, we are practically combining the central idea of the Commonwealth of Australia and the Dominion of Canada and, with that view, the powers which shall have to be specially reserved for the Imperial Legislative Assembly need to be enumerated. The army and marine, wars and expeditions, customs tariff and imperial taxation, commerce and shipping, currency and mints, weights and

measures, emigration and immigration, foreign affairs and native states, insolvency, public debt, banking and insurance, census and statistics, references of the different provinces and adjustment of inter-provincial relations, besides maintenance of a close touch with the India Office in London, will be the principal concerns of the Government of India in ordinary times ; and, during any emergency, it shall be competent to interfere with the domestic politics of any or of all the different provincial Governments.

As regards financial re-adjustment, we desire that the revenues under salt, customs, tributes, railways, post and telegraphs, and mint should belong exclusively to the Government of India, the services connected with them being imperial, while the revenues under land revenue, including irrigation, excise, forests, assessed taxes, stamps and registration should belong to the Provincial Government, the services being provincial.

Finally, we want the Secretary of State's Council to be abolished, and the powers and the functions of the Secretary of State for India to be steadily approximated to those of the Secretary of State for the Colonies and his pay placed on the British estimates. Till, however, the Secretary of State's Council is abolished and satisfactory autonomy is granted to the Government of India, we demand a place to be found in the House of Commons for a representative from every major province in India.

In this scheme we have got to add the recognition of the equality of status of Indians all over the British Empire towards which, thanks to Lord Hardinge, a beginning has already been made. Then, above everything, we want all commissions, in the army and the navy, together with volunteering, to be thrown open to deserving Indians, with proper facilities for military and naval instructions.

That is our scheme of self-government for the present. In this scheme we have tried to evolve a representative or

responsible form of government out of existing materials with the least disturbance to the existing machinery. There is bound to be some disturbance, as no changes in the constitution of any government are possible without it. The main principles upon which we want to go are that the foreign or alien character of the Government should be eliminated as far as possible, that the British and Indian interest in this country should be made identical, that the administration should be nationalised and made responsible to the people for its work and conduct and, lastly, the Indian Civil Service and the police should be kept in their proper places and reduced from the position of masters, to those of the servants, of the public.

Above all, we demand that the principal functions of the state—the legislative, the administrative, and the judiciary—should be as much co-ordinated as possible. As Dr. Woodrow Wilson very truly observes: “the relations borne by the administration, the branch which executes the law, to the legislature, the branch which makes the laws, touch the very essence of a system of government. Legislation and administration ought under every well-devised system to go hand in hand. Laws must receive test of their wisdom and feasibility at the hands of administration; administration must take its energy and policy from legislation. Without legislation, administration must limp; and without administration, legislation must fail of effect. . . . A perfect understanding between executive and legislature is indispensable, and no such understanding can exist in the absence of relations of full confidence and intimacy between the two branches.” We are anxious for the establishment of this intimacy in all the local and imperial Governments of India; and, to begin with, it is our desire that the relation between the executive Governments and the legislative Councils should be roughly similar to those now existing between the Imperial Government and the Reichstag in Germany.

As regards the judiciary, it is only in the United States

where, by the constitution of George Washington, it has been established as an independent co-ordinate power. Such a thing, however, is impossible in India for a long time to come, or, for the matter of that, in most countries of the world. But perhaps the next best thing to do is to make the judiciary as much independent of the executive as is possible under the existing conditions of Indian life. A complete separation of the judicial and executive functions is, therefore, one of the first reforms that is badly wanted in India, and the judicial service in every province should be placed under the control and supervision of its own High Court.

In the scheme which I have drawn above, I have intentionally avoided discussing the position of the Indian princes and the people of the native states. Some provision has, no doubt, to be made to include them in a general scheme of national self-development, for India cannot be conceived to grow into a steady and consolidated power with one-third of her area and a fifth of her population left out of consideration. But how they may be brought within a general all-India scheme of political reform is a delicate question upon which we would very much like to hear the opinions of the statesmen and publicists of the native states themselves before offering any remarks of our own.

HOW MAY WE GET IT?

' Having sketched out our desired scheme, it is now necessary to enquire as to how may we get it through. I, for my part, do not believe in the changed, or the changing, angle of vision of England in relation to the affairs of India. I do not believe that the end of the present war will bring us any nearer to our goal. I do not believe that it is ever possible for a democracy to view with sympathy the aspirations of such a distant and alien 'dependency.' I do not believe that England, in spite of all her professions of sympathy for India, can ever turn against the men on the spot and do us

justice and see eye to eye with us in regard to the problems of our administration. Nor do I believe in the game of waiting or in the policy of not going too fast, for, at the rate in which we are making progress towards constitutional liberty under the present rule, particularly in education, we may not reach our goal till very close to the day of judgment. There is no good adopting the wisdom of the ostrich to refuse to look facts in the face: political self-deception is not unoften worse than national suicide. Our only *modus operandi*, therefore, is to go in for our goal, like the Chartist and the Corn-Law Leaguers in England, with whole-hearted earnestness, and agitate for it, press for it, and fight for it by all manner of constitutional means open to us. If nations by themselves are made, we must not indefinitely hang by the coat-tail and wait upon the pleasure of a foreign power to furnish us with the necessary escort on the way to our goal. Our destiny is in our hands, a truism which Mr. Lyon reminded the people of Bengal not very long ago, and we must ourselves make or mar it, now or never. By the pressure and volume of public opinion, by adding strength and fibre to our character, by developing courage of convictions, by increasing the bounds of knowledge and disseminating ideas of civic rights and, above all, by carrying our masses with us in all our domestic, social and political aspirations we can, and we shall, at no distant future, make it impossible for the British to refuse us what we want and withhold us our natural rights. We must get our whole people to think with us, feel with us, and work with us. "They who do not feel the darkness," said Buckle, "will never look for the light." No amount of cold douche or condemnation from high quarters of our goal as 'extravagant' or 'unrealisable,' should damp our ardour and keep us from the fight. "Seek, and ye shall find: knock, and it shall be open" was as true in Christ's life-time as twenty centuries after his death and holds as good in the political, as in the religious, world. We must go on fighting

our battle with the greatest discretion, with all the constitutional weapons available to us, and, we are confident, our fight for freedom shall be as peaceful and bloodless as that of Turkey, China, Persia and Japan. On the successful issue of this fight will depend the future of the Indian people, and if we cannot work our way to political freedom quietly and *peacefully*, we shall richly deserve to be governed away and blotted out of the face of this earth.

India and the War.

By ST. NIHAL SINGH.

AUTHOR OF

"THE KING'S INDIAN ALLIES," "INDIA'S FIGHTERS,"

"INDIA'S FIGHTING TROOPS," "ESSAYS ON INDIA,"

"PROGRESSIVE BRITISH INDIA," &c.

"..... I do not think that in all the moving exhibitions of national and Imperial patriotism which the war has evoked there is any which has more touched, and rightly touched, the feelings of this..... country than the..... magnificent response which the princes and peoples of that country [India] have made to our need."—From the statement made by the Right Hon. H. H. Asquith in the House of Commons on September 16, 1914.

"The memory of the powerful aid which they [Indians] readily accorded in the hour of trouble will not be forgotten.....when the affairs of India come up for examination."—From the statement made by the Right Hon. David Lloyd George in the House of Commons on October 29, 1917.

Published by 7 Southampton St.

BRITAIN AND INDIA ASSOCIATION, ~~33, REGENT'S PARK ROAD,~~
LONDON, N.W.

Price 2d.

High Holborn, W.C.1

Copyright by **ST. NIHAL SINGH,**
March, 1918,

J. E. Francis, Atheneum Press, Bream's Buildings, Chancery Lane, London, E.C.4.

India and the War.

EVER since the outbreak of hostilities, India has insisted on remaining in the forefront of the fight. Her sons faced the Germans on the Continent earlier than any other Empire forces. The regiments that she sent during the initial weeks of the war, to France, Egypt, East Africa and Mesopotamia were composed of hereditary fighters who had figured in more campaigns than soldiers of any other nation. Many among them wore tunics the left breast of which was covered with stripes and medals.

It is not generally known that, when Europe's destiny was trembling in the balance, India dispatched a large contingent of British soldiers in her employ, as well as Indians, and that in respect of the men of the first line India's effort was not far short of Britain's. Nor is it realized that India sent many of the guns that saved the situation in the early days of the war, and much of the ammunition that was used in them. Hundreds of British officers in India's pay were placed at Lord Kitchener's disposal to raise the armies that have since won renown.

India was able to render such signal service in freedom's cause because she was strong, and because her wide-awake sons were freedom-loving and deeply attached to the Empire.

When the European sky became overcast with war clouds in 1914, the strength of the armies maintained by the Government of India and by the various Indian sovereign-rulers was not much smaller than that of Britain's first-line army. Money had been lavished upon them to keep them in prime fighting condition.

Educated Indians, whose loyalty to the British connection was often suspect in pre-war days, readily volunteered to refrain from any political agitation that might in any way hamper the Government in making the utmost use of India's almost inexhaustible resources in men and materials. They offered to serve in any capacity in which the authorities might see fit to employ them: The nation's representatives in the Imperial Legislative Council initiated the movement to enable India to contribute towards the cost of warfare carried on beyond the Indian borders.

Not a single Indian sought to strike a bargain with the British at the most critical period of Britain's history. No one has, since then, asked for a *quid pro quo*.

* * * * *

All India rallied to the British cause—Indian India, held and ruled by Indians, as well as British India, administered by the British.

Almost a score of Indian sovereign-rulers, great and small, young and old, insisted upon exchanging the comforts of their palaces for the mud and blood of campaign life. Some of them, to this day, remain at the front. The armies of many Rajas are fighting in various battlefields.

During the initial weeks of the war, his Exalted Highness the Nizam of Hyderabad contributed Rs. 6,000,000 (£400,000) and his Highness the Maharaja of Mysore gave Rs. 5,000,000 (£333,333). In the fourth year of the struggle these gifts still head the list of individual contributions to the war-chest.

This stream of munificence has flowed unchecked from Indian India. Rajas have vied with one another in giving armoured aeroplanes, ambulance cars, and hospital ships, and in converting their railway workshops into arsenals, and their palaces into hospitals.

* * * * *

The educated Indians who did not belong to one or another of the races and castes classed martial, found themselves shut out of the army—both rank and file. Persistent agitation enabled some of them to serve as ambulance workers.

The Bengalis, who, since the days of Macaulay, have been unjustly branded as cowards, rendered medical relief under fire with such *sang froid* that the authorities felt compelled slightly to revise their policy of barring them and other educated Indians out of the army. A battalion of educated Bengalis and a double company of educated Punjabis have been raised.

Last year the Government of India somewhat modified the policy that prevented Indians from joining the volunteers. Though they were not allowed to serve as officers in the Indian Defence Force, and though the conditions under which they could obtain admission were unsatisfactory, yet the applications exceeded the maximum number, fixed at 6,000.

Towards the close of 1917 His Majesty's Government removed the bar that prevented Indians from holding the King's commission. Shortly afterwards the few Indians who, after passing out of the Indian Cadet Corps, were borne on the list of the "Native Indian Land Forces," were given regular commissions, and lately a few Bengalis have been appointed officers in the Bengali battalion.

Refused admission into the Officers' Training Corps, Indian students at the British Universities and Inns of Court volunteered to render any service that they might be called upon to perform. Several score of them were drafted into the Volunteer Ambulance Corps organised in the autumn of 1914 to take care of Indians wounded on the Continent. Indian women residing in Britain, and the wives of Indians who were not themselves Indians, aided by their British sisters, formed a league to provide comforts for the broken heroes and for Indians at the front and in prison camps. Indians residing in the Dominions and Colonies and in foreign countries sprang to the colours with the same alacrity as did their countrymen at home and in Britain.

* * * * *

Who can describe the sufferings of the men born and bred in the tropical heat of India, suddenly plunged, in the autumn of 1914, into the wet and cold of France and Flanders?

They often stood in trenches with water above their waists, and calmly faced explosive shells, to which they were as unused as they were to the climate and the language of the country in which they

were fighting. Many of them became so rigid with cold that they had to be pulled out of the trenches by ropes slung under their arms. But even when frozen stiff, the Indian fighters made the most effective use of the small quantities of ammunition that was doled out to them. Though greatly out-numbered and out-gunned their morale remained unshaken.

Many of the men India sent to stem the tide of German aggression that was sweeping across Flanders and France in the autumn of 1914 never returned to India, broken or whole. But the contingent helped to bend back the enemy line, and to save civilisation. Had India completely dropped out of the fight at that moment, her share in the war would still have constituted a bright page in the annals of freedom.

* * * * *

India was not, however, the country to rest on her oars. On the contrary, she went on increasing her effort. More than a million fighters and war-workers have already left her shores for foreign service. More are constantly going forward to replace the wastage of war, and even to increase the existing strength of the Indian army in the field. The effort in men made by all the other over-seas units of the Empire barely approaches that made by India.

From first to last, warfare has been conducted in Mesopotamia by Indian troops, equipped and munitioned from India. Indians have constituted a large part of the forces operating in Palestine, Egypt, and German East Africa.

If ammunition used by Britain and her Allies in all the theatres of war were endowed with speech, it would freely acknowledge its debt to Indian minerals and cotton. Hardly has a gun belched forth shells upon the enemy in any field of action into whose composition did not enter tungsten mined in British India.

A bare list of names of articles made from Indian jute, cotton, leather, and other materials, that the British Navy and Army find indispensable, would cover a considerable portion of this pamphlet. Much of the food consumed by the armies in the field and the civilians in Britain has come from India.

Though a country where the average daily income is variously computed to be from $\frac{3}{4}d.$ to $1\frac{1}{2}d.$ per person—the higher estimate being Lord Curzon's, and, therefore, not likely to be unduly pessimistic—yet India has insisted, from the commencement of the hostilities, upon sharing with Britain the cost of the war. In addition to lavish gifts made by wealthy Indians—sovereign-rulers and others—British India has contributed £100,000,000 to the war-chest.

India is making these sacrifices without demanding any price. Why? Because educated India is freedom-loving and is anxious to strengthen the British hand to prosecute a war of liberation.

* * * * *

The complete identification of India with the Imperial cause has deeply touched the British, from the Sovereign down to the man in the street. His Majesty's message of September 8, 1914, stating that nothing had moved him so much as the "one-voiced

demand" of Indians "to be foremost in the conflict," still rings in Indian ears.

The very fact that no Indian has tried to exact a price for the blood and treasure that India has been lavishing upon the struggle has influenced the British to revise their notions regarding the Indian movement for autonomy. Early in the war, Mr. Charles Roberts, speaking as Parliamentary Under-Secretary of State for India, assured Indians that the war had altered the "angle of vision" through which the British viewed Indian aspirations. Not so very long ago the present Prime Minister declared that, "when the affairs of India come up for examination and for action," Britain will not forget "the powerful aid" that Indians "readily accorded in the hour of trouble."

While Mr. Lloyd George was giving utterance to these words, the Right Hon. Edwin S. Montagu, M.P., His Majesty's Principal Secretary of State for India, accompanied by the Earl of Donoughmore, Mr. Charles Roberts, Sir William Duke, member of the India Council, and Mr. M. C. C. Seton, Secretary of the Judicial and Public Department at the India Office, was on his way to India. This party had set out on its journey during a critical period of the war, and in face of grave submarine danger, to consult Indian leaders and British officials with a view to elaborating a scheme of constitutional reforms that could be effected as speedily as possible. Shortly before the departure of this mission, Mr. Montagu had stated in the House of Commons that:—

"The policy of His Majesty's Government, with which the Government of India is in full accord, is that of the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions, with a view to the progressive realisation of responsible government in India as an integral part of the British Empire."

Only when this declaration is compared with the statement made by Mr. Montagu's predecessors is it possible to realise the departure that Britain undertook, in the autumn of 1917, to make in her Indian policy. During the preceding decade two of them declared their inability to foresee a time when India would be given a "measure of self-government approaching that which has been granted in the Dominions."

* * * * *

At present Indians do not possess any control over the administration of British India. They do not have any power over the purse, nor can they shape policy.

Indians have only a slight opportunity to initiate legislation, national or provincial, for the legislative councils are so constituted that nearly all resolutions moved by Indians are thrown out, or the proposers withdraw them (to save their face). Being in a minority in all legislative councils, in fact if not nominally, the representatives elected by the people can at best exert only a moral influence over the executive.

Even municipalities in almost every large or small town are dominated by officials. The conversion of village headmen into officials has dealt a staggering blow to the councils (*panchayats*) that

used to administer rural affairs. These Councils have been deprived of the revenue functions that they exercised for hundreds of years.

Not a single province is or has ever been placed under an Indian. Never has an Indian been confirmed as a Chief Justice. So few of the important Government positions are held by Indians that the Public Services Commission, which issued its report in 1917, found that 90 per cent of posts carrying a salary of £640 and upwards per annum were occupied by non-Indians.

By letter of the law the Imperial Parliament exercises check over the Government of India. But Westminster is separated from Simla by over 6,000 miles of sea and land, and by a vast ocean of religious, racial, and cultural differences. Few members of either House who have not been part of the Indian machine possess any first-hand knowledge of Indian affairs. They are, as a rule, too much absorbed in domestic matters to give much attention to Indian problems. Parliament is, therefore, unable to exercise much control over the Government of India.

The Mesopotamia *débaçle* showed how such a system of governance is headed towards danger. Both the present Secretary of State and the Parliamentary Under-Secretary of State for India have vividly drawn the moral of that breakdown.

The task that confronts the British in India is of a dual character—partly administrative, partly political. The government of the country needs immediately to be decentralised, and also to be made responsible to Indians.

The political issue dominates the situation, for even if administrative machinery could be perfected without giving Indians an opportunity for self-expression, there would be discontent—and disaffection. A perfect government superimposed upon India that did not appeal to the Indian imagination, that failed to enlist Indian co-operation, would be thoroughly un-British and unworthy of the age; and would collapse sooner or later.

If relaxation of British control implies taking a certain amount of risk, that risk has to be taken; for if Indians continue to lack the opportunity to manage their own affairs, they will never be able to become experienced in the art of self-government, which can be acquired only by actually engaging in it. The British do not profess to be infallible themselves. They are, in fact, constantly talking of “muddling through.” The time has disappeared, never to return, when Indians could be denied scope for initiative and responsibility on the plea that they might bring about a state of chaos.

The overwhelming majority of intelligent Indians are asking for the right to make mistakes. That is clear from the opinions expressed before such powerful political bodies as the Indian National Congress and the Muslim League.

The most authoritative demand for reforms has been made jointly by the Indian National Congress and the Muslim League.

The authors of this scheme* do not ask for full autonomy. They are prepared to leave the purely Imperial affairs—foreign relations, national defence, and national communications—in British hands for a stated period. They are further willing to let the Crown, the Governor-General, and the heads of provinces retain considerable power of dissent and veto. They even do not insist that more than half the members of the national and provincial cabinets shall be Indians.

But the Indian National Congress and the Muslim League ask that Indians shall be vested with power to manage their domestic affairs, including power over the purse. They also insist upon power being placed in the hands of representatives of the Indian people, elected by them on the basis of the widest possible franchise, and not nominated by permanent officials.

If the British wished they could, to-morrow, have in India, on a literacy basis, a larger electorate than Britain has to-day—far larger than the combined population of Belgium, Serbia, and Montenegro—the “small nationalities of Europe,” in defence of whose liberties the British (duly aided by Indians) and their Allies are fighting. It must not, however, be forgotten that the Indian villager, illiterate though he be, has, for centuries, formed a part of an autonomous system of self-government that, in spite of storm and stress, refuses to disappear.

The political movements in modern India have always given an honoured place to women in their ranks, and if Indians have their way, educated women will have votes. Indian leaders are united in the opinion that special privileges should not be given to any race, creed, or caste, except in case it may be necessary to protect minority interests.

* * * * *

The Indians who would come into power in an autonomous India are men and women who have agitated for the multiplication of schools and colleges, and for the amelioration of the condition of the agricultural and industrial communities. With blood-relatives living on the land, the interests of the masses are their interests.

To-day in that portion of India possessed and administered by Indians, Hindu Maharajas rule over territories largely peopled by Muslims, while Muslim Nawabs govern States inhabited mostly by Hindus. The Prime Minister of a Hindu Raja is often a Musalman, and vice versa. And it has been so for hundreds of years!

What reason is there to presume that in an autonomous British India the case would be different?

The spectacle of steadfastness exhibited by Indian India during this and previous wars is an index to the manner in which self-governing British India would behave towards the Empire in times of trial.

* A pamphlet explaining this scheme is in preparation and will shortly be issued.

India.

By Sir M. M. Bhownaggee, K.C.I.E.

(Formerly Member of Parliament for N.E. Bethnal Green.)

I.—Her Future Place in the Empire.

IN the article on this important part of the British Empire which I contributed to the *British Dominions Year Book* for 1917, I essayed a forecast of the place India aspired to occupy in the scheme of reconstruction of the Imperial Constitution, which all shades of political opinion were agreed must be one of the outcomes of the war. In the short period which has elapsed since that prediction was written, a great stride has been made towards its fulfilment. The conscience of Parliament, and of the British nation generally, has been stirred to a recognition of India's claim to occupy one of the mansions in the Imperial House over which the British Flag extends its protection, with the ultimate attainment of as large a measure of independence in the conduct of her internal affairs as is enjoyed by the other tenants.

At the moment of writing these lines, an elaborate scheme, based upon a comprehensive investigation of all the prevailing conditions, is under consideration by the people of both Great Britain and India. In it are embodied at least the primary essentials of self-government, with the promise of much wider expansion in the future. Within the limits of this article it is impossible to describe in detail, or, indeed, to dwell even cursorily upon the vast field traversed by what is known as the Montagu-Chelmsford Report. The main objects, however, of the proposals it sets forth may be briefly summarised as: The establishment of complete popular control in local provincial bodies, making them independent of financial and administrative intervention by Government; the enlargement of Provincial Legislative Councils, based on a wide franchise; the creation of a Council of State and a Legislative Assembly; the appointment of a number of Indian Ministers, with functions similar to those exercised by Parliamentary Under-Secretaries in England; the removal of racial barriers; and the larger employment of native talent in the public services. The Government of India is to retain its present responsibilities for the preservation of peace and order, its existing powers for making ordinances, regulations, etc., continuing to be answerable only to the Imperial Parliament at Westminster. In the final resort the

veto of the Governor-General in Council [the Viceroy] will be conclusive.

The establishment of an adequate system of franchise, on which will depend the practical operation of many of these proposals, the large measures of decentralisation, the enlargement of popular representation and control, and such other reforms of prime importance as are suggested in the scheme will doubtless engage the attention of public men in both countries for some time to come. In this process new developments are likely to present themselves, but in whatever direction revisions and improvements are found advisable, it is certain that the future administration of India will be less bureaucratic than in the past, and her people will be given to a larger extent the shaping of their own destiny.

Excellent, however, as are the recommendations briefly enumerated above, there is contained in the later portion of the Report a chapter under the heading "Industries and Tariffs" (pp. 264-72) which, to my mind, transcends in importance any other section of the document, in the fact that it offers a genuine panacea for the poverty, helplessness and discontent from which it is the object above all others, to deliver the teeming population of India. Its bold admission of the past neglect of the Imperial Administration to train and equip the Indian people for the pursuit of industries is admirable. If the promise it holds out of remedying this defect is fulfilled, it will do more than any other proposal contained in the Report to solve the problem of India's future.

Mr. Montagu ably summarises this part of India's case in a recent speech, wherein he says—

"How much more India could do for us and for herself now, if her industries had only been developed in the past! When India set out to make things—railway engines, trucks, and even rails—she found herself acquiring machinery from over the seas, which it was now impossible to get on the necessary scale, and also skilled workers, which were now so scarce all over the world. But that state of things must end. One of the first duties of the Government of India would be to start and steadily to promote a policy which would enable India more and more to supply her needs by her own efforts out of her almost immeasurable resources."

In these pregnant words can be read the conclusion of the chapter to which I have referred, and a critical study of it will furnish the English reader with the key to the whole Indian situation. The impression left will be one of surprise that, through two centuries of British rule, those enlightened administrators who were charged with the welfare of this great Dependency neglected this their "first duty of enabling India to supply her own needs by her own efforts out of her almost immeasurable resources." It cannot be alleged that their attention was not drawn to this vital consideration,

for even so long ago as in August 1898, on the night of the Indian Budget, I had moved the following "amendment" in the House of Commons—

"That in the opinion of this House, the system of education at present pursued in British India has proved ineffectual to direct the attention and energies of her people to technical and industrial pursuits, with the result that the productive power of the country has been arrested, making it more and more dependent on foreign manufactures; that, as a consequence, considerable sections of its population are rendered helpless, and a sense of discontent is growing up among those classes which, having come under the influence of such education, look to Government only to provide them with the means of livelihood; and that therefore this House considers that the time has arrived when a change should be made in the system of public instruction in India, and other adequate measures adopted with a view to remedying these evils."

In ordinary circumstances I should be unwilling to give this quotation, but at last one is compelled to remonstrate against the almost callous indifference with which, in spite of warning given, this subject has been treated by those whose duty it was to guide the people in this the most essential path of national prosperity.

Year after year, both by motions in the House and other agencies, this demand was pressed on the authorities, and it must be acknowledged that far-sighted rulers, like Lord Reay in Bombay and Lord Curzon during his Viceroyalty, did recognise India's industrial impotence and devise some measures for promoting scientific and technical instruction. But with the termination of their tenure of office, the further development of these measures seems to have been arrested, and to-day India is seen to be devoid of any properly constituted system of industrial and economic education. There seems so far to be no administrative department whose special function it is to provide the means for such training, and no recognition on the part of the Government of its obligation to encourage manipulative pursuits and enterprises. A policy of supineness, or, rather, the absence of a constructive policy, has resulted not only in the impoverishment of the country, but in generating much dissatisfaction, and even discontent. It is some relief to find that the situation is now frankly recognised by the authors of the Report, and we may hope that their determination to face it will result in the evolution of substantial and effective measures for India's industrial expansion.

The claims of India to a forward policy, directed to the improvement of her political and economic status, which are generously admitted in the new scheme, have been greatly enhanced by the spontaneous and whole-hearted co-operation of her princes and peoples with the Paramount Power in opposing the menace of a

ruthless and unscrupulous enemy to the liberty and security of nations. A brief record of their activity and achievements is given in the following section of this article.

II.—Her Part in the War.

No aspect of the war has more completely upset German calculations than the part which the Empire of India has taken in it. So far from direct and continuous contributions in men, money and materials, being anticipated, the expectation of the enemy was that India would be an actual source of embarrassment to the British effort, inasmuch as, it was foolishly assumed, the seditious elements in the population, of course vastly exaggerated, would seize the opportunity of the ruling power's preoccupation in the European conflict to raise the flag of revolt against the English tyranny and proclaim their independence. In order to ensure this result, a horde of German agents, missionaries, commercial-travellers, clerks, and other agencies, had been engaged for years prior to the war in a secret campaign of propaganda designed to present the Englishman in the blackest colours and to exalt the effulgent virtues of the Teuton.

The bitter chagrin of Germany's statesmen was proportionate to their disappointment when India's response followed Great Britain's entry into the war. From all classes and castes of the 330,000,000 of peoples there came but one expression of sentiment—that of profound loyalty and devotion to the British Crown. Nor were they content with the mere profession of allegiance, however warm and sincere. They demanded to be given a practical share in the burden imposed upon the rest of the British Empire. They claimed and won the right to send the pick of their fighting men to the fields of France and Flanders. And thus it came about that the Imperial Government was not only enabled to denude India of the standing army of British regiments, but to draw upon Indian contingents who inspired the admiration and respect of that "contemptible little army" of veteran soldiers who held up the onrush of the Kaiser's legions in the first critical year of Armageddon.

I may here interpose a few words as to the reasons why India has not sent an even larger proportion of her man-power to aid the cause of the Entente. In normal times the strength of the Indian Army was drawn almost exclusively from what are called the "martial" clans, such as the Sikhs, the Goorkhas, and Maharattas, who had long military traditions. The great bulk of India's population have had no opportunities in the service of arms. Hence new armies must be created out of untried resources. It is estimated

that there are over 70,000,000 males within the present limits of age for military service: a mere percentage would therefore represent a vast accretion of fighting strength. But another difficulty arises in the dearth of officers to train millions of raw recruits. A preliminary essential to instructing new levies in all parts of India would be a knowledge of the vernaculars, an acquirement possessed by few Englishmen. The appointment of Indian officers with this lingual ability would be a solution of the difficulty. Heretofore Indians were not eligible for the commissioned ranks; since the disability has been removed, the number appointed has been quite negligible. But within the last few months this bar has been to a certain extent removed, and it is to be hoped that before long Indians will be fully admitted to commissioned ranks. In short, an officer class would have to be provided before troops could be instructed.

This, however, is by way of digression. My purpose here is to survey some of the things which India has done during the war, not the larger services she might have rendered if circumstances had been otherwise. And even in writing of this more restricted scope I must exercise economy in detail. For instance, the share taken by Indian contingents in the Empire's "side-shows"—in Egypt, Palestine, Mesopotamia and German East Africa—could not be described adequately in the space of one article. Moreover, these major services do not call for further recognition than they have received in the general chronicles of the progress of the war. It may suffice to say that India's contribution in fighting men to overseas expeditions has amounted to well over a quarter of a million; in other words, an equivalent to the total peace strength of the Army in India. Not only have the men been forthcoming, but their equipment and commissariat. All the ammunition used came from the Indian Ordinance Department. In the year just closed arrangements were made to raise another half-million men.

In the Commissariat Department, as I have said, the Government of India undertook the provisioning of all the expeditionary forces sent overseas. Enormous additional supplies of foodstuffs were also exported for civilian use, thus relieving the strain put upon the resources of the British Isles. Encouragement is being given to the farmer to increase his acreage under wheat, with the result that 1,383,000 tons of wheat have reached the United Kingdom, and the price for the cereal has been regulated by a system of State purchase. To this must be added immense stocks of forage. The story is the same in regard to minerals. India has had a practical monopoly of the supplies of saltpetre, wolfram and manganese ore. Indian hides have enabled the Allied Governments to provide their armies with 12,000,000 pairs of boots per annum, and Indian jute has supplied the material for an output of 600,000 sandbags per day.

India's financial contribution has been more than proportionate to her straitened means. The cost of her military expeditions has entailed an expenditure of many millions. The money loaned from England has been repaid and the responsibility for a loan of £100,000,000 has been undertaken. It must be remembered that the last-named sum represents nearly twice the amount of the total peace revenue of India. At the moment of writing a further large contribution is reported by which the people of India will accept responsibility for the various charges now borne by the Imperial Government under the Parliamentary resolutions of November, 1914, notably in respect of the cost of Indian troops in this country and in the field. The cost is estimated at £45,000,000. In direct, and perhaps to a larger degree in indirect, contributions of men, money, and material, India has made sacrifices worthy of the position her people aspire to attain in the British Empire.

I now come to the subject which, in my opinion, presents the loyal support given to the British Crown in its most impressive light—the devotion shown by the Indian Princes as expressed in the form either of personal services or of munificent donations, as well as contingents of Imperial service troops. I can cite only a few of the many notable instances, and shall not be making an invidious selection if I begin with the example of the Nizam of Hyderabad. Ever since the second month of the war—September 1914—his Highness has been paying out of his private exchequer a sum equal to £20,000 per month towards the general cost of the war. The regular payment of this contribution has not been affected by the Nizam's special contribution of £100,000 to help the Navy's fight against Germany's submarine campaign. Hyderabad is, of course, an inland state: nevertheless his Highness rightly felt that every portion of the Empire was menaced by the enemy's resort to unrestricted piracy, and as he said himself, when intimating his intention, "Even in Hyderabad we have realised the supreme importance of the Navy at the present time, when the submarine menace has again become acute. . . . Situated as I am, I am unable to offer either ships or men for service at sea. I therefore propose to place at the disposal of the Admiralty the sum of £100,000." Beyond these money payments, the Nizam has made a point of defraying the expenses of all the men from his state who have joined the contingent of 12,000 drawn from the twenty-seven Native States.

Altogether the direct money contributions, what may be called free gifts in distinction from subscriptions to War Loans, of the Indian rulers amount to about £2,000,000. Conspicuous among these princely donors is the Maharaja of Mysore, whose share amounts to £400,000. The liberality of the Maharaja Scindia has taken various practical forms. First, he has lent to the Government £330,000 free of interest for the duration of the war. His

unconditional gifts comprise £26,000 for armoured aeroplanes, £25,000 for a fleet of motor ambulances, £22,000 for staff and transport cars for use by the Indian troops in France, and £6000 for the Ministry of Munitions. The principal contribution of the Gaekwar of Baroda has been £33,333 for aeroplanes, and gifts of aeroplanes figure among the offerings of the Maharaja of Cashmere.

The Madras War Fund, which defrays the total cost of the hospital ship *Madras*, represents the generosity of the Chiefs of Southern India. Other contributions have taken the form of maintaining fighting forces on active service, the expenses of whole regiments or other units being guaranteed. Thus the Rao of Cutch defrays the expenses of a native cavalry regiment for the period of the war; the Maharaja of Jaipur meets the cost of a battery of machine-guns; among the Chiefs of the Kathiawar States, who have provided a full fleet of motor ambulances, Bhavnagar stands out conspicuous with its Imperial Service troops for the last twenty-five years, and now engaged in different fields of war; the Chiefs of Rajputana are the principal donors to a fund which has already furnished fifteen aeroplanes and a battery of machine-guns.

A number of battalions of Goorkhas have resulted from the offer of all its military resources made by the State of Nepal in August 1914, and they have been equipped for field service largely by means of the personal gift of £20,000 from the Prime Minister of Nepal. Both his whole private resources and his personal jewels were offered to the Government by the Maharaja of Rewa.

Another direction which the gifts of India's rulers has taken has been the provision of accommodation for the sick and convalescent. I shall give two instances. The first is that of Her Highness the Begum of Bhopal and the Maharaja Scindia, who, with other ruling Chiefs, have equipped and maintained the hospital ship *Loyalty*. The other is the conversion of the Takhtsingjee Hospital and other State buildings of Bhavnagar for the treatment and convalescence of wounded troops. These well-equipped nursing homes are superintended day by day by his Highness the Maharaja and his enlightened consort. This lady also conceived the idea from the first days of the war of publishing a weekly illustrated journal in the vernacular in order to disseminate among the people of India a true knowledge of the causes of the war and to provide trustworthy information as to the progress of the war in all the various theatres of the conflict. The journal has been distributed in thousands at her personal expense, and has proved most serviceable in countering the false reports spread by German propaganda.

In this connection, it is worth making a brief reference to the fine examples set by several princes by actual service in the field. The Maharaja of Bikaner, who, after lengthy service on

the Western Front, proceeded to take command of his three companies of Camel Corps, which have rendered signal services in the defence of Egypt: General Sir Partab Singh, who at the age of seventy years put himself at the head of the Jodpur Lancers in the expedition to France, and others who have volunteered like service in the different theatres of war, are instances of the general desire on the part of the ruling Chiefs of India to place all their resources and their lives in the defence of the Empire.

[Nothing, perhaps, could throw into sharper relief Sir M. M. Bhowpaggree's account of what India has done in the war than the Report of the Rowlatt Committee appointed to investigate the nature and extent of revolutionary conspiracies which were to destroy British India. The Committee consisted of Mr. Justice Rowlatt, of the King's Bench; Sir Basil Scott, Chief Justice of Bombay; Dewan Bahadur C. V. Kumaraswami Sastri, Judge of the Madras High Court; Mr. Provash C. Mitter, Vakil of the Calcutta High Court; and Sir Verney Lovett, of the United Provinces Board of Revenue. The Report reads like a sensational romance, and affords new proof of the ramifications of German intrigue. The revolutionaries made themselves eager tools of Germany, and went the length of appealing to the late Tsar to abandon the alliance with Great Britain in order to drive the British out of India. A "Provisional Government" was formed, and a letter was sent to the Sultan proposing the formation of an "Army of God" which was to assure Indian co-operation with Turkey and the Central Powers. Some of the conspirators found their way to Berlin, where details for a rising were arranged. "The Report," says *The Times*, "tells an extraordinary story of how they planned to import quantities of German arms from California, overpower the troops in Bengal, blow up the three main railway bridges on that side (so as to prevent the arrival of reinforcements), take possession of the arms and arsenals in Calcutta and sack the city, and then work with German officers who were to arrive from California and raise and train armies in Bengal. News came that the German Consul in Siam was sending 5000 rifles and a lakh of rupees (£6666) by boat. The Bengal Government got information of this scheme, and thus the whole project was brought to naught and several revolutionaries were rounded up. The Report gives details of the chartering of the s.s. *Maverick* and the s.s. *Henry S.* by Germans in America and starting them for Eastern waters in connection with such plots. When the scheme failed the German Consul-General at Shanghai arranged to send two other ships with arms to the Bay of Bengal." These and other schemes, as the Report points out, were all "successfully encountered with the support of Indian loyalty." What will happen when the persons concerned in seditious movements, and now interned under the Defence of India Act, are released, the Committee does not intend to know, but it is not of opinion that the revolutionary movement has been so far disposed of that the possibility of future conspiracies can be safely disregarded.—EDITORS, B.D.Y.B.]

A CHALLENGE TO MILITARISM

During this great war thousands of men are serving humanity by refusing to participate in war. Of these Conscientious Objectors, who, standing for the brotherhood of man, refuse to fight, over 5,000 have been denied adequate exemption, and after being drafted into the Army have refused to obey military orders. In consequence they have been court-martialled and sentenced to imprisonment with hard labour, frequently for a period of two years, though in many cases commuted to a lesser term. About 3,000 have accepted conditional release for work under semi-penal conditions in the Home Office Settlements at Princetown, Wakefield, and elsewhere.

There are about 1,000 men who have refused on conscientious grounds to consent to release on such terms, and receive repeated sentences of increasing severity in consequence of their unbending attitude. These men include 145 members and attenders of the Society of Friends, as well as Roman Catholics, members of the Church of England, of various Nonconformist Churches, and of Socialist organisations.

These "Absolutist" prisoners have been called "The Logicians of Conscience, the Extremists of Peace." They regard any conditional release or exemption as a compromise with Conscription, to which their faith in the spirit of Peace and Freedom is absolutely opposed. To make any bargain therewith appears to them like "compounding a felony."

They are the "Die-Hards" of the Pacifist Movement. They take this stand, not in any spirit of merely negative obstruction, but as a positive expression of their deepest convictions, and in the belief that they are serving the truest interests of the country and of mankind. Before Conscription came, they were among the most active spirits in many forms of social and international service.

Now, having been denied the opportunity to continue such work, they are carrying the same principles which inspired it into their triumphant witness to "that life and power which takes away the occasion of all war" and of all conscription for war. We have confidence with them that the silent endurance of their long prison sentences will help to deliver future generations from the yoke of conscription and the fear of war.

We and they feel keenly the terrible hardships which thousands of their comrades in the Army are suffering, as well as the sorrows of so many broken homes. Nevertheless, it is right that the conscience of the nation should be stirred to recognise the injustice that is being perpetrated upon these men, and the grievous harm which is being done to many of them by the cruel and unnatural restrictions of our prison system. The indefinite continuance of this imprisonment from year to year is one of the strongest evidences of that evil spirit of intolerance and fear which has fastened conscription upon our country.

LETTERS FROM PRISONS AND GUARDROOMS, AND COURT-MARTIAL STATEMENTS.

Court-Martial Defence (by a Socialist):—

"It is upon this appalling state of affairs in so-called Christian Europe that a handful of men are struggling to shed the light of Truth, and I am proud to be one of them. I say, with all the earnestness at my command, that there is only one way out of the hell into which the Western World has plunged, and that way is the way of Him who said: 'I am the way, the truth and the light.' His message was unpopular two thousand years ago; and it is unpopular to-day. He was murdered by those who feared Him; His disciples were murdered because the truth they were spreading threatened to undermine the powers of kings and governments. All down the ages men have borne aloft the Cross of Salvation in the midst of persecution of the cruelest nature; and it is the least I can do to try and follow in their steps. I regard it as my sacred duty to remain true to the faith which is in me, come what may. I believe the time will come when all men will realise that in this faith lies the only hope for the future peace of the world. And so, with sure and certain confidence in the ultimate triumph of the truth for which I stand, I can return to my fourth term of imprisonment with a clear conscience, and with the knowledge that though I may spend the rest of my life in prison, nothing can prevail against this truth which will make the world free."

Letter written from an English Guardroom (by a C.O. who has been imprisoned twice in New Zealand for expressing similar views):—

“ I have felt during these days the dreadful weight of fear and hopelessness there is in the hearts of these lads and men in the grip of the machine, and I find no one speaking publicly for them. The only consolation I have is that by my being here and refusing orders I have given a glimmer of hope to two or three hundred men. . . . It is hard for me to be shut up, and many rebellious thoughts have come to me, but I have been amply compensated by the look of surprised hope that has come to those lads as they have seen me refuse orders. In all humility and only dimly understanding what it means, I say now, I would gladly spend the rest of my life in prison, if by so doing I could end conscription sooner even by a few weeks.”

Tribunal Statement (by a member of the Society of Friends):—

“ Conscience does not primarily object and refuse, but commands. It commands loyalty to the voice of God in the heart. I think this is the same thing, whether it be called religion or morality. I am not chiefly concerned to secure exemption from military service, but to bear witness to the truth as it is revealed to me; knowing that I do this whether I obtain exemption or not, whether I am free in the body or not, so long as I remain true to the principle. When the pain of suffering is soothed, when the nightmare of war is passing away, when minds are unwarped and vision grows clear, the world may be, will be glad, that a little band of men and women in every land have united in this spiritual struggle against the evil spirit that breeds war; for they will have won a victory.”

From One of the 34 C.Os. Sentenced to Death in France (commuted to ten years' penal servitude):—

“ Just a line. We have been warned to-day that we are now within the war zone, and the Military Authorities have absolute power, and disobedience may be followed by severe penalties and very possibly the death penalty, so I just dropped you a line in case they do not allow me to write after to-morrow. Do not be down-hearted if the worst come to the worst. Many have died cheerfully before for a worse cause.”

**PARTICULARS AS TO OCCUPATIONS, DENOMINATIONS, &c.,
OF C.Os. IN PRISON, JANUARY, 1913.**

OCCUPATIONS.

Clerks,	30.00 per cent.
Building Trades and Cabinet Makers,	10.00 "
Teachers and Lecturers,	8.50 "
Merchants, Shopkeepers and Managers,	7.25 "
Engineers, Mechanics and Metal Workers,	7.00 "
Warehousemen, Shop Assistants and Commercial Travellers, Professional Men (Lawyers, Doctors, Dentists, Architects, Musicians, Journalists, etc.),	0.75 "
Printers,	5.75 "
Weavers,	3.75 "
Agricultural Workers (Farm and Garden),	3.75 "
Students,	3.00 "
Tailors, Chemists, Carmen, Chauffeurs, Labourers, Police- men, Postmen, etc.	21.25 "

RELIGIONS.

Society of Friends,	14.00 per cent.	Baptists,	5.75 per cent.
Congregationalists,	12.25 "	Primitive Methodists,	3.75 "
Agnostics and Atheists,	12.00 "	Roman Catholics,	3.00 "
Church of England,	7.50 "	Internat'l Bible Students,	3.00 "
Wesleyans,	7.50 "	Presbyterians, Plymouth Brethren, Salvation Army, etc.	13.75 "
Unitarians,	6.50 "		
Jews,	6.00 "		

SENTENCES.

Thirty-four Conscientious Objectors were sentenced to death in France (afterwards commuted to 10 years' penal servitude). Other sentences vary from 84 days' imprisonment to 2 years' hard labour.

Time Already Served.

Of the 1,335 Conscientious Objectors now in prison:—	
236 have been in prison 9 months:	
223 " " 12 "	
161 " " 15 "	
67 " " 18 "	

Repeated Sentences.

375 men are serving first sentence.
419 " " second "
491 " " third "
49 " " fourth "
1 man is serving fifth "
<u>1,335</u>

The following Publications may also be obtained from the
Friends' Bookshop, 140 Bishopsgate, E.C. 2:—

- "The Men Who Dared," Rev. Stanley B. James. 1/-.
- "I Appeal unto Caesar," Mrs. Henry Hobhouse. 1/-.
- "The Absolutists' Objection to Conscription," Friends' Service Committee. 1d.
- "The Majesty of Conscience," Rev. F. B. Meyer, D.D. 2d.
- "Handed Over," J. Scott Duckers. 1/6.
- "The Conscientious Objector," Rev. James Barr, D.D. 2d
- "A C.O. in Prison," W. J. Chamberlain. 6d.
- "For Conscience Sake," Alfred Bishop. 6d.
- "Parliament and Conscientious Objectors," Northern Friends' Peace Board. 1d.

Authors and Publishers:

THE FRIENDS' SERVICE COMMITTEE, 18 Devonshire Street,

Printed by ANDREW FLEMING, 24, Main Street, Stratford-on-Avon.

THE
ALSACE-LORRAINE
PROBLEM

BY
E. D. MOREL

Reprinted from the SOCIALIST REVIEW.

PRICE ONE PENNY

THE NATIONAL LABOUR PRESS, LTD.
30, Blackfriars Street, Manchester; and at London.

THE ALSACE-LORRAINE PROBLEM.

THE recent pronouncement of the French Government in regard to Alsace-Lorraine, the votes of the French Chamber and Senate, and the absolute endorsement of the French claim by the British Government, raises in acute form one of the basic controversies of the war.

While it is obvious that in the first stage of discussion a belligerent Government always makes *maximum* demands, it would be idle to minimise the extreme gravity of these declarations.

I submit that the time has come when the question of Alsace-Lorraine must be openly discussed, faced, and understood in all its bearings by the British democracy.

At the outset I want to say this. For the French people, for their sufferings in this war, for the way in which they have borne their sufferings, there is, I venture to say, not an Englishman who does not feel the profoundest admiration and sympathy. Indeed, I think that those sentiments are more sincerely felt by Englishmen who before the War, in association with many eminent and patriotic Frenchmen, criticised a certain powerful jingo school of militarists and politicians in France, than by those who in this country before the War did their utmost to encourage that jingo school, and embitter still further Franco-German relations, and who strove in every way possible, in some fancied national interest, to use British influence as an irritant rather than as a healer in this secular quarrel.

I recall that amongst the latter none played a more sinister and more terribly effective part, and none was more fiercely denounced for doing so by the present Prime Minister than the proprietor of the *Times* and *Daily Mail*, whom that same Prime Minister has now sent upon a not clearly defined mission to the United States—an action degrading to this country.

But in this war the sons of France have fought with a bravery excelled by none, and the daughters of France have shown all their traditional courage and self-abnegation. France's sufferings have been great. Her casualties have been so enormous that no French Government has dared to publish the lists. But the spirit of her people has never been carried to a higher pitch of intensity. I hope that nothing that I shall say here about Alsace-Lorraine will be held to minimise in the slightest degree the opinions I have just expressed.

But the circumstances of the War are such that Alsace-Lorraine can no longer be regarded as a question affecting France and Germany only. *Alsace-Lorraine has now become by the sheer force of those circumstances a British question too.* We must everywhere insist upon this truth. From the moment we are told that the war is to be prolonged until France re-enters into possession of Alsace-Lorraine, from that moment the question of the future of Alsace-Lorraine becomes one which concerns in the most vital fashion every man, woman and child in this country. The reason is simple. No well-informed man now doubts that a peace which would include the indispensable re-establishment of Belgium independence and restoration of Belgium's economic loss, the evacuation of Northern France, and a national settlement for Serbia, could be negotiated any time. But no well-informed man imagines that a peace, other than a peace (if it could be called such) imposed upon an utterly crushed Germany, could ensure the integral restoration of Alsace-Lorraine to France. Such a solution is repudiated even by the minority of the Social Democratic Party, which is bitterly hostile to the German Government. It follows, then, that persistence in the French claim to Alsace-Lorraine—the whole of Alsace-Lorraine—would mean a prolongation of the war for a period impossible to foresee, and that is a matter which intimately affects the British

people. That is why I contend that the interests of the British people are equally at stake, and cannot be disregarded. Indeed, to put it bluntly—and it is high time these problems, which are problems of life and death to tens of thousands of our countrymen, should be approached with honesty and frankness—the incorporation of Alsace-Lorraine within the boundaries of the French State depends upon a further immense sacrifice of British manhood. I do not mean to infer that I believe that result accomplishable even at the price of such sacrifice. I do not know. No man can know. I do say, however, that it is quite impossible without such sacrifice.

Now, if the blood of our sons is to be poured out for this specific purpose, we are not only entitled to demand, but we are criminally guilty if we do not insist upon knowing a great deal more than we do about the question than we do now. And the first thing we are entitled to demand information about is as to the desires of the inhabitants of those Provinces themselves. Unless convincing proof be forthcoming that a very great majority of the people of Alsace-Lorraine desire to come back under French rule, what guarantee have we that a prolongation of the war for this purpose, involving a further immense wastage of British life and treasure, is not being incurred upon an enterprise which, if successful, would be in actual violation of that very principle of the rights of peoples to determine their own destinies and to choose their own allegiance which our rulers profess to be their guiding motive in the war? Where is the proof? Where have we evidence which can in any sense be regarded as conclusive, I will not say of a very great majority, but of a majority at all being of that way of thinking? I affirm that no such proof can be produced, or could have been produced at any period within the last fifteen years.

Indeed, I go further. The problem of Alsace-Lorraine, like every problem of this war, has been

presented to the British people, and doubtless to the peoples of all the belligerent States, in an utterly false light, and in a wholly wrong perspective, by the vast publicity machine controlled by the Government. It has been presented to us, as though it were only 46 years old, as though it dated back only to the German annexation in 1871. But it is nothing of the kind. Alsace-Lorraine is a border district which has been fought over by Teuton and Frank for something like six centuries. German for the most part in race and language,* it formed a portion of the old German Kingdom, and included a much wider area than its present limits. In the course of successive wars the French made ever-increasing territorial acquisitions at the expense of the German Kingdom. Towns and districts frequently changed hands. Thus Philip IV. of France slipped a French garrison into Verdun about 1310. The place was retaken by the Germans, and kept by them until 1552, when, under Henri II., the French again conquered it, and with it Toul and Metz. This was the outcome of the Germanic religious wars, Maurice of Saxony helping the French King. These French conquests were consolidated under Louis XIV. in the Seventeenth Century, and Louis added to them by seizing, in time of profound peace, the free city of Strasburg and all the rest of Alsace, by increasing the French hold on Lorraine and preparing the way for the final absorption of remaining Lorraine, which took place in 1766.

Those who think that an occupation of a hundred, or one hundred and fifty, or even two hundred years, is sufficient to change a race and to stamp out nationality, would do well to turn to the history of Poland, and coming nearer home to the history of Ireland. After over a century of frantic effort by Russians and Prussians respectively to Russianise and Prussianise Poland, you find

* Lorraine has always contained a considerable proportion of Romance-speaking folk and of descendants of the old Roman provincials.

to-day a Polish nationality alive and virile, determined once more to take its place in the great family of nations.

What we failed to achieve in Ireland after more than two hundred years, the French failed to do in Alsace-Lorraine. Their occupation naturally encouraged French immigration and French culture, and it is probable that the growth of French sentiment was not unconnected with the intellectual and material advantages derived from association with a brilliant military power like France in such marked contrast to the impoverished and shattered Germany of the 18th and the first decade of the 19th century. But the bulk of the people remained what they always were, and which no foreign occupation could stamp out, racially German, although the annexation of 1871, disposing of them once more like cattle, and rooting up all sorts of material and intellectual fibres, was as bitterly resented, as such ruthless action, which places an unhappy population at the mercy of military accident, must always be.

For France the position of Alsace-Lorraine was, owing to the physiological conditions of that part of the border an open gateway into Germany, and in the Napoleonic wars it was, as it had always been, through that gateway that the French legions poured into Germany. It was indeed, that fact—the strategic fact—which almost entirely determined Germany's annexation in 1871, against which Marx, the elder Liebknecht, and other German Socialists vainly protested.

The annexation by Germany in 1871 was a fatal error. History has found excuses for it, and no more positive apologists for it can be found than among the ranks of British historians. I quote the following extract from Professor Holland Rose as typical* rather than exceptional:

* "Germany in the Nineteenth Century." Manchester, University Press. Professor Rose declares that he has modified his opinions since the war; but he republishes them unaltered nevertheless, and the fact that they were written in a non-war atmosphere is precisely what gives them value.

Whatever we may think of the diplomatic *financé* at Bismarck in helping to bring about the war of 1870 (and on diplomatic grounds much more can be said for him than is generally known) we ought to accept with satisfaction the results of that war, so far as concerns Germany. We may desire—we must desire—that the union of that long divided people had come about by less forceful means: that the ballot-box, not the sword, had been the agent of unification; but that was not to be. The experiment was tried in 1848-9 and failed, mainly because the enemies of Germany were too strong. There was truth in those terrible words of Bismarck: "It is not by speechifying and majorities that the great questions of the time will have to be decided—that was the mistake in 1848 and 1849—but by blood and iron." The words are generally quoted without the parenthesis which gives significance to them; and Bismarck is termed "the man of blood and iron." Well! he was so; but only because, after the sad experiences of 1848-9, there was no other alternative, at least none that a practical statesman could wait for. In view of a probable attack by three States in 1871, he determined to deal the blow at the most aggressive of them in 1870; and on the lower plane of expediency, on which statesmen must act, his act is thoroughly defensible. We who live behind the rampart of the sea know little (save in times of panic) of the fear that besets a State which has no natural frontiers, and which then had to reckon with three great military Empires on its borders.

We must therefore not be too hard on the statesmen of the German Empire which was proclaimed at Versailles on January 18, 1871, for seeking to guard their western territory by annexing the old German lands, Elsass-Lothringen, the latter comprising only about a quarter of the Province of Lorraine. True this annexation outraged the sentiment of the inhabitants of those districts, who had become thoroughly French at heart at the time of the Great Revolution, and have remained so despite all the masterful but far from attractive energy of their new masters. But those masters, after all, were bent on building a barrier against French aggressions, and one must admit that the experience of the past, especially of the time of Napoleon the Great, bade them beware of France above all nations. Look at the course of history since the time of Louis XIII., and you will find that the efforts of British, Austrian, Spanish, and Dutch statesmen were directed mainly to building up Barrier-Systems against French aggressions. In the main their efforts were directed to Flanders and Brabant; and we were quite ready even down to the year 1794, to arrange plans for annexing French Flanders in order to keep within bounds that "most wicked and unprincipled nation," as George III. styled the French. If we for a century and a half

were intent on weakening our "natural enemy," is it surprising that the Germans after their infinitely harder experiences, decided that it was time to end the French menace by retaining Strasburg and Metz? Probably, if we had been in their place, we should have done the same.

Nevertheless it was a fatal political error. From it sprang one of those running sores which have poisoned Europe's peace. It has been a barrier to a Franco-German reconciliation, which in the years that have elapsed between 1871 and the present war, as in the years which will follow this war, was and is a paramount and permanent necessity for the French and German peoples—especially for the French. It was a fatal error, because it gave extremists on both sides the power to inflame the wound. It was a fatal error because it gave Russian Tsardom the opportunity of using France and drawing upon the resources of French thrift in order to tyrannise and massacre its own people at home, and to pursue Imperial schemes of aggrandisement abroad. It was a fatal error, because far from giving Germany that protection which Germany imagined she was securing, it was destined to become one of the concrete origins of the present war.

And yet before the present war broke out the mere force of events was automatically providing a healing balsam and, despite the extremists, was preparing the way for a rational and just solution of the difficulty. That solution pointed without doubt to a fuller measure of autonomy within the German Confederation. There is a great deal of evidence on that point. Perhaps the most striking is that which occurred in March 1913. Russo-German relations were then becoming acute, and Russian Tsardom was putting enormous pressure upon France to increase still further her military effectives. The Morocco Upas-tree was bearing its poisoned fruits. On the 16th of that month the Social Democratic party in the Alsace-Lorraine Diet passed a resolution with which the

non-Socialist parties of the Diet associated themselves. The resolution placed on record that:

“Alsace-Lorraine wants no revenge, but autonomy and a Republican constitution within the framework of the German Empire.”

The resolution also included these hardly less significant instances:

“Part of the responsibility of the exceptional situation created in Alsace-Lorraine is also due to certain Frenchmen whose constant agitation against the German elements may still cause France to harbour ideas of revenge. . . . We regard as enemies of Alsace-Lorraine both the Germans who refuse us autonomy, and those French who would press us to their hearts in such a way that the blood of the whole of Europe would be made to flow.”

These resolutions undoubtedly reflected the view of all but an irreconcilable and small minority. The fact was driven home with great force by one of the leading members of the French Socialist Party, M. Marcel Sembat, in his famous book, “Make a King or make Peace,”* in which he roundly told his countrymen that the time had come to recognise facts, and to cease to make the people of Alsace-Lorraine the stalking-horse of French passion for *La Revanche*. The fact that his book ran to something like fifteen editions, if I remember rightly, reflects great credit upon the French people, and shows how those ideas were making headway.

The only reason—Sembat wrote—which has deferred the granting of such Home Rule is the fostering of pro-French feelings in the annexed provinces. Their existence is a cause of genuine alarm for the German Government, and, what is more, an invaluable excuse for patriotic exaggeration and for coercive measures. As soon as France has genuinely accepted the *status quo* and satisfied bona-fide the treaty of Frankfurt, the whole of Germany would insist on giving Alsace-Lorraine the liberty and the dignity of the other States of the German Confederacy. Now, is it possible for us French to accept such a solution? For, as regards Alsace-Lorraine itself, I am convinced that it is willing; nay, that Alsace-Lorraine *wishes* such a solution, and begs us to facilitate it. But you, Frenchmen, can you bring yourselves to do such a thing? Are you genuinely able to do it? If you cannot,

* *Vide* “Truth and the War.”

† A full measure of autonomy within the German Empire.

Amen! I can understand you. But I can understand you on one condition: that you yourselves should understand the full meaning of your refusal. That refusal means war

That was the situation before the war. What may be the feelings of the bulk of the people of Alsace-Lorraine to-day no one on either side possesses sufficient authority or impartiality to determine. But this, at least, should be openly affirmed. The problem of Alsace-Lorraine, considered historically and ethnologically, cannot compatibly with a peaceful future for Europe be settled; and ought not, compatibly with justice to the inhabitants of those provinces be settled by the force of arms. It can only be satisfactorily settled by the will of the people concerned, registered under circumstances providing full and ample guarantee from coercion and intimidation. This does not necessarily imply the retention of the whole of Alsace-Lorraine by Germany or by France; nor does it exclude the solution of autonomy.

But there is another aspect of the Alsace-Lorraine problem inseparable from those already touched upon and closely concerned with the projected commercial war upon Germany after the war is over, embodied in the resolutions of the Paris Conference. That aspect is the economic aspect. It has two sides. Even the bitterest critics of Germany admit that German enterprise and organisation has materially advanced the prosperity of the provinces. It has, in particular, assisted in the extension of vine-culture in Alsace. The wine industry in Alsace has now become the principal industry of the country, and is able to compete with Champagne, thanks to the benefit it derives from the German Customs Union. But every vine grower in Alsace knows that incorporation within the French State would subject him to the keen and possibly disastrous competition of the vine-culturists of Champagne. The other side of the economic question is more formidable. The

richest deposits of iron ore in the West of Europe are to be found in Lorraine. I believe I am right in saying that something like 70 or 75 per cent. of the raw material needed for the iron and steel industry of Germany, which has become absolutely indispensable to the prosperity of the German State, is drawn from Lorraine and the adjacent districts over the border. If Lorraine goes to France Germany loses her economic position in the world. We may as well frankly recognise that this is desired by certain powerful influences both in France and in England, as is shown by the resolutions of the Paris Conference. Under ordinary circumstances the loss of territory would not involve Germany in the loss of accessibility to the raw material of Lorraine. As I think Mr. Brailsford has somewhere suggested in his remarkable new book* Free Trade in this—and by compensation other articles—might well be stipulated in any peace treaty signed by France and Germany. Even if the pre-war economic conditions were resumed, Germany could still obtain her needed supplies in part from Lorraine, as she obtained them in part from French territory before the war, and it might even be in the interests of the iron and steel industry of Northern France to reach a *modus vivendi* on this subject with the iron and steel interests of Germany.

But here the resolutions of the Paris Conference step in. Germany is to be shut off from all supplies of raw material produced by the Allied countries after the war. A blow of a deadly character is to be struck in this way at her industrial recovery. A policy is to be adopted which deliberately aims at her permanent impoverishment and her industrial strangulation. This immoral policy has enormously aggravated the inherent difficulties of the Alsace-Lorraine problem, and we are simply nursing illusions if we suppose that Germany will not go to the utmost lengths in national sacrifice to prevent the loss of

* "The League of Nations" (Allen & Unwin).

Lorraine, unless it is compensated by accessibility on equal terms to the raw material which Lorraine supplies.

A French official and unofficial extremism and doubtless Anglo-French capitalistic combinations, find a worthy imitation in similar extremism and similar combinations on the German side of the border. These are epitomised in the demand of the powerful German industrial groups supported by the Pan-Germans, but not as yet, at any rate, by the German Government, for the annexation of the iron-ore producing districts of France which run parallel with the Lorraine and Luxemburg frontiers.

Thus French and German national arrogance and pride (worthy and unworthy), and French and German vested interests, unite in requiring that the interests of the people of Alsace-Lorraine and of the whole of Europe shall be sacrificed to them. It must not be, and if British statesmanship has not utterly disappeared, and if the British democracy is true to its responsibilities, it will not be. It is not to be tolerated that Europe shall be bled white, and that tens of thousands of our sons and brothers should be slaughtered in the inferno of this war for such ends as these.

Alike in the interests of the people of Alsace-Lorraine, in the interests of our own country, and in the interests of France herself—for whom persistence in this claim would be tantamount to a sacrifice of further masses of her sons in order to incorporate within her domains a population, of which only one-tenth is French—and of humanity at large, the policy of an integral transfer of Alsace-Lorraine must be challenged. Such a policy would repeat the fatal error of 1871, would perpetuate this open sore of Europe—for the idea that Germany can be so utterly crushed as to be incapable of recovery is the dream of madmen—immeasurably prolong the war, and render a stable settlement utterly impossible.

THE TRAGEDY
OF
RUSSIA.

BY

WM. STEPHEN SANDERS,

Labour Delegate to Russia, 1917.

Copies from W. H. Smith & Son, 186, Strand, London.

WM. STEPHEN SANDERS has been connected with the Labour and Socialist movement of Great Britain for over thirty years. He has occupied important positions in the movement, including Membership of the Executive Committee of the Labour Party, the Secretaryship of the British Section of the International Socialist Bureau, and the Secretaryship of the Fabian Society. He has made special investigations into social, industrial and political conditions in Germany, having studied in that country for a considerable period, and is author of *German Social Democracy*, *Trade Unionism in Germany*, *Is it a Capitalist War?*, *Germany's Two Voices*, and *If the Kaiser governed Britain*. He joined the Army in 1915, and served two years at home and abroad. In 1917 he went to Russia as a member of the British Labour Delegation.

The Tragedy of Russia.

"But there is yet another consequence of a separate peace, more terrible than contributions and the ruin of the country—that is the psychology of a conquered nation. I know this psychology well. France suffered from it for 30 years. Only at the beginning of the twentieth century did I notice the first signs of the rising of spirits in France after the military defeat of 1871, the loss of two rich provinces, payment of huge contributions and humiliating conditions of the peace of Frankfurt. During the whole of these 30 years France lived in terror of new German aggression should her democratic internal policy displease the court of Berlin Terror grips me when I think of the precipice to which the advocates of a Hindenburg peace are leading the simple, illiterate, childish-credulous Russian people."—Peter Kropotkin, the famous Russian reformer.

The ratification by the Council of Soviets at Moscow of the Peace Treaty made between the Bolshevik dictatorship of Russia and the German military autocracy at Brest-Litovsk has placed Russia at the mercy of Prussia. The Russian Revolution of March, 1917, which was heralded as a dramatic triumph of democracy, has proved to be the opportunity of a ruthless conquering militarism. What, under wise leadership, might have been a great movement for the building up of a strong, independent, democratic country, has developed, under the guidance of folly and fanaticism, into an orgie of anarchism which has produced a state of chaos, powerless to resist the extortionate demands of a foreign conqueror.

THE FIRST PHASE.

The men who led the Revolution at its first inception saw clearly that Russia could not secure permanent freedom and could not reconstruct the whole of her industrial, social, and political systems until the German invader, who occupied

enormous tracts of Russian territory, had been beaten. History had taught them that a country situated as Russia was could not at the same time defend herself successfully and carry out at once an immense programme of fundamental changes in its conditions. The first need of a free Russia was security against her militarist enemy, Germany. When her frontiers were made safe, Russia could then devote herself to internal reconstruction on democratic lines.

DIVIDED LEADERSHIP.

Unfortunately, the leadership of the Revolution became divided between two bodies. The Provisional Government which took office after the abdication of the Czar, and which was composed of members of the Duma—the Russian Parliament—who held advanced views, was compelled to divide its authority with the Petrograd Soviet, consisting of representatives of soldiers and workmen. This latter body was composed of men and women holding divergent views on social and political questions, but all claiming to be more or less socialist in opinion. The Petrograd Soviet organized similar bodies in all large centres, and these in their turn claimed equal authority with the local representatives of the Provisional Government. Divided authority, especially in regard to the Army and Navy, inevitably led to confusion and disruption. The Provisional Government was constantly hampered and checked by the Soviets in its efforts to reorganize the Army and Navy for the purpose of resisting the German invaders. The outlook for success in the spring and summer of 1917 was hopeful. The new spirit which the Revolution had evoked was such that, if the Provisional Government had been aided, instead of hindered, by the Soviets, the Prussian and Austrian armies might have been driven back, or at least held up and prevented from obtaining any further advantage. Indeed, in July, 1917, Brusiloff, the new commander-in-chief, proved that the Russian Army was still capable of winning great victories. But a minority on the Soviets was steadily undermining the Government's influence. This minority was the party of the Bolsheviks.

THE BOLSHEVIKS.

The Bolsheviki, who are directly responsible for the ruin of Russia, claim to be Social Democrats, but their policy and actions are in complete disagreement with those of the great mass of Socialists in Russia and other European countries. They are rather followers of the Russian Anarchist, Bakunin, the apostle of terror and violence, than of his opponent, Karl Marx. Their aims were to conclude an immediate peace with Germany and to transform Russia at once into a proletarian communist state by abolishing the rights of all other classes. They took no account of the fact that the Russian people were wholly unfitted to jump at one bound from the present social system to one of ideal communism. Judging from the sympathy expressed in Pacifist circles in England for the Bolsheviki, it may be thought that the Bolsheviki are Pacifists and non-resisters. The direct opposite is the case. They are exponents of physical force, which they use not only against landlords and capitalists, but also against Socialists who do not agree with their anarchic and terrorising proceedings. They have persecuted and imprisoned not only persons whom they label as "middle class," but even members of advanced Socialist organizations who have worked devotedly for years for the liberation of Russia, and who rightly look upon the peace with Germany as the suicide of Russian liberty.

A PARTY OF VIOLENCE.

The secret of the Bolshevik rise to power is that, while other parties talked, they acted. The Bolshevik philosophy scorns democracy and its methods. It teaches the doctrine that an energetic minority has the right to dictate to the majority and force its will upon it even by violence. In both theory and practice there is little difference between the despotism of the Bolsheviki and the autocracy of the Kaiser, except that the latter is "efficient." While other parties were discussing and endeavouring to arrive at decisions in a democratic manner, the Bolsheviki organised armed resistance in the army and among the civilians, not

only against the Provisional Government, but also against the majority in the Soviets who were desirous of saving Russia from the German menace. They went even further, and in January, 1918, suppressed by arms the democratically elected Constituent Assembly.

LENIN AND TROTZKY.

The leaders of the Bolsheviks, Lenin and Trotzky, were not in Russia when the Revolution broke out. They had been in exile for years and knew little or nothing of the conditions in Russia arising from the war. They had no experience of the management and administration of the affairs of a great movement—to say nothing of a great country. They had lived on vague ideas, and were apparently oblivious to reality. This is the most favourable view that can be taken of them and their policy, which has placed Russia at the feet of Germany. Lenin has been described by Maxim Gorki, the well-known Russian Revolutionist, in the following passage :—

“Fancying themselves to be veritable Napoleons, the Lenins, great and small, are going mad and completing the process of the destruction of Russia. Certainly Lenin is a man of extraordinary force. . . . He is a man of genius, possessing all the qualities of a leader, and he does not know the meaning of morality. Certainly, like a *grand seigneur*, Lenin despises the complicated life of the masses, of which he knows nothing at all. He has never lived in close contact with the people; and through books he has not succeeded in understanding the masses. But it is just this fact that makes him capable of rousing into fury the lowest instincts of the working classes. I believe it to be impossible with present conditions of material which we have to create a Socialist State. But why not try? What does the *grand seigneur* Lenin risk, by forcing the people to make the experiment? The risk only exists for those masses whom Lenin despises.”

Lenin arrived in Russia from Switzerland in April, 1917. It is significant that he came *via* Germany in a special train provided by the Kaiser's Government. Directly he placed his foot on Russian soil he began a propoganda against the allies of Russia in favour of immediate peace with Germany. In a two hours' speech to the Petrograd Soviet he declared that the Russian Army ought not to fight the Germans, but should begin a civil war. His newspaper, *Pravda*, conducted an open pro-German and anti-Ally campaign. No lie against the Allies was too blatant for its columns, no argument too thin. A swarm of local editions of *Pravda*, and one especially for soldiers, were issued, all of which contained statements calculated only too successfully to destroy the confidence of the army and the people in the Provisional Government, and to disorganise the ranks of the soldiers. The splendid offensive of Brusiloff on July, 1917 was described by the *Soldiers' Pravda* as a stab in the back of the German democracy! The Russian soldiers were invited to fraternise with the enemy on every possible occasion. The Germans and Austrians took advantage of the simplicity of their "comrades" to send officers in the guise of friendship into the Russian lines clad in the uniform of privates and armed with cameras to obtain military information.

CIVIL WAR.

After the Russian advance of July, 1917, Lenin, fearing that his countrymen's victory would lead to a revival of the spirit of the whole Russian Army and spoil his plans for a civil war, attempted to overthrow the Provisional Government (which had been reconstructed and was then almost entirely Socialist in character) by an armed revolt of his followers in Petrograd. This failed, and Lenin for a time disappeared from the scene.

But the poison that he had spread among the troops had taken effect. Although the Provisional Government, with Kerensky at its head, brought in big measures of

internal reconstruction, including one dealing drastically with the burning question of the land, the Bolsheviks continued their disruptive and fratricidal tactics. The armies nearest to Petrograd, the centre of their influence, came almost entirely under their control, and, when the Germans advanced on Riga, the Russian troops retired practically without striking a blow. But their armies, although unwilling to fight Germans, were capable of being incited to fight their own countrymen. Revolt against the Provisional Government was organised anew, and this time it was carried through. In November, 1917, the Bolsheviks succeeded in overthrowing by violence the Provisional Government, and Kerensky and his fellow Socialist ministers were forced to flee for their lives. Lenin and his colleague, Trotzky, were installed in power, and civil war took the place of war with Germany, who was now prepared to take full advantage of the opportunity that Bolshevism had prepared for her.

THE SHAMEFUL PEACE.

Almost the first step of the Bolshevik dictatorship was to open up peace negotiations with the enemy. Sympathisers with the Bolsheviks in this country have maintained that Lenin and Trotzky are clever men of the world, and superior in intelligence and ability to the ordinary diplomatist. Can it be argued that they showed cleverness and intelligence in first disorganising and disrupting the Russian Army—openly declaring that they would not fight—and then appealing to their German enemy with the object of obtaining a favourable peace? It would be just as sensible to expect an armed burglar to agree to give up his swag to a robbed householder who was unarmed, and openly avowed the fact.

It has been said that the Bolshevik leaders have succeeded in "tearing the mask" from the German military Imperialists, in disclosing their duplicity and revealing their true annexationist intentions. But the ordinary man did

not require the assistance of Bolshevik "cleverness and intelligence" to see through the German pretence of discarding annexations and indemnities. Even the derided professional diplomatist was fully aware, before the proceedings at Brest-Litovsk, of how the Kaiser and his government would treat the declaration of ex-Chancellor Michaelis upon the subject. That politician himself, in the very act of making it, stated that he accepted the formula "as he understood it," and the history of Prussian diplomacy shows clearly that a phrase can be "understood" to mean the precise opposite of what the plain words imply.

There was no reason, then, to be surprised when the German military leaders—having played with Trotzky while he thought he was playing with them—brought the deplorable comedy at Brest-Litovsk to a close, and resumed in grim earnest their programme for bringing vast territories within the sphere of the German Empire, in spite of the abject petition of the Bolshevik dictators to be allowed to sign the shameful peace which they had declared intolerable.

"CAINS AND JUDASES."

It may be argued that Lenin and Trotzky were building upon the hope of Revolution in Germany. But Lenin and Trotzky know Germany well. They are, or should be, aware, if they are as "clever" and "intelligent" as their admirers affirm, that the hope of a Revolution in Germany is baseless as long as the German Army is unbeaten. The German Socialists themselves (including their chief spokesman, Herr Scheidemann) have told the world that a Revolution of the kind advocated by the Bolsheviks, or even by less violent factions, can never take place in Germany. *Vorwärts*, the leading German Socialist journal, stated in February, 1918, "The Bolshevik hope of a speedy and violent revolution in Germany is but an irrational dream. The basis of Bolshevism is neither Socialism nor Democracy. The German Social Democracy draws a broad and clear line between itself and the Bolsheviks." It is not to be wondered at that, having

learnt what Bolshevik rule has meant to Russia, the German Socialists—even if they were less tame and law-abiding than is notoriously the case—should shrink from following what has been clearly proved to be a road to disaster. The views of the German Socialists on the Bolsheviks and their policy have been stated in *Vorwärts*, of February 24th, 1918, which says :

“ It is altogether a peculiar thing this fight of the Bolsheviks against Imperialism. It began by completely destroying the Russian fronts. The German Socialists have never regarded such a method of fighting Imperialism as the right one, and, since they themselves would never employ it, they never recommend its employment to the Socialists of other countries. . . . When the Bolsheviks had no longer any soldiers and no guns at their disposal, they entered into negotiations for peace. Here, also, German Imperialism was not fought, but encouraged. It is simply horrible to think with what levity the Bolsheviks have renounced Russian territory . . . German Socialists would never have acted in such a way in a similar situation. . . . The Bolsheviks have served, not the cause of the Revolution, but that of the German Imperialists.”

The writer of this article forgets that the German Socialists encouraged the Bolsheviks by attacking Kerensky and the Provisional Government for resisting German Imperialism. It is not surprising that the Bolsheviks now declare that the German Socialists have turned the German workmen into “ Cains and Judases.”

PLAYING THE GERMAN GAME.

Whether Lenin and Trotzky are, as some people think, German agents, or simply unteachable fanatics, it is perfectly clear on the evidence of Germans themselves that these two men have played the German game. They and their followers made themselves the dictators of Russia, and in a

few months have brought their country to military, economic and social ruin. They have destroyed industry, trade and commerce, and brought starvation to the masses. They have abolished all order and discipline, so that, in the words of Kerensky, "the Russians are acting not as emancipated citizens, but as undisciplined serfs." Murder and robbery are rife in Petrograd and all big centres of population. They have handed over to Prussian domination territory larger than that of the whole German Empire. They have impaired the faith of people in democracy by their madness and folly. They have strengthened militarism in Europe and betrayed the democracies of the allied countries who were fighting on their side.

Lenin was warned by wiser men that it was dangerous in a backward country, such as Russia, whose population consisted mainly of ignorant and credulous peasants, to endeavour to create by force an experiment in social reconstruction for which no preparation had been made. His reply was "Let it be so. Then let Russia perish." These are the words of either a madman or a traitor. No one but a man bereft of his senses or prepared to betray his country would be prepared to take the risk involved by the policy and actions for which he and his faction are responsible. A man with a knowledge of the world such as Lenin is said to possess would be aware that to expect to change successfully the whole construction of society in a few weeks, at a time when a life and death struggle with a powerful foreign foe was in progress, was as foolish as to think that one could smash a complicated watch with a hammer and reconstruct it in a few minutes in the middle of an earthquake.

THE LESSON OF THE TRAGEDY.

The lesson of the tremendous tragedy is clear to all men who still hold the democratic faith: in the face of the organised forces of German militarism the nation must remain

united and refuse to be divided by sectional differences or led away by vague ideas having no basis in reality. Democracy and liberty imply discipline. Liberty does not mean lawlessness, nor can it allow a dictatorship, whether it be that of Lenin or that of Kaiser Wilhelm. Once liberty becomes degraded into license or is suppressed by anarchist tyranny it will be the working classes who will chiefly suffer, as they are now doing in Russia, either at the hands of the German conqueror or in the fratricidal struggle which Lenin has provoked. Furthermore, it has been proved that to negotiate with the German military despotism with its armies unbeaten means that the cause for which the democratic countries of the world entered upon the war will be lost. Germany played false and showed no mercy to Russia after she had been rendered helpless by the Bolsheviks. The same fate will befall any other country that ventures to follow the same disastrous road.

NOTE I.

What the Bolsheviks have given to Germany.

By the peace of Brest-Litovsk the Bolshevik dictatorship has handed over to German control the whole of Russian Poland and the provinces of Courland, Lithuania, Livonia and Esthonia.

Turkey is to receive back all territory in Asia Minor occupied since the war, including Armenia, and in addition the districts of Ardahan, Kars and Batoum. This will leave Germany and Turkey paramount in the Caucasus.

The civil war in Finland caused by the Bolsheviks has been seized by Germany as a pretext to enter that country and act as protector of law and order, and thus secure control of its destinies. Germany has now complete supremacy in the Baltic. The civil war in the Ukraine has enabled Germany to march into that country and establish herself in the great city of Sevastopol and thus dominate the Black Sea.

In addition to territory Germany has secured an immense number of guns and a vast amount of other war material which the Russians

abandoned when the Germans advanced after Trotzky left Brest-Litovsk having declared that the war was at an end.

In round figures, the territorial losses to Russia amount to 1,400,000 sq. kilometres, with a population of 66,000,000.

NOTE 2.

How the Bolsheviks treat the Workers.

From a statement issued by the Central Committee of the United Labour Party of Russian Social-Democrats, December, 1917, and published by the International Socialist Bureau.

The Bolsheviks, who seized the reins of government three weeks before the elections for the Constituent Assembly, created the Council of People's Commissaries. The members of the Council are formally responsible to a Central Executive Committee, elected by the Second Congress after the departure of all the other Parties. In reality, the Council of Commissaries is nothing but a screen to mask the dual dictatorship of Lenin and Trotzky, sustained by the bayonets of the soldiers and sailors and surrounded by suspicious characters, adventurers and even criminals.

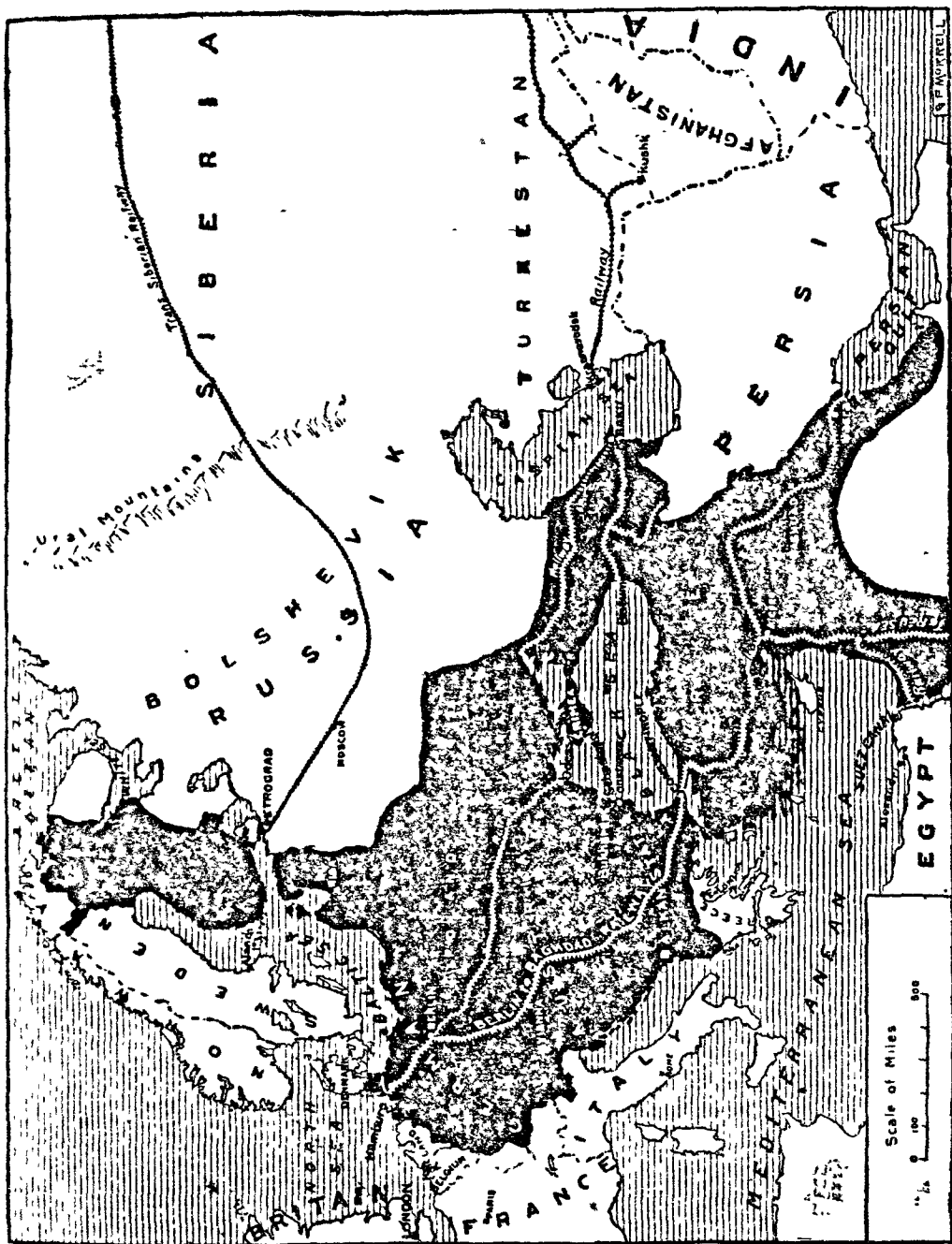
The dictatorship is maintained only by shameless terrorisation. The Council of Commissaries has not yet succeeded in subduing the administrative organisation to its will. The civil servants have refused to work under the direction of the usurpers. Whole districts have refused to recognise the new régime and they are trying to organise district governments. The democratic bodies in the towns and the Zemstvos, elected by universal, direct, secret and proportional suffrage, will have nothing to do with the new régime. They do not recognise it, and resist it.

Finding themselves isolated among democrats, the Bolsheviks have re-inforced their system of terrorisation. Lenin has issued a decree with regard to the press such as Tsarism would not dare to conceive. Almost every night printing presses are raided by soldiers and sailors who disperse the type and break the machines. Editors and contributors are imprisoned. The right of combination is trampled underfoot. Public servants on strike are treated with no ceremony. They are arrested, deprived of their bread cards, driven out of their rooms, threatened with lynching, and soldiers and Red Guards are incited to attack them. All political liberties are really suppressed. Petrograd is declared to be in a

state of siege. Elections for the Constituent Assembly are held under the menace of arms. Liberty of electoral propaganda does not exist. The leaders of Socialist Parties, such as Gotz, Avksontieff, Grosdieff the workman, and others have had to hide themselves. Candidates for the Constituent Assembly are flogged unmercifully, as for example Alex. Smirnoff, the candidate of our Party and a member of the Soviet Foreign delegation. Deputies elected to the Constituent Assembly are hunted down and have to hide. Those democratic Municipal Councils which have a Socialist majority, as in Moscow, Petrograd and Saratoff, where serious resistance was made to these acts of violence, have been dispersed with bayonets. The new municipal elections will be held under a reign of terror, and after changes in the electoral law made in the spirit of Bonaparte. Preparations are made openly to disperse the Constituent Assembly unless it meekly sanctions the decrees of the Councils of Commissaries. [The Constituent Assembly was dispersed by the Bolsheviks.]

The Bolshevik dictatorship opens the door to the counter-revolution. The Red Terror paves the way for the White Terror. The attacks which are made upon civil liberties, political rights, and most of all upon universal suffrage, will facilitate the course of the revolution against democracy, and will enable it later to deprive the workers and peasants of all political rights. The Socialist experiments in the industrial sphere will bring about the prohibition of the trade union movement and the suppression of labour legislation. Finally, the absence of any genuine power in the State leads inevitably to the dismemberment of the country into several isolated and hostile provinces.

We, for our own part, regard the unification of all truly Social-Democratic elements in the working-class as our own task; and to further the unification of the whole democracy, so as to organise the struggle against Bolshevik recklessness, and thus avert the savage crushing of the deluded proletariat and the future triumph of the counter-revolution.



GERMANY'S "CENTRAL EUROPE" SCHEME.

ASK
AT

BOOKSTALL
BOOKSHOP
STORE
BUREAU

 ANY
FOR

IF THE KAISER GOVERNED BRITAIN.

IS IT A CAPITALIST WAR?

GERMANY'S TWO VOICES.

REALITY: THE WORLD'S SEARCHLIGHT
ON GERMANY.

The
Russian Revolution:

The First Year.

By

JOSEPH KING, M.P.

LONDON

ST. CLEMENTS PRESS, LTD.,
Portugal Street, Kingsway, W.C.

FOREWORD.

This brochure describes The First Year of the Russian Revolution, and falls into six sections:—

I.	Russia before the Revolution	..	p.	3
II.	The Storm which broke on 12th March, 1917	... ..	p.	10
III.	The Early Days of the Revolution	...	p.	12
IV.	The Bolshevick Government	...	p.	19
V.	The Collapse of Russia as a Great Power		p.	27
VI.	The Future of the Revolution	..	p.	31

In attempting to recount this story I do not profess to make any revelations nor to give personal experiences. I have followed Russian affairs closely for years, and have Russian friends in various social circles and of widely different views. Believing that a true and connected story in outline should be set before the public, I have tried to state the facts rather than to criticise or prophesy. The facts as given here have been sifted out from many sources, and books and journals of various points of view have been drawn upon.

—ut—

J. KING.

HOUSE OF COMMONS,
March, 1918.

The Russian Revolution :

The First Year.

I.

RUSSIA BEFORE THE REVOLUTION

was ruled by the House of Romanoff for 300 years. Coming to power when Russia (Muscovy) seemed likely to sink back into barbarism and insignificance, the Romanoffs by a succession of great sovereigns extended their frontiers till they possessed one-sixth of the land surface of the globe, ruled with absolute power 170,000,000 souls, possessed a domain of continuous territorial extent with every variety of climate and people, and with vast undeveloped mineral and other wealth. Thus in 1914 Russia appeared the great empire of the future.

To understand Russia to-day one must know a little of Russian history and character. The Romanoff line numbers sovereigns of real genius—Peter the Great, who brought ideas of western civilisation and an imperial future to his people; Catherine, who in cynical ambition and ruthlessness rivalled Frederick the Great of Prussia; Alexander the First, who alone of the monarchs opposing Napoleon showed real genius, imagination, and idealism. Russian Czars have by a stroke of their autocratic pen liberated the serfs, summoned the nations to Hague Conventions, and abolished vodka drinking. The genius shown by Russian monarchs is reflected in varied forms in the Russian people, which has embraced such contemporary giants as Kropotkin, Metchnikoff, and Tolstoy.

The Riddle of Russia

seemed to men of western civilisation the more baffling because Russia was in some ways so far behind the age. Its religious system was like Catholicism before the Reformation, and its Government that of the Roman Emperors in their decadent age. Yet for years past there has been a ferment. The intellectuals, students and savants, have discussed and preached advanced ideas of life and society. Amongst the working class, though to belong to a socialist society was an offence for which many have suffered lifelong deportation or death, the most radical opinions continued to gain ground. Meanwhile, a spiritual movement, seen in Tolstoy's writings and life, was dissolving the traditions of society more

widely and powerfully than Rousseau and Voltaire dissolved those of their time. Shall we see a more potent revolution than the French Revolution as the result? While the temper of the Russian people is as remote from Prussianism as is that of the Irish, the strange fact remains that Prussianism had, before the war, dominated Russian government and enslaved the Russian people as it had never done in Prussia. Peter the Great and his successors had called in Prussians as bankers, organisers, teachers, and officials, till German intellect largely ran the Government and business of Russia. The Russian bureaucracy was Prussian in origin and spirit, less efficient and more corrupt than across the frontier. Statesmanship and progressive ideas, which had been seen in his predecessors were absent from Nicholas II. That his régime was a

Reign of Terror

was widely acknowledged, but never seriously faced by the nations in which liberty was established. Facts were made known about Siberia, Russian prisons, the Jewish pogroms and Stolypin's "necktie", that a Government living by such methods was no fit ally for, and might prove false to, Western democracies, was only stated by a few. It was never in the minds of the foreign diplomats and cosmopolitan financiers who wished to exploit Russian possibilities. The United States had indeed denounced the Treaty with Russia as a protest against Russian methods. A periodical, "Darkest Russia," appeared in London, recounting incredible tyranny; publication ceased when war began. But a few facts may be here stated. In the abortive revolution of 1905 over 26,000 paid their lives for their effort to be free—most executed without fair trial. Over 30,000 Jews were victims in one year's pogroms, some killed, more driven as beggars from their homes. Dr. Dillon says that assassination was practised with the connivance of members of the Government. The secret police (Okhrana) were licensed terrorists. In five years the Czarist courts sentenced 37,600 persons for political offences, of whom 31,000 went to penal servitude. By administrative order hundreds of thousands were sent to Siberia. Thousands of Jews, Intellectuals and Socialists fled the country to establish Russian colonies in Berlin, Vienna, Switzerland and London. These refugees carried on an underground propaganda, and were hotbeds of revolutionary leaders who returned later to a freer Russia.

The Responsibility for Russian Tyranny

must be shared by society in other civilised lands. The German Kaiser was understood to have been ready in 1905 to send German soldiers into Russia had the revolt gone near to overthrowing Czarism. A different, yet grave, burden lies on the financiers, who lent money to, or got concessions from, the Government. Allied statesmen supported these financiers and made treaties and

agreements without any attempt to influence the autocracy towards granting liberty or ending corruption. In 1906 the French Government made a loan to Russia, avowedly to support the Czar against revolution. In 1907 the British Government had its deal with Russia, dividing the carcass of Persia. The democratic Allies of Russia propped up, and never cared to purify their barbarous neighbour.

Japan and Russia

were drawing closer in 1914, though ten years before they had been at war. The relations of these two great Empires afford ground for the doctrine that wars are not due to hatred between people, but to capitalist and imperialist ambitions. Impelled by imperialistic ambition on both sides they had gone to war in February, 1904. The disgust, privations, humiliations and losses which Russia then suffered led to a revolutionary outbreak: it was suppressed with cruel bloodshed, but had to be followed by the grant of

The Duma (October, 1905).

The first Duma, or Parliament, was based on a wide franchise, and was an assembly of advanced opinions; it was dissolved on July 22, 1906, the Czar refusing to accept its demand for a Ministry responsible to it. The majority issued the Viborg manifesto, urging the refusal of recruits and taxes. The second Duma met in March 1907, and, more advanced than the first, suffered on June 14 the arrest of fifty-five of its members by the Prime Minister, Stolypin. The Duma refused to sanction these arrests and was promptly dissolved. The third Duma, which outlived its term and the Czardom, was a strongly conservative body, secured by Stolypin's Edict, which completely transformed the electorate. When the war broke out in August, 1914, Russia was still an absolute autocracy, with nothing but the merest semblance of popular consultation. After two years of war, even the mild and conservative Duma was in danger of being suspended by a still more reactionary Czar. Without discussing the origin of the great European war, it is safe to say that the readiness of the bureaucratic and military chiefs in Russia (as in Germany also) to urge war on the Autocracy, and to greet its outbreak with enthusiasm, was not unconnected with internal conditions. There had been strikes, political in their origin, and demonstrations of workmen ruthlessly shot down. These shortly preceded the war; mobilisation was ordered by the Czar when Sir Edward Grey was pleading for delay and conciliation. Baron Rosen, formerly Russian Ambassador at Washington, has since stated his view of the outbreak of the war and subsequent events in Russia. His words are striking, as coming from one of the most experienced servants of the ex-Czar. Baron Rosen is an "aristocratic internationalist," a man of affairs, who lived in Petrograd through war and revolution, always a spectator, never an actor of the events. He says "I knew the war was coming as far back as 1912. Behind

the curtain of Russian secret diplomacy, war was being made inevitable by the rising tide of revolution from below. The Czar's Court knew that their only hope was to stave off revolution by setting their armies marching. . . . The Revolution was a national revolt of the Russian People against the war. The war was made by those who wanted to put down revolution, and therefore the revolution was made to put down the war.' In these conditions, realised by more than the few who ventured to warn against them, in August, 1914, Russia went to war against Germany and Austria.

The popular theory in England, which it was almost as dangerous as high treason not to accept, was that Russia had been purified from incompetence and corruption since the Japanese War, that by reason of her alliance with republican France and democratic Britain, Russia had definitely joined the liberal and enlightened states of the world, and that Russia's geographical position, her gallant army and large military preparations, her immense resources of gold reserves, her superabundant food production, and her teeming population, men of the hardiest of peasant-type, made her invincible. By reason of her overwhelming weight, though slow in action, Russia was to be the steam-roller of the road to liberty—and Berlin! Warnings to a contrary effect by the wisest of statesmen were disregarded. Sir Charles Dilke had warned against reliance on Russia's support in any war, and had declared it to be one of the objects of his return to Parliament, in 1906, that he wished to prevent an Anglo-Russian alliance. But Press patriotism silenced wise statesmanship.

Early in 1915 there were significant signs of Russian national awakening against the

Corruption and Incapacity of Russian Government.

The Zemstvos, Provincial Councils, Municipalities, and even Sects, united in Congress, voiced the discontent and organised sections of the national effort. These bodies, with committees of business men and Labour leaders, took over such services as production of munitions, care of the sick and wounded, relief of refugees, and the providing for prisoners. They began with the support and co-operation of the Government. Later their success and patriotism raised suspicions that these bodies offered an alternative government to the bankrupt bureaucracy; they were suppressed. Even the Dums, elected as reactionary and subservient to the Czarism, now evolved a

Duma Progressive Block,

and demanded a stable Government of reliable Ministers acting with the legislative body, and a home policy which would preserve national unity and peace. The block demanded definite political reforms, including the return of those deported for offences, the autonomy of Poland, a change of policy towards Finland, abolition

of the restrictions on the Jews, freedom of the Press, and the right of association, especially for workmen's unions, etc. This movement led to a change of Prime Minister; Goremykin, the new Premier, had reformers as his colleagues (Sazonoff, Bark, and General Polivanof); but the "dark forces" prevailed; the Duma was prorogued in November, 1915; ministerial changes from this point onwards were successive victories for reaction. Protests, whether from the Russian nation or enlightened opinion among the Allies, were disregarded. The British Ambassador, forsaking the rule which precludes an accredited Envoy from interfering in internal politics, ventured to protest to the Czar. It was a struggle of all that was hopeful and enlightened in Russia against the

"Dark Forces"

which included the bureaucracy, the pro-Germans (secret and avowed), the Court Camarilla with the notorious Rasputin, a religious libertine, who mesmerised the Czarina, and through her the Autocrat of all the Russias. The condition of that Russia on which the Allies hopes had been in 1914 so centred, was described by the Russian Ambassador in London, who said to a journalist: "An epidemic of madness is raging in Government circles at Petrograd." The Czar and his friends seem never to have had any idea of concession or conciliation. At the Russian New Year, 1917, Rasputin's long list of scandals and corruption had led to his murder. Excitement and indignation over this affair were intense. Yet the Czar then issued his Rescript to Pitirim, the Metropolitan of Petrograd, an ecclesiastic boon companion of Rasputin, a man of notorious evil life and an extreme reactionary. The Rescript, full of loathsome adulation and the old spirit of contempt for the nation's wishes, disgusted even those moderate men who were ready to suffer still if the end of the war might bring a change.

The Russian Army and Navy

were to play the decisive part in the coming Revolution. For years the Czarist methods were preparing them for this duty. The Russian Navy was recruited from the towns. Some degree of education and technical aptitude are needed for men on modern men-of-war. These town workers brought in, imbibed, and spread Socialist ideas. In the attempted revolt of 1905 the sailors had shown their spirit. In 1912 there had been revolutionary outbreaks in certain ships, leading to shooting and punishment of naval men. The large extent of these mutinous occurrences and the number of executions never appeared. When the Revolution came the sailors joined in from the first. When a second Revolution brought in Bolshevik Government, the navy again went over. Nine months of Revolution saw the ships of war really controlled by the Committees of Sailors on each ship. They sent their members to the

C.W.S.D. (Council of Workmen and Soldiers' Delegates) They elected their own officers, and revised or confirmed his orders. In most things the captain only now acted with his men's leave'

The Russian Army

saw a similar process in its ranks. Before the war, and up to March, 1917, Socialists and revolutionaries found the ranks of the army their best field for propaganda. After the Russian losses and retreats of 1915, the old army was largely wiped out. But the stories of cruelty, incapacity, and ill-treatment were there. The ranks were now filled with reservists, men with families and maturer minds, conscious of the corruption above them, and with domestic and social aims; they knew that their comrades had been sent to the trenches sometimes without rifles or ammunition. They did not need much persuasion to join the Revolution.

It has been said that in the ten years since the Russo-Japanese War a better tone and new efficiency had appeared in the

Officers of Army and Navy.

This was true of regimental and divisional commands. But no reform had touched the central bureaucracy nor the Petrograd War Ministry. The confessions of the War Minister, Sukhomlinov, at his trial in 1917 amply show this. The Russian Army administration remained unsound. Again, the Russian officers were, like the Prussians and unlike the French, taken from a higher social class than their men. They treated their men too often in the same brutal manner. This explains not only part of the readiness to join the Revolution, but also the murder of officers both in Army and Navy by their men when the Revolution came. Old scores were paid off, and officers who were suspected to be ready to join in reaction or counter-revolution were made to disappear. The number of such cases has been exaggerated. Both Kerensky and the Bolsheviki did their best to prevent these outrages and to punish their perpetrators. Soldiers and sailors were imprisoned and charged for these offences. No lynch law was tolerated.

News, which from early in the war came from Russia, raised growing doubts as to the value of Russian military efficiency and of her political wisdom. The military tides need not be here recalled. Though the campaigns in the Caucasus and Armenia saw great Russian advances against the Turks, though General Brussiloff entered Galicia, though Lemberg was taken, and in the summer of 1916 the Russian advances into Austrian territory induced Roumania to come into the war against her former ally, still the retreats and defeats of the Russian armies were on the whole so much greater than its advances or victories that, at the end of 1916, it was the common view in London and Paris that Russia must be written off as a serious fighting force. Russia's military failures

were sowing the seeds of distrust and disgust in place of that adulation of everything Russian which had seized the Allied peoples in August, 1914. The change of feeling was accelerated by

Russia's Political Follies.

Repeated stories were told in political circles both in London and Paris of the diplomacy of Russia, which caused grave apprehension, though not published in the Press or Parliament. At one time it was threats of making a separate peace; then came the demand that the Allies should guarantee to Russia the possession of Constantinople and the Straits after the war: the Gallipoli campaign, with its bitter losses, was the result of an urgent Russian demand; the Allies' troubles with Greece were explained by the Russian refusal to the Greeks of any gains, even if Greek armies fought for the Allies. Almost daily news from Russia alienated Allied sympathy. Persecution of the Jews and continued pogroms, an undiminished stream of deportations to Siberia, suppression of newspapers and political unions, continued contempt of a protesting Duma, soaring prices largely due to inflated currency, the unlimited issue of paper money, soldiers being paid in unnumbered notes like postage stamps, stories of profiteering and waste, disorganisation in public services, especially in railway transport, terrible lack of arms and equipment, whole regiments going into battle without rifles or with one rifle to every five men, the rapid changes of Ministers, each change marking growing reactionary influences and not unconnected with amazing stories of the unspeakable Rasputin, the circulation, in America especially, of detailed stories of atrocities against the Jews and in invaded districts, such follies as the immediate arrest and deportation to Siberia of patriotic socialist exiles returning to their native country, like the famous Bourtzeff; these stories, in spite of censorship and patriotic editing, became known in other countries. Messages from the correspondents of one or two well-informed newspapers in England ("Sunday Times," "Manchester Guardian," "Daily News," "Labour Leader," "Nation") prepared intelligent persons for violent repression or successful revolution. Amid this confusion, it seems certain that a separate peace with Germany was being arranged by the Czar or his Court party in secret negotiations at Stockholm. Thus opened the year 1917, when the British War Cabinet of Mr. Lloyd George, as one of its earliest acts, sent to Russia one of its members on a special mission. So

Lord Milner went to Russia,

where he remained several weeks. He returned on March 5, 1917. In "The Times," on March 6, within a week of the Revolution in Russia, was an official statement, in which Lord Milner paid tribute to the personal influence and hearty support of his Majesty the Czar, and declared that in Russia there was only one aim, to bring the war to a quick and successful conclusion. "All the members

of the mission were encouraged . . . " (said Lord Milner) "About the war I could not find any difference of opinion whatever . . . there was no question of any fresh line of policy," etc. On the eve of the Revolution, which was being confidently foretold in Scandinavian newspapers, Lord Milner told the world that the loyalty of the Russian Government and people was safe and sound for the cause of the Allies'

II.

THE STORM WHICH BROKE ON 12th MARCH, 1917.

Whether through insufficient information, or misjudging the facts, the Allied Cabinets were unprepared and surprised. Four days before the food shortage had led to a decision of the Petrograd workers to down tools. On March 9 the trams ceased to run; processions went through the streets crying "We want bread"; the police organised barricades in the streets to stop the moving people; in one square, where orators began to declaim, the police drew sabres and charged; the first blood of the revolution flowed; meetings and processions, dispersed by Cossacks, re-formed elsewhere. The people took fresh confidence, committees were formed; leaders chosen. The Government prepared for the morrow by mounting machine-guns on roofs and at points of vantage. On March 10 the strike was general; shops all closed; many troops were at cross roads and on the bridges; the soldiers' barricades were rushed by the workmen; fighting became serious; then, by prior arrangement or sudden organisation, definite method was seen among the rioters. On March 11 the Czar's Ukase, suspending the Duma, appeared on the walls, and no newspapers were being printed. This worked up the whole population to rise against the Government; revolutionary songs and speakers were heard; what was first a riot was now a manifest revolution. The contagion was irresistible, and spread to the soldiers. The Duma continued to sit, disregarding the Czar's Ukase, with a sort of Provisional Government under the President, Rodzianko. The Czar's last Cabinet kept on issuing orders for repression and nothing else. But the reinforcements needed by the police were not forthcoming. The soldiers were driven by sympathy with their fellow citizens to forsake discipline.

The Revolution was Established

while the Law Courts went down in flames. The fortress of Peter and Paul surrendered. The Arsenal was sacked. Blood flowed as

the police agents and spies fell into the hands of their former victims, or the men serving the machine-guns on housetops were taken by the workers.

The Triumph of the Revolution

was seen in the self-surrender of the Ministers, in the orders issued by the Executive Committee formed at the Taurida Palace, the sitting place of the Duma, and in the tearing down of Imperial Eagles while soldiers paraded with the red flag.

When these events were happening in Petrograd the Czar was at Mohilef, the army headquarters. Galitzin, the Prime Minister, and Protopopof, the strong man and the evil genius of the Czar's last days of power, wired false accounts to the Czar, who hardened his heart and ordered stern repression. He was kept in the dark; then, too late, he was ready to grant a Constitution. He started in his train early on March 13 for Tsarkoye-Selo. After various delays and changes of plan he was stopped at Pskof on the evening of the 14th. Here General Russky met him, told him the truth—that his authority and government were at an end. Soon telephones to Petrograd and telegrams to the army leaders Evert and Brussilof showed that there was only one course open.

The Abdication of the Czar

was contained in a document handed to him, the work of the members of the Duma who at first served for a Government. It named the Grand Duke Michael, the Czar's brother, as successor. But the men who drew and presented this document were not the real revolution. It was from the first clear that no member of the Romanoff family could possibly succeed to the throne. The arrest of the Czar and his family soon followed. Conscious of the popular feeling, the Grand Duke Michael refused the Crown. All the Romanoffs were soon regarded as suspects, if not enemies of the State. They disappeared. Not even the moderate Constitutionalists, to whom a monarchy with parliamentary government was the ideal, remained true to the House of Romanoff. The true spirit of the Revolution and of the Russian people was increasingly Republican. The Russian Revolution was not created by the Liberals or by any Constitutional reformers. It was a sudden effort of the working classes, supported by a discontented and ill-treated soldiery. Years of repression and increasing severity of persecution, the corruption and disorganisation of the army and public services, the cruel neglect of the soldiers, the belief that the Czar was negotiating for a separate peace with the enemy by a secret mission to Stockholm, the increased cruelty practised towards the Jews, the massacres which had been ordered by the Czar in territories invaded by his armies and in distant parts of his own empire (many thousand Khirghiz Nomads had been slaughtered or

driven to die of famine in the forests, as Kerensky disclosed in the Duma), and, finally, the holding up of food coming into Petrograd, whether designed to bring the revolutionary leaders to light, to seize them and suppress their cause, or to induce the populace to accept the impending peace—these explain the outburst. The first

News of the Revolution

was given to the British public by a statement on March 15, 1917, made by Mr. Bonar Law in the House of Commons. How little the true facts were grasped appeared from his statement—(a) that the sailors and soldiers had joined the Duma; (b) that the discontent was not against the Government for carrying on the war, but for not carrying it on with efficiency and energy. When, on March 22, a formal motion was made in Parliament of congratulation to the Russian people, Mr. Bonar Law not only spoke as if the Russian Duma was the cause and symbol of the revolution, and of the late Czar as having been for three years our loyal ally, and of his “burden, which had proved too heavy.” On March 19 Mr. Lloyd George stated that the revolution was “due to discontent at the inefficiency of the Government in its conduct of the war,” and that “it is satisfactory to know that the new Government has been formed for the express purpose of carrying on the war with renewed vigour,” promising “even closer and more effective co-operation between the Russian people and its Allies.” Indeed, any other view than that the Russian Revolution was a respectable concern of superior patriots, and sure to lead to more successful warfare, was considered unpatriotic. Really, as everyone now knows, the Duma had discouraged the rising; the few members who took part in the Provisional Government subsequently only came out of their hiding when the complete collapse of bureaucracy and autocracy was secured by the army’s adhesion to the revolution.

Later, it was to appear that even the “patriotic” Imperialist Cadets were willing to do what the Ukrainians did in February, 1918, and make a separate German peace.

III.

THE EARLY DAYS OF THE REVOLUTION

saw not only the complete collapse of the Romanoffs, but also the imprisonment of the members of the Czar’s Ministries, the removal of the hated police, who were sent into the Army at the front, the formation of a Provisional Government of Ministers, who were at first partly members of the Duma, and soon had to give way to more Radical and Socialist successors. Thousands of exiles returned from Siberia and abroad. The Allied Governments sent

special missions to encourage and advise the Russians on their newly-gained liberty, and to urge continuance of the war. Even more significant were the cessation of active fighting on the Russian front, the absence of any counter-revolution, and the universal demand that the future form of Government must be Republican. Unhonoured and unregretted, the Duma had ceased to exist. Its members were for the most part alien to the dominant spirit of the revolution. The real force which governed the country was the

Council of Workmen's and Soldiers' Delegates,

which represented the Army, the Navy, and the working classes of the towns. This Council (or Soviet), the C.W.S.D., had Social Democratic opinions. The adhesion of the peasant population, at one time expected to prove a steadying or even reactionary power, came gradually into line with the other workers. Throughout the summer and early autumn of 1917 the course of revolutionary government, though marked by frequent change of Ministries, seemed intelligible to and in sympathy with the Western democracies. It looked forward to elections on a democratic franchise, with adult male and female suffrage, and on the basis of Proportional Representation and the party list (or Belgian) method; the Assembly thus elected was to decide on the form of the new Constitution.

The Features of the Revolution

must be constantly remembered, in which Russian democracy differs vitally from the Western type. The first is that Russian Socialist working-class aims are essentially international. As an acute observer has written of their leaders: "Their Internationalism amounts to colour-blindness; they see and admit no difference between the various Capitalist Governments; they had always opposed any co-operation with middle-class elements. They advocated the dictatorship of the wage-earning proletariat. For this creed they had faced Siberia, exile, and the Czar's 'necktie.'" The secret and persecuted Socialist Societies, with propaganda in workshops, Army and Fleet, going back for many years, had been preachers of the Gospel of Karl Marx. While the average man in England and France would argue "make my country victorious and it will give justice and democracy to workers in all lands," the Russian Marxian would say "Capitalism causes wars, let workers in all lands join hands and secure Peace and Justice by common effort." The Marxian conclusion is to fight for Internationalism, and to let Nationality come to its right as a result. The British view, as expressed in the orthodox ordinary patriot, is to fight for Nationality and let Internationalism come in after.

The other distinctive and misunderstood feature of Russian democracy is

The Soviet.

Soviets (Councils) are Committees which are constantly referring to the persons who set them up for approval or correction. Their members are liable to recall or re-election at any time. These Councils correspond to the ancient forms of Russian society. The village community, the Artels or gangs for labour, the co-operative groups are part of the life and social structure of Russia. Soviets maintain the closest possible touch with the people who elect them. A Congress of Soviets which supported Kerensky one day might the next day withdraw that support, not from being bribed with German gold, but from a real change in the situation which they reflect. The Soviet system, equally with the enthusiasm for internationalism, has been a mystery to the British Press and politicians, who have so largely failed to understand the revolution.

The First Eight Months of the Revolution

showed a confusion of aims and methods. But it is not hard now to see how things went. When the Duma failed to control and lead the nation, the power passed to the organisation which had sprung up as in the night—the Council of Workmen's and Soldiers' Delegates (the C.W.S.D.). On March 13, 1917, the Executive Committee of the Duma had issued an appeal to the nation to help in forming a new Government. The C.W.S.D. issued another appeal to the entire population for support, urging also that local Committees in the various districts should take in hand the direction of local affairs. Though on March 15 the two bodies coalesced in a Ministry of National Defence, yet the Duma Committee was bourgeois, capitalist, and militarist, and the C.W.S.D. was proletarian, socialist, and pacifist. In these next eight months there followed five Ministries. These changes were not surprising, since there was a strong desire to remain true to the Western Allies, and also a burning wish for an early peace. Again, while the bourgeois, in many cases, wanted to make the Revolution lead to more trade and financial opportunities, most of the active elements in the Revolution were socialist and anti-capitalist. Yet, again, there were those to whom nationalist solutions of the war were alone satisfactory, while the internationalist view of State relations prevailed in the workers and in large sections of the fighting forces. These eight months of divisions and doubts were followed by the Bolshevik rising in November. This first phase of the Revolution produced one heroic figure,

Kerensky,

a lawyer, who had been born in the Caucasus, famous as an advocate in political trials, in which he had defended men against bureau-

cratic prosecutions. Kerensky had been leader of the Labour Party in the third Duma. There he had been strong in exposing Czarist cruelty and bureaucratic incapacity. He now aimed at reconciling the Revolution to the Western Allies. Amid changes of Ministry, threats and dangers, disappointed of support on which he thought he could rely, as popular orator, Prime Minister, Commander in Chief and Leader of Revolution, Kerensky struggled on. When just a month old, the Revolution proclaimed its altered war aims (April 11, 1917), and in the proclamation of Prince Lvoff, then President of the Council, renounced imperialistic objects, and, whilst loyally desiring to fight on with its Allies, Russia demanded no annexations and no indemnities, but the rights of nations to decide their own destiny. Kerensky's policy was to continue in the Alliance against Germany; whether under Allied pressure or native pride, this policy compelled the Russians to make a vigorous offensive. The Russian armies in Galicia advanced two days; this was followed by the Germans resuming operations and occupying the great port of Riga. The leadership of Kerensky, who seemed to Western democrats indispensable, might have had the support of the Western Allies had they realised that Russia was too disorganised and weakened by losses and ruin of the old social order to continue any real fight.

The Economic Collapse

of Russia had helped to bring about the Revolution. In Petrograd in March, 1917, not only was there grave shortage of bread, but prices had soared and were still soaring. The price of bread was five times what it had been when war began; herrings had risen 767 per cent; metal wares 1,900 per cent.; soap nearly 800 per cent.; wood for fires 1,100 per cent. The cost of the war, due largely to waste, incompetence and reverses, had been crushing; in the three years of war to August, 1917, war credits amounted to 41,392,000,000 roubles (or £4,000,000,000 at the normal rate of exchange). In foreign loans there had been raised 8,061 million roubles, of which Russian authorities give £700,000,000 as raised in England. All foreign exchanges had long been greatly against Russia. The Government printing presses were turning out paper money in literally unnumbered amounts. With industries declining, raw materials not available, and famine threatening, it meant to the people that the war must end. This conviction was confirmed by the patent fact that while the limited railway services were employed in feeding a large army at the front, the want in Petrograd and the North could not be relieved, because rolling-stock was not available to bring corn and other goods from Siberia and Southern Russia. As Kerensky said, "Russia was worn out." Those who condemn Russia for not fighting on still should inquire whether they are not demanding impossibilities.

In reply to Kerensky's request for a Proclamation of Peace

and War Aims, each Ally made reservations and distinctions: Even the American Note was vague, though President Wilson from the first made a sincere effort to show sympathy and guidance to the Revolution. So it happened that, whilst Ministries fell, after an average life of six weeks, Kerensky remained and formed another. His eloquence, resource, and programme failed, his power declined. With Tereschenko, the Ukrainian millionaire, sugar magnate and Duma deputy, as his constant colleague at the Russian Foreign Office, he remained in touch with the Allied Governments. One sign of this was the renewed supply of munitions to Russia from America, Japan, and Britain. Another sign was the Military Convention with Britain, under which Russians here were conscripted into the British Army. Kerensky also encouraged the idea of autonomy for the Ukrainians, the Finns, and the other Russian sub-nationalities, and their future within a United States of Russia.

Kerensky's Army Policy

was to reorganise the soldiers, and to inspire a new discipline and efficiency. The Revolution, as one of its first acts, on March 20 abolished the death sentence for soldiers. Kerensky for some months continued this. He allowed those soldiers who wished to return home to leave their commands. He relied on a volunteer army. His wish for liberty, or to meet the soldiers' wish for liberty, induced his "Soldiers' Charter," which gave to soldiers privileges not enjoyed by any other army. Its first words were: "All serving in the Army enjoy the rights of citizens, but while on duty they must strictly conform to the demands of discipline." Officers have asked whether this principle did not render old ideas of discipline impossible. But after the Revolution could anyone restore the old order?

General Kornilov

had been Commander-in-Chief of the Petrograd garrison when the Revolution began. A Siberian Cossack by birth he became the hope of the Cadet party and of all Imperialists. Many, both in Russia and among the Allies, hoped that Kornilov would lead a counter-revolution and restore the monarchy. His authority with the Cossacks, his attempts to restore the military position against the Germans, his securing from Kerensky the restoration of the death penalty in the army, his proposal to extend it to railwaymen, his suppression of political propaganda, his behaviour and speech at the Moscow Conference in August; his march on Petrograd in September, raised extravagant hopes that a military dictator had appeared in Russia, under whom Russia would be a fighting ally stronger than ever. But it was clear to the Russian soldiers that to follow Kornilov's lead must end the Revolution; this would have

meant at once civil war. His soldiers fraternised with the revolutionary forces sent against Kornilov; he was imprisoned; and the left wing of the Revolution was stronger than ever.

The Stockholm Conference

was proposed, as a revival of the old International. It was to summon working-class representatives from all countries. So German and Russian, French and Austrian workers would have sat together in an attempt to find a basis for peace. It was intended that representatives from the Allies should first have deliberated together to find their common ground. This prospect gave Kerensky still another chance when the Russian offensive of July failed. It was the last hope of keeping the Russian Revolution out of the control of the extreme Internationalists. These, the Maximalists or Bolsheviki, opposed Stockholm, because the Socialist parties (or the majorities which spoke for the Socialists) in Germany, France, and Britain, unlike those of Italy, had allied themselves with their national Governments in voting war credits. To the Bolsheviki this meant joining with the Imperialistic national Governments against International Socialism. The position was clearly seen and urged by Mr. Arthur Henderson, the Labour Member of the British War Cabinet. He had been on a prolonged mission to Russia. When, through the action of the Allied Governments, the Stockholm proposal was defeated, Mr. Henderson resigned on August 11, 1917. The Bolsheviki had been in a minority at first, both in the cities, the country, and the Soviets; their papers had been suppressed; their leaders had been forced into hiding. But from this point they steadily grew; their ideas captured the Soviets; the universal need of peace and the failure of Kerensky's last hope brought the Soviets round. It was through the action of the Soviets, always the real masters of the situation, that Kerensky fell; on November 6 the second revolution placed the Bolsheviki in power, with Lenin and Trotsky as the leaders of the nation.

The Lack of Accord with the Western Allies

was latent in the Revolution in March, and was manifest in November, when the Bolsheviki took control. A nation with over 90 per cent. illiterates, which less than two generations ago was a nation of serfs, which is mainly peasant and poor, which had suffered invasion, famine, and economic collapse, which had just shaken itself free of the cruelties and oppressions of Czardom, neither could nor would continue the war. In wartime the Governments of most countries control their citizens more powerfully than in peace, and are themselves less controlled. In Russia, the people, through the Revolution, have gained a new freedom, and through the Soviets they control their Government as in no other country. The Russian Soviet; not only make the Government as a General Election makes

the Government in Britain, but also keep in power or destroy the Government as a Parliamentary majority gives or withholds confidence in the Government of the day. It is true that the immense Empire of Russia had fallen asunder, some provinces taken by the enemy, others proclaiming independence, others looking towards State autonomy or Home Rule. But the Russian idea of national as well as of international politics supposes local units, determining their own bounds and conditions, yet in close contact and understanding with one another. Faced with these facts, why have not the Allied Governments recognised the Republic of Soviets as the Government of Russia? Because their unimaginative diplomats and their Press (perhaps by force of censorship and loyalty) have failed to see that the young giants of Russia, freed from their chains, could only be led if understood, and could not be forced into the mind and manners of the West.

The Failure of the Allied Diplomacy

—or, rather, of the Allies as a whole—in face of revolutionary Russia is patent. This is admitted by all, especially by newspapers usually supporting the Government and the war. As soon as the Bolshevik victory became complete it was universally apparent. The following quotations might be multiplied—

“Very different would have been the march of events if the Western Allies of Russia had shown more sympathy with the Provisional Government and a better comprehension of their difficulties.”—*Daily Chronicle*.

“Our Foreign Office has failed completely in Russia to meet the people.”—*Evening Standard*.

“We have given Germany the opportunity of falsely posing as a Moderate to the too innocent Russian people. . . . This is one of the chief failures of Allied diplomacy in this war.”—*Westminster Gazette*.

“A colossal ignorance and levity have marked our policy with regard to revolutionary Russia from the first day to the last.”—*Manchester Guardian*.

Sternest and most unanswerable of all condemnations was

President Wilson's Judgment

(December 4, 1917), that if the Western Powers had so presented their war aims as to have had them “made plain at the very outset the sympathy and enthusiasm of the Russian people might have been once and for all enlisted on the side of the Allies, suspicion and distrust swept away, and a real and lasting union of purpose effected. And three months later it was reported from Washington, apparently on high authority, that President Wilson “still unquestionably holds to the opinion that the Revolution is

the one single great gain to civilisation thus far resulting from the war, regardless of how black present prospects in Russia appear." The President of the U.S.A. takes long views, which cannot be brushed aside as unreasonable.

IV.

THE BOLSHEVIK GOVERNMENT

succeeded to the Revolution's inheritance in November, 1917, after eight months of coalitions and changes. The Bolshevnik advent was no sudden success of a well-timed plot, no violent effort of a conspiracy without popular backing. It was the sequence of events. Its early fall was at once foretold by wilful misrepresentation or ignorant misunderstanding. But the fall did not come. In spite of immense difficulties and defeats, it persists. The relations between revolutionary Russia and the Allies appeared hopelessly ruined as weeks went by without the prophesied collapse of the Bolshevniks, while the Brest-Litovsk peace negotiations began and proceeded. It was characteristic of the ignorance and levity of Allied policy that so many chose to regard the Bolshevniks as bought with German gold. To understand the injustice of this accusation we should know a little of the personality of Lenin and Trotsky.

Lenin,

the Prime Minister of the Bolshevnik Government, is Vladimir Illitch Oulianoff. Born of a noble family, he became a lawyer after passing through the University. He helped to found the first social democratic organisation in Russia; then he was imprisoned in Siberia, and during the revolutionary days of 1905 edited the first Socialist paper in Petrograd. His life since then had been lived in exile. In Cracow when the war broke out, he was arrested by the Austrians, and later expelled to Switzerland, remaining there till the revolution in March, 1917, when occurred

His Return to Russia through Germany.

This fact has been constantly remembered against him by those who have sought grounds to abuse him as pro-German. The facts, however, are simply these:—In March, 1917, a number of Russian political refugees met with difficulties created by the French and British Governments, who prevented their return to Russia. Certain Swiss Socialists then made arrangements with the German Government for their free return by way of Germany on certain conditions: that (a) any refugees independent of creed or opinions might go in the party; (b) they were accompanied by a Swiss

Socialist. (c) the railway carriages were closed through Germany, and (d) no German official communicated with the refugees. In any case, it is quite false that Lenin personally had German favours or support on his return. Ardent supporters of the war and supporters of the Kerensky policy shared the journey with him.

Trotsky,

like Lenin, has risked his life and suffered imprisonment for his faith. He took part in the Revolution of 1905, sent to Siberia, he escaped, to settle in Vienna in 1907. There he wrote "Russia in the Revolution," and became famous as publicist to the Socialists of Austria and Germany. On outbreak of war in 1914 Trotsky came to Paris, and there edited a Russian newspaper strongly anti-Czar. On this paper being suppressed and himself banished, Trotsky tried to enter Switzerland, but was refused admission at the request of the French Government. He entered Spain, was imprisoned there, and released to go to U.S.A. In March, 1917, immediately the Revolution had succeeded, he took ship for Russia, but was taken from the vessel by a British warship, placed in a camp at Halifax, N.S., with interned German sailors, and charged with being a German agent. His Socialist agitation there amongst the Germans and the protests from Russia against his detention were followed by his release. He returned to Russia, where the public were told that he had received German money, the fact being that German brewery workers in Milwaukee had entrusted him with a collection for Russian victims of Czarism. On return to Petrograd he published a pamphlet describing his experiences, with biting invective against all Imperialist Governments.

Lenin and Trotsky

in their constant attack on Imperialist and Capital warfare were in a minority till late in 1917, but continued agitating in Russia for an immediate and general peace without annexations. They opposed the idea of reliance upon the Western Democracies, which to them were Capitalist and therefore Imperialist. When the Russian offensive failed in July and the proposal to meet the German Socialists at Stockholm became the policy of Kerensky and the Soviets,

The Maximalists

(as the party of Lenin was called) bitterly attacked the policy of Stockholm. They had denounced the mass of German Social Democrats as false to the doctrines of Marx, as men who, by having voted credits and fighting for their national government, had pledged themselves to Imperialism. Failure of the Allies to understand and support Kerensky, failure of the Russian July

offensive, failure to secure a revision of their War Aims at a common conference, failure to bring about the united action of Labour at the Stockholm Conference, with increasing food shortage and army disorganisation, brought the C.W.S.D. (Council of Workers and Soldiers' Delegates) and the Peasants' Delegates into line on the side of the Maximalists. From this time the Soviet was the C.W.S.P.D. (Council of Workers, Soldiers' and Peasants' Delegates). In October Kerensky met the Provisional Parliament which he had set up to bridge the interval before the electors could elect an Assembly. His critics declared that this body was a selected assembly, picked and nominated by Kerensky, of men likely to support him. If so, it is significant that it only gave him a majority of twenty out of 400 votes, with more than twenty abstentions. Kerensky's policy had miscarried. When Mr Bonar Law announced that

The Paris Allied Conference

would discuss solely the prosecution and not the aims of the war, Kerensky's power was gone. The German Reichstag had in July passed its Peace resolution; the Kaiser had twice been forced to change his Chancellor; Austria showed signs of internal weakening; the Pope had launched his Peace Note on August 1: its policy of disarmament and arbitration had been accepted by the Central Powers; Germany had made a private approach through M. Briand offering to evacuate Belgium, Alsace, and Italian territories. Kerensky had proclaimed Russia worn out and immediate peace essential. The Maximalists declared, against Kerensky's policy, that it was the Western Powers as much as the Central Powers who believed in militarism and were prolonging the war.

The Constituent Assembly

with its earlier hopes, had not been elected. Nominations for this body had been sent in by October. It was to be elected on a democratic franchise of men and women by the party list method of Proportional Representation. But when the elections were held the Bolschevik policy had carried the people. The lists put before the voters submitted lists of candidates which were out of date. It met in January, 1918, but represented a phase of the Revolution now ancient history. The Bolschevik Government dissolved the newly-elected Assembly, proclaimed the authority and power of the Executive Committee of the Soviets, and Russia's first revolutionary elected Parliament died at birth. The Council of Soviets reigned in its stead.

The Bolscheviks, their policy, and achievements were from the first misunderstood, and have been misrepresented by a persistent

Anti-Bolschevik Press Campaign

in and outside Russia. They were at first denounced as Pacifists, therefore pro-Germans; then as doctrinaires; later as Jews, madmen,

bloodthirsty anarchists, robbers, criminals; then as autocrats and despots, militarists, and anti-Germans; Russian ex-noblemen and possible allies with Clemenceau and the Republic of China. Only a few journals have admitted the truth, that they were efficient administrators and able negotiators. Mr. A. Ransomé, Petrograd correspondent of the "Daily News," returning to Russia after three months in England, wrote, December 31, 1917, that "the present Labour Government is extremely efficient, energetic and decisive, though faced by the noisy opposition of the privileged classes, who are unable to make a Government of their own, and are doing all they can to shake the Government by means of sabotage and libel. The city is more orderly than it had been for months before the Bolsheviki took control." Col. W. B. Thompson, of the U.S.A. Army, declared on January 13, 1918, that the Bolsheviki had "maintained a most surprising degree of order in Russia . . . in Petrograd, during the first month of the November Revolution, I can say from my personal observation there was better order than at any other time during my four months' stay" (September to December, 1917). Col. Thompson also stated that Kerensky might have waged successful war against Germany if the Cadets, Milhiukof's party, had not lied about him, done everything to destroy his influence, and betrayed him. Col. Thompson is a rich American banker! Many other testimonies show that the Bolsheviki policy was efficient and restoring the country to law and order. Indeed, this is implied in what Sir George Buchanan, the returning British Ambassador, stated at Stockholm on January 13, that "the Bolsheviki had attained such a position that nobody can overthrow them at present."

The Power of the Bolsheviki

has relied on the national organisation of the Soviets. Their energy, prompt actions, and radical ideas began to produce out of chaos and uncertainty a new order, promising social rejuvenation. Food was commandeered and brought to the towns; the Peasants parted now with stores retained before, accepting the

Bolshevik Land Policy

in the spirit of the Russian proverb, "God made the Land for those who will work it." Lands of the Church, the Court, and large landed estates are now for the Peasants to work and rural Soviets to administer. The small peasant proprietor system of France, involving absolute property and harmful subdivision, is far removed from the notions and practice of the Russian peasantry. Communal rather than private ownership of land is the Russian ideal

In industrial undertakings the control and management passed to the workmen. Co-operation between the workers with the masters of industry (not dissimilar in spirit and aim to that advocated by the Whitley Report for Britain) was carried out.

Russian Co-Operative Societies

comprise at least 20,000 distributing "Co-ops." in Russia and millions of members. Thwarted and suppressed by Czardom, they developed rapidly under Kerensky, who gave them special privileges. At first they were a strong force against the Bolsheviki, who in turn have favoured and let alone the Co-operators. Bolsheviki policy towards all other capitalists who did not submit to the control of their workmen was "to leave the *bourgeois* only their slippers." The great Co-operative Banking Concern, the Moscow-Narody Bank, continues while the other Banks passed into a State monopoly. Artels are being formed to work the national forests: "the working of the forests by the people themselves demands that all workers concerned should close their ranks, and organise themselves into Forest-Working Artels, further combining these into Unions and thus laying the foundation for a proper and co-ordinated working of the forests." In February, 1918, the organ of Russian co-operators spoke of the favourable condition then prevailing for the growth of co-operation.

The Bolsheviki State Bank

was founded by taking over the assets and businesses of most of the Banks of Russia. The early days of Bolsheviki rule found the Banks financing counter-revolutionary work, and declining to assist the Government. The directors, managers, and staffs of the expropriated Banks refused the new conditions of service. The Bank doors were closed. Then a new set of officials and a unified State Bank took their place.

Thus Co-operation, State ownership, and total elimination of the capitalist profiteer are aimed at. Later the Bolsheviki declared the annulment of foreign loans and obligations. Their policy of repudiation of State debts, tried often by small and backward States, is already in part defeated by the German peace. Yet the financial and economic position of Russia may be repeated in other lands. Who will predict to-day the future of Labour or of Capital anywhere?

The Class Struggle

of Proletarians against the propertied classes was first announced eighty years ago by British Chartists, elaborated by Marx and Engels, accepted as the basis of Continental Socialism and proclaimed by Trotsky in his book "The War and the International" (October, 1914). This doctrine has become actual in Russian policy. Similarly, in foreign policy Lenin and Trotsky put forward

Class Truce, Union Sacrée, Burgfrieden,

peace between the proletarian workers, who should take their proper place after the downfall of Capitalism and the defeat of

Imperialism. A genuine peace and a true League of Peoples is only possible on the basis of the International. Faithful to this theory, which appeared madness to the Governments of the world, they dismissed the Russian Consuls, Ambassadors, Attachés, and others in foreign lands, appointed mostly by the Czar, who refused to obey their directions, and they appointed Ambassadors not accredited to foreign Courts, but to the peoples abroad. These were, of course, ignored and thwarted in their missions. When in December, 1918, the Bolsheviki proposed a Peace Conference and announced, not by diplomatic notes, but by wireless messages addressed "to all" of the people everywhere, that after a week's delay they would ask for an armistice with a view to a general peace of all nations, they received no response from any Government. Were they in a position to negotiate? or to achieve any peace short of absolute surrender at discretion? They would try.

Was it a mistake that this offer "to all" to enter into negotiations for peace was ignored by the Allies? No doubt the argument weighed with them that labour unrest, extreme war weariness, internal divisions, and exhausted fighting forces were felt as never before in Germany and Austria, that Turkey was being driven back in Palestine and Mesopotamia, and that the German alliance still held unbroken lines on the West, and had recently driven the Italians far behind their frontiers. On the other hand, America was making huge preparations, but not yet exerting a tenth of her prospective power in the field. Moreover, Russia was herself not united: there were armed revolts against the Bolsheviki in Siberia, in Cossack country, the Ukraine, and southern towns. Accounts sent out from neutral countries or capitalistic sources in Russia magnified the importance of these risings and depreciated the Bolsheviki power. A speedy Bolsheviki collapse was still prophesied and hoped for. Such anticipations were finally dispelled by Sir George Buchanan, the British Ambassador, who on returning to London in the middle of January declared that no change in Russia was to be expected in the near future, and the Soviets will still be the holders of power.

The Attitude of the Allies

was as laid down by the British Ambassador. He had already, on December 9, 1917, made a statement to Petrograd pressmen, dignified in tone, towards the Russian people, warm in generous sentiments, and said to have been drawn up by the British Foreign Secretary, Mr. Balfour. It admitted the right of Russia to make a separate peace, but complained of negotiations being opened with the enemy without previous consultation with the Allies. It spoke of the "principles higher than treaty rights . . . principles fully recognised by the Council of People's Commissaries . . . those of a democratic peace which accords with those of smaller and weaker nationalities, which repudiated the idea of extracting plunder out

of conquered enemies under the name of war indemnities, or of incorporating in great empires the territories of reluctant populations." It well urged that it is "with the German autocracy and not with the German people that negotiations for an armistice are being conducted . . . the Allies are ready as soon as a stable Government is constituted and recognised by the Russian people as a whole, to examine with their Government the aims of the war and possible conditions of a just and durable peace." From this date the Russian Government has not been recognised by the Allies. Russia has revolved on an orbit apart.

Bolshevik Foreign Policy

marks a complete break with the old diplomacy. The aim, spirit and methods of Lenin as head of the Soviet in Petrograd, and Trotsky as Foreign Commissary at Brest-Litovsk in their peace negotiations were novel. How easy, then, to misunderstand and misrepresent them! Their aim was to obtain (1) a general peace resting on the will of the peoples, and (2) a self-determination for the nationalities whose lands and liberties had been outraged by imperialist militarism. Their spirit was to appeal frankly to the public, over the heads of generals and plenipotentiaries, to the workers and fighters. Their methods were publicity and propaganda. The armistice on the Russian front which they obtained was to admit of the fraternising of the troops, the dissemination of leaflets and journals, and facilities for trading, and especially the discussions of the negotiating parties were to be public. In this spirit, when Trotsky and his companions met the Germans they shook hands with them and talked in familiar way, as much with the orderlies and other men in attendance as with von Kühlmann and Czernin. The

Brest-Litovsk Negotiations

were prolonged, a long fight of Russian Socialism against German Machtpolitik. At the first meeting (December 25, 1917) the Russian proposals were for a general peace, with referenda to decide the allegiance of occupied territories, compensation for the devastated districts from a general fund contributed to by all the belligerents, and no economic war after the war. These terms are all included in the Labour War Aims of the Allied Socialists who met in London two months later, and agreed on a common policy for peace. Trotsky from the first demanded that German soldiers were not to be withdrawn from the Russian front for service elsewhere. His object was to make clear and to enforce his demand for a general peace. Whether the German Military Command observed this condition, which they accepted, is more than doubtful. Trotsky, moreover, made it known that if through her weakness an unsatisfactory peace were forced on Russia it would be regarded as a truce only till conflict could be renewed. The German reply

was that they had no wish to rob independent States, and that in occupied territories the people should themselves decide their fate. But how? Trotsky demanded the withdrawal of every German soldier, so that the populations invaded might be free to vote as they wanted. Of course, the Germans declined this. This first fundamental difference led to an adjournment. Trotsky returned to Petrograd, and in a public speech denounced Germany's "hypocritical peace proposals." In this first phase Trotsky drew from the German and Austrian Ministers agreement to the formula "no annexations and no indemnities." The repercussion of these events was great; the Junkers were alarmed and indignant in Prussia; and Ludendorff tendered his resignation as a protest. Later came the great political strike in Berlin. In London Mr. Lloyd George restated to the Trade Union Conference the Allied war aims on January 5, 1918. In Vienna was also a strike for peace. These events can all be traced to Trotsky's daring policy. When negotiations were resumed it was to wrangle over the freedom of self-determination of conquered lands. Germany evidently meant to hold what she had seized. German offers to withdraw some of the troops and to establish a native police were rejected. The negotiations were again adjourned for some days. There had now arisen the question of the Ukraine, which had proclaimed independence of Russia; her position was discussed and her plenipotentiaries took part in the Conference; but Trotsky protested that the anti-Bolshevik representatives of the Ukrainian Rada could not speak for the Ukraine population. Again an adjournment took place. The novelty, confusion, and complication of these negotiations baffle any attempt at a clear, concise account. Yet the Bolsheviki policy was clear and consistently maintained throughout. Trotsky stood for a general peace based on social revolution, a peace of peoples not of diplomacy, the self-determination of nationalities and no annexations or indemnities by force of arms. Trotsky in all these weeks had shown himself a foe

Irreconcilable to German Militarism.

He would sign no peace with Germany, but would cease war, disbanding the Russian Army. This was the position when negotiations for peace failed, and the Germans announced the armistice at an end. The German Armies advanced once more. The Prussian mailed fist secured what parleying could not obtain—a treaty forced on Russia after struggles, appeals, delays, and protests. By violation of the armistice terms, and cynical German disregard of the assurances that no annexations and no indemnities were intended, a cruel peace was imposed on Russia.

The position in Russia was that the old régime had disappeared. The liberal intelligenzia and bourgeoisie were discredited, and were devoting their efforts to encouraging sabotage and internal discontent against the Socialists. The people everywhere were suffering unexampled privations and hardships from

which peace alone afforded the only relief. The Soviet was still in command, full of energy and alone possessed of a definite policy. So the

Peace with Germany

was accepted. Yet not without division of opinion within the Soviet ranks, and the resignation of Trotsky as Foreign Commissary. The terms of the Treaty of Peace included, among other conditions, that (1) Russia shall surrender all her border lands; Esthonia, Lithuania, Courland, Poland, Riga, and the Moon Islands are evacuated to Germany; (2) £300,000,000 must be paid, as equivalent of the damage done by Russian troops which invaded German and Austrian land in 1914-1916: this is merely a "disguised indemnity," and a cynical disregard alike of German diplomatic promises and the Reichstag resolution of July; Liberal organs in Germany have protested against it; (3) the recent Russian annulment of State loans is not to hold against German holders of Russian debts; this may mean that French and other holders of these obligations may be induced to sell them to Germans; (4) parts of the Caucasus comprising Armenia and the provinces of Batoum and Kars are returned to Turkey; (5) the commercial Treaty of 1904 is revived, giving German trade special opportunities for peaceful penetration; (6) the demobilisation of the Russian Army is to proceed at once; and (7) free passage to be granted to Persia and Afghanistan for German commerce; this would secure a new route to the East for German trade, replacing the Bagdad Railway route which has been lost by British conquests in Mesopotamia. While the ratification of this treaty was pending, the German Armies continued to advance. Petrograd was threatened. The German excuse was that appeals for order and intervention came from Russia suffering from the existing anarchy and terror. The truth cannot be obscured that Militarism and Capitalism were in league against Internationalism and Socialism. Germany has destroyed Russia as a great Power. Russia remains a Socialist State.

V.

THE COLLAPSE OF RUSSIA AS A GREAT POWER

is now apparent. "The Russian steam-roller of 1914 has disappeared," as a witty M.P. has said, "but the man with the Red Flag is there." The great Allied Power, which the British Prime Minister said was "not a quitter," has been forced to a separate peace. The future of this great nation, with its still vast territories and virile people, can hardly be forecast. The duty of

Russia's old Allies is to understand the facts, which many have wilfully or carelessly disregarded, and to show such sympathy and support as may hasten her recovery. Foremost among the facts of the situation is that after, if not before, the Revolution there was reached the stage of

Hopelessness of Continued Warfare.

Russia was incapable of further military effort. Lenin's reasoned statement, on February 24, 1918, set out in clear terms that Russia having accepted a Socialist Government "must pass through a period of civil war and internal disorder," "must concentrate all her forces on the internal struggle," accepting then "the improbability of the outbreak of Social Revolution in the rest of Europe," it was not "treason to International Socialism to sign a peace with the German Imperialists" "When workmen are beaten in a strike they only accept bad conditions in order to prepare for another struggle later." "If the Russian Revolution continued the war in alliance with Anglo-French Imperialism on the basis of the old Secret Treaties recently published and not openly repudiated by the Allies, then it would be prostituting itself to foreign Imperialists." This statement of the position from Lenin's point of view ended thus. "Russia, if she has peace, can become the envy of all lands and the centre of gravity of the Social World. She can concentrate on the internal development of the Russian Revolution. If she attempts to reap the full fruits of the Revolution and to carry on the war against foreign imperialism, she will lose both her objects. If she concentrates on internal development now, she will secure her second victory later." These views and aims have carried the Soviet, though Trotsky, still ready to fight on, has resigned his post. Russia has ceased to be a great Power because she has turned to an international Socialism. She was only to be saved from this course, and from all the horrors and humiliations going with it, if the Allies had accepted with prompt wholeheartedness the course to which Kerensky had invited them in vain.

The Secret Treaties Divulged

by the Bolsheviki were made public as part of their war against Imperialism and existing methods of government. Milhukof in May, 1917, and Kerensky later, had spoken of the secret documents in the archives of the dethroned Russian Government. From November, 1917, onwards various documents showing the secret diplomacy of the Allies in the war have been published, producing controversies and new diplomatic developments.* These,

*Those who wish to study the text of these documents are recommended to read a book issued by the Union of Democratic Control, 4-7, Red Lion Court, Fleet Street, E.C. 4., entitled, "The Secret Treaties and Understandings," which contains explanatory notes by F. Seymour Coombs, a Preface by Charles Trevelyan, M.P., and two maps. Its price is 2s. 6d.

who hold that if this war be a fight for democracy the people should know for what they are fighting, are grateful for these disclosures, however much on economic or other grounds Bolshevik policy may repel them. By these publications, as well as in their whole policy and in holding together so strongly the working masses of Russia, and in spite of whatever mistakes and failures can be charged against them, the Russian Bolsheviks have helped to secure the

End of Autocracy and the Old Diplomacy.

The downfall has been proclaimed by no less an authority than Dr. E. J. Dillon, the famous Foreign Correspondent, who has had an unique experience of diplomatic affairs in many lands, and has talked to so many monarchs and Ministers of so many States. He promises shortly a book dealing with the Russian Revolution, which will "sound the death knell of Autocracy and the Old Diplomacy." No sympathy with Bolshevism, pacifism, or socialism can be imputed to him. The revolutionaries can cite him in their defence.

A question has been raised (in March, 1917) whether the Czar himself remained loyal to the Allied cause when the revolution overwhelmed him. Sir George Buchanan and Gustav Hervé have asserted his personal loyalty. Dr. Dillon and others are as convinced of his duplicity. The question is only of small importance. The Czar personally was not a strong character; his wife and Court influences moulded him to their stronger wills. Even if he were personally loyal, he was not passionately loyal; his loyalty, if granted, was not effective. In the remote possibility of imperialistic and capitalistic forces or a reactionary régime trying to restore him to his throne, he would be only a puppet Czar.

The Lost Territories of Russia

are a warning to those who cherish Imperialistic ambitions. Only three years ago the Russian Czar was not content with ruling one-sixth of the land surface of the globe and with being despot of 170 million subjects. He planned to enlarge his dominions by adding the divided parts of Poland under his autocracy. In this aim he received the blessing and good wishes of Republican France and Constitutional Britain. His Allies were ready to win Constantinople for him, even while his own armies retreated before the enemy, and to turn the Black Sea and the Sea of Marmora into Russian Lakes. Even Liberals in the British Parliament believed that the prolonged agony of Armenia would end if Russian armies advanced into Asia Minor, and if the rule of the autocrat brought liberty to those long persecuted by the Sultan. Vain were such hopes! Russia to-day has been bereft of Finland, whose independent Republican Government is recognised both by Germany and France. The Ukraine (Little Russia), the south-western portion of Russia in Europe, the land of the black earth which grows abundant grain, has also

declared her independence. Finland and Ukraine alike have made separate peace treaties with the German Alliance; in each land German soldiers are suppressing the Bolschevik Soviets in the name of law and order. Finland is being fed with supplies of German grain; Ukraine will transfer such surplus as she has or can produce to feed her recent foe. On the Black Sea, Bessarabia, inhabited by a Roumanian population, will be torn from Russia and given to Roumania to balance those Roumanian regions now handed over to Hungary and Bulgaria. To Russian Poland there has been granted by Germany a Polish Council, more representative and with greater liberties than even the Czar proposed to give her; the hopes of the Poles for larger national rights and union with their fellow Poles are now founded on enlarging the concessions already made by the Germans. The Russian Baltic Provinces, Lithuania, Courland, Livonia and Esthonia are ceded to Germany, who vaguely promises them "social security" and political order. The Baltic has no longer any Russian Coast; the Black Sea, with the provinces of Batoum and Kars, added to Turkey, becomes a Mittel-Europa Lake. The Murman Coast, with its distant shores and Arctic climate, and Archangel, ice-bound for five months in the year, remain the sole direct access of Russia to the Western Seas. Was it in irony that the peace terms imposed on Russia left her Fleet still in her hands with no ports or bases for them?

Japan and Siberia

may soon be the scene of a new phase of the world's war. As soon as the collapse of Russia before Germany was clear, voices were raised, in France first, then in Britain, later from all quarters, calling for Japan to move into Siberia. The excuse and reasons for this proposal to intervene were not hard to find. To have Japanese overrunning the East of Russia, as the Germans are invading the West appeared a counter-stroke against the success of German militarism. It was said that Japanese stores were lying unpaid for by Russia, at Vladivostock; that German prisoners in Siberia were being armed and drilled to support Germany; and that Germany would soon have the minerals of the Ural Mountains. It was even said that Japanese troops could soon cover the 7,500 miles to the West, meet the German foe, and prevent his conquest or penetration of Russia. And so forth! Whatever be the cause of this menace to Russia from her late Ally, even if Japan invades Russia, and her invasion is not approved by the Allies, men in every land will be disgusted at this cynical invasion. Men will ask how those who took arms at the outrage of violated Belgium can engage in such an attack on Russia.

Is Russia an Outcast among Nations?

This is what M. Pichon, the French Foreign Minister, says of Russia. What is seen to-day is the Embassies of her late Allies

leaving Petrograd; the refusal of the British and French Governments to receive Russian representatives; the callous treatment of Russia by her conqueror even after Russia has accepted a cruel peace, and Japan encouraged to come in and take all that she can or what is left of Russia, her enemy of thirteen years ago, her ally of yesterday. At the moment when she enters on her second year of Revolutionary life Russia stands apart, a figure now lonely, but not (let it be hoped) outcast for long among the nations.

VI.

THE FUTURE OF THE REVOLUTION

is beyond the power of any to forecast. Whether the Bolschevik Government can last; what will replace it if it fall; whether some monarchy, constitutional or autocratic, will be imposed on or accepted by the Russian nation; whether the present frontiers may suffer speedy change; whether a republic, or federation of republics, will become a stable form of government—these are all questions to ask, and then—wait and see.

Character

the Russians certainly have—the moral force of Tolstoy, the strong type of peasant character revealed by the writings of both Russian and English authors, and the deep religious vein in the race come up in the firm determination and ruthless logic of such men as Kerensky, Lenin, and Trotsky. Character is not denied to this race—character will produce great leaders. Indeed, already in Russia war time has discovered undoubted great leaders of men in Army and in State.

Intellect

of a peculiarly intense and severe type, with marked power of closest concentration, is common in Russia. It is a quality seen in their scientific and artistic geniuses. The peculiar gifts of character and intellect in Russia must with freer conditions produce men of leadership and originality.

Natural Resources

Russia has in such abundance, especially timber, metals, coal, grain and oils. Grain and cattle, wool and cotton, oil and fruit she can produce from her varied climates. She has wealth enough for her own use as well as to attract her neighbours to trade and enterprise.

Generous Sympathy due to Russia

must cause both fears and hopes. Russia is not yet played out. She is a young and vigorous giant, inexperienced and undisciplined, relying more on the inspiration of the future and of new ideals than (like Greeks and Portuguese) on the memory and pride of past greatness. Sir Paul Vinogradof, the Oxford professor and Russian politician, has issued a warning not only against the wickedness and folly of sending Japan in to complete the humiliation and spoliation of his country, but also against the British Press which now would "bully and blackguard" the Revolution. President Wilson has sent a generous message of sympathy to the nation forced to accept a separate German peace. Mr Arthur Henderson, leader of British Labour politics, warns against the desertion of Russia. Chivalry and interest alike demand for the fallen Ally patience, sympathy, and generous support.

The Russian Revolution has only just Begun.

It will last and live, will change and surprise its elders. Like a child, it needs patience, sympathy, understanding and direction, and, like a child, it is destined to grow and become strong.

PROBLEMS OF THE PEACE CONGRESS.

ITALY AND FIUME

BY
VICTOR FISHER

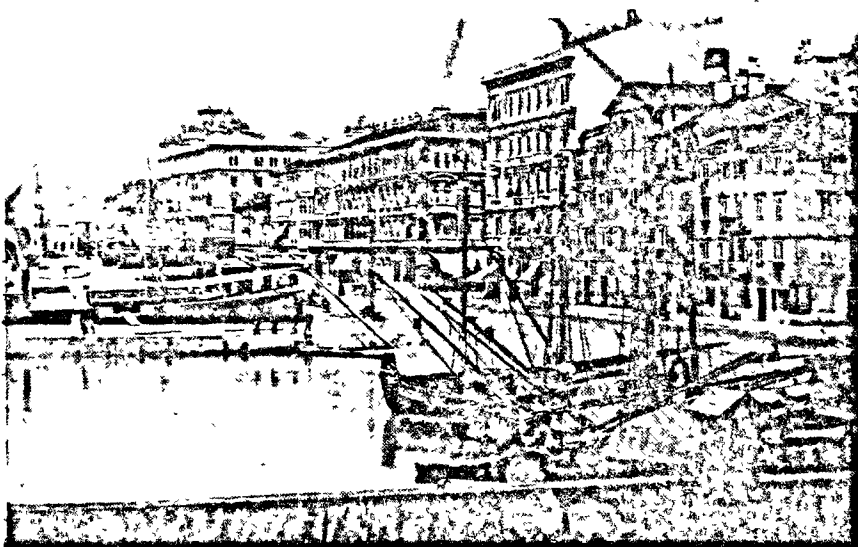


Photo by permission of the "Central News"

FIUME: BANK OF THE LIDO.

LONDON
UNITED ITALY SOCIETY OF GREAT BRITAIN
111 FLEET STREET, E.C. 4

FIUME is situated on the north-eastern shore of the Gulf of Fiume, and is geographically and industrially a port of the Peninsula of Istria. Politically and economically it is closely associated with Trieste, and the population of the city is overwhelmingly Italian.

EARLY HISTORY.

The Italian characteristics of Fiume date back to the Roman period. During the first century of the Christian era, a Roman city called Tarsatica stood on the same site. On the opposite bank of the Fiumara still stands a little town with a mediæval castle named Tarsato. Tarsatica was destroyed by Charlemagne about the year 800, and the Italian city was built upon the same ground at some later period. From that early time to the present day, no language but Latin or Italian has ever been used in the city, either for public documents or in the administration of justice, and in the admirable little work edited by an American writer, Mr. Nelson Gay, it is recorded that "the books read were Italian, the clergy preached to the people in Italian, so that within the walls of the city the Italian spirit and language found a congenial soil."

From the eleventh to the middle of the eighteenth century, Fiume was attached to the Bishopric of Pola. In 1752, the city came under the government of Trieste, and in 1776 a Decree of the Empress Maria Theresa ordered the annexation of Fiume to the Crown of Hungary. Three years later the political position of Fiume was made clearer by the Austrian Sovereign in a Decree which declared Fiume free from any connection with Croatia "in accordance with the will of its inhabitants."

FIUME AND THE CROATS

The Croats, however, always desired to secure possession of this admirable little seaport, and the town, for several decades, became the subject of dispute between the Hungarian Diets and the Provincial States of the Carniola. At this period, the city was already resolutely opposed to Croatian pretensions, and the Austrian historian, Roschmann—specifically charged by the Imperial Government of Vienna to undertake a study of the question—declared that Fiume naturally belonged to Istria. In 1807, the Charter given by Maria Theresa in 1779 was included in the text of the fundamental laws of the Kingdom of Hungary, and from that date until the outbreak of the Great War the municipality of Fiume had no connection whatever with the Croatian authorities, but solely with the Magyar Government. In 1822, Vienna again recognized Hungarian rights over Fiume.

In 1848—the year of revolutions—the Hungarians took up arms under Kossuth against Austria, and the Croats, led by their Ban, Jellachich, on the instigation of the Emperor of Austria, attacked the Hungarians from the south and occupied Fiume. At that period, the Hungarians were regarded by the whole of Europe as the champions of national liberties, and it is to be observed that the sinister rôle played by the Croats as the tools of Hapsburg tyranny in 1848 was renewed

again by them in 1914, and, indeed, throughout the Great War. No section of the Austrian army fought with greater courage and determination against our Italian Allies than did the Southern Slav troops of the Hapsburg Crown. The Croats were rewarded by the Emperor Franz Josef in 1850 by a Decree sanctioning the union of Fiume with the *banat* of Croatia. Such, however, was the hatred inspired in the hearts of the citizens of Fiume against the Croats that, two years later, the Hapsburg autocrat revoked the powers of the Croatian Government and sent an Austrian governor to the town. During this period, the Hungarians and the Italians made common cause and, after the Austrian defeat at Solferino by Napoleon III, Fiume again demanded autonomous government under the Crown of Hungary " which had respected the language and Italian institutions of the Fiumians "

THE ITALIAN SPIRIT RE-AWAKENED.

But already a number of patriotic citizens of Fiume had begun the work of re-awakening the national Italian spirit in the hearts of their fellow citizens. Zanetto Rossini and Carlo Pogliani had fought in the Italian Revolution. Francesco Marussig had been mortally wounded in the trenches of Malghera in 1849. A glorious band of Fiumians, including the Brothers Antonio and Luigi d'Emili, Bradicich, Ferri, Kinsele, Marocchino, and others, had worn the red blouse and fought side by side with Garibaldi. In 1867, two deputies from the town attended the Croatian Diet and, in the Italian language, laid a protest before the latter against any Croatian annexation of the city. A year later an Imperial letter confirmed Fiume in its rights as a separate corporate body annexed to the Hungarian Crown *and completely detached from Croatia.*

Although the relative Liberalism of the Hungarians of an earlier generation and the non-existence of Italy as a united country had thrown Fiume on to the side of the Hungarians in their struggle against Croatia; the Italian character and the Italian traditions of the city were never broken. The Programme of the Carbonari, one of the fundamental documents of the Risorgimento of 1822, included Fiume in the Italian national claims. Charles Albert, the predecessor of Victor Emanuel II, had already (in 1845) laid down the natural frontiers of Italy beyond the eastern boundaries of the town. In 1859, the Brothers Mezzacapo, indicated Mount Bittorai, to the east of Fiume, as the last point on the Italian frontier. In 1865, the General Staff of the Italian Army equally recognized this frontier. Prior to this, in 1848, Mazzini himself had proclaimed that " the Italian war should not and could not cease so long as a single foreign flag flew over the lands bounded by the Alps, from the mouth of the Var to Fiume "; and in 1856, the immortal Italian patriot and prophet and precursor of President Wilson as the apostle of " the self-determination of peoples " reaffirmed the rights of Fiume when he wrote that " the Italian war could not be terminated victoriously except in the Trentino, on the Venetian Alps, at Trieste and at Fiume."

THE SOUTHERN SLAVS AUSTRIA'S TOOLS.

On examining this question from the point of view of "the self-determination of peoples," the British student must not forget that for centuries the House of Austria has pursued, with undeviating pertinacity and cunning, a policy of "slavization" of lands and cities essentially Italian, historically, racially, and artistically. The Southern Slavs have been for centuries the willing tools of Hapsburg tyranny. As they assisted in the suppression of the Hungarian national struggle of '48, so, over a much longer period, and under much more varied conditions, they have been the persistent enemies of Italian rights and of Italian unity.

BRITISH INTERESTS IN AN ITALIAN FIUME.

I hope that no Englishman will lose sight of the fact that although Germany and her satellite, Austria, have been defeated, they have been by no means destroyed, and that it is impossible to destroy them. Defeated in a military sense, they still constitute a formidable economic and industrial force. Ninety millions of German-speaking peoples, in the centre of Europe, will unquestionably seek outlets—north, north-east, and south-east. *Fiume* is one of the keys of the south-east portal of Europe to the Near East. Barred by the Italian occupation of Trieste, German industrial resources would seek an outlet through the other doorway to the Adriatic—Fiume, and would unquestionably find that outlet should Fiume be nominally controlled by a Jugo-Slav State economically and collaterally dependent on the Germanic "tribes." No greater mistake, in my judgment, could be made from the point of view of British interests than the cession of Fiume to the Jugo-Slavs; for where they are not economically and culturally dependent on Germany they are penetrated and inter-penetrated with Russian Bolsheviki ideas. Italy we know, but a Jugo-Slav State of many millions of inhabitants, with a *hinterland* stretching towards Bulgaria and South Russia, in the course of a few decades might well present a sinister Slav menace to our most vital interests in the eastern Mediterranean. Italian civilization, Italian nationality, Italian unity—these are known factors in the European family of nations which constitute a precious alliance with British traditions and British interests. To alienate them by riding rough-shod over their own vital interests and ideals, which have grown with the growth of European civilization itself, would be a policy not of statesmen but of fools. It would, moreover, be a sacrifice of one of the most ancient and most glorious phases of European civilization to one that has scarcely begun to exist.

FIUME, ITALIAN IN RACE, IN CULTURE, IN LANGUAGE, ITALIAN ALSO GEOGRAPHICALLY AND COMMERCIALY, MUST BE RE-UNITED TO THE ITALIAN MOTHERLAND.