

Servant of India

Editor: S. G. VAZE.

Office: SERVANTS OF INDIA SOCIETY, POONA 4.

Vol. XX. No. 50. }

POONA—THURSDAY, DECEMBER 23, 1937.

INDIAN SUBSN. Rs. 6.
FOREIGN SUBSN. 15s. .

CONTENTS.

	Page
TOPICS OF THE WEEK	597
ARTICLES :	
The Compact Theory of Federation.	601
The Wardha Education Scheme.	606
SHORT NOTICES	608

Topics of the Week.

Indian Education in Fiji.

THE last mail brought a copy of the Bill, which the Government of Fiji proposed to introduce in the Fiji Legislative Council, to amend the Education Ordinance in the interest of Indian education in the Colony. The Education Ordinance of 1929 in Sec. 23 (d) gives large latitude to the Board of Education in the matter of the medium of instruction in the non-European schools in the Colony. Generally the language of the majority of the pupils is to be the medium. But the Board may permit the language of a minority to be used as the medium of instruction for that minority. Or, the Board may permit the use of English as the medium. The Board may also permit any other language to be taught as a second language and in school-hours. Curiously enough, this wide latitude given in the operative section of the Ordinance was abridged in the section on definitions in so far as Indians are concerned. It was defined that "for Indian pupils the vernacular shall be deemed to be the Hindustani language." It is now proposed to delete this definition.

IN practice Hindustani has been construed as Hindi with the Sanskrit script. In the case of certain Muslim schools this construction has already been departed from by the admission of Urdu, with the Arabic script, as the medium of instruction. The use of the South Indian languages was, of course, barred by law and by practice.

A certain section of South Indians had long nursed a grievance against this system and demanded that the South Indian languages should also be accepted as valid media of instruction for their children, and that these languages should have the same status as Hindi. They demanded that the Government should take positive and constructive steps to give effect to their demands by training locally teachers competent to teach in the South Indian languages, or by importing competent teachers from India, and in the meanwhile by giving salary grants to such unqualified teachers as were at present available in the Colony.

MR. ARTHUR I. MAYHEW, Joint Secretary of the Advisory Committee on Education in the Colonies, on whose recommendation the present amendment is being proposed, was opposed to these demands of the South Indians. He was opposed to the Government giving salary grants to unqualified teachers even as a temporary measure, or to its going out of its way to educate or train, still less to import, competent teachers in these languages.

It is not clear if the Fiji Government has decided to act on Mr. Mayhew's recommendation or agreed to concede the demand of the South Indians. If the amendment now proposed is carried, and Hindustani is no longer deemed to be the vernacular for all Indian children, it may become obligatory on the Government to arrange for other Indian languages than Hindi being the media in some schools. For Sec. 23 (d) says that in the case of non-European schools the medium of instruction "shall be the vernacular of the majority of the pupils." If in any areas or any schools the majority of the pupils have other than Hindi as their vernacular, it becomes obligatory to provide for that language as the medium. It is doubtful, however, if, in view of the multiplicity of languages and the intermingling of the linguistic groups, any other language than Hindi will in any instance have a majority. Cases are bound to occur in which no single Indian language will have a majority. That might lead to a deadlock.

IF in some cases any of the South Indian languages should have a majority, it will then become obligatory on the Government to adopt that language as the medium, and for that purpose either train competent teachers locally or import such teachers from India.

While such a step might please the South Indians concerned, it will go directly against the recommendations of Mr. Mayhew and lead to no end of complications and wastage of public and private funds, and, more than all, it will give a severe setback to Indian education. Nothing worse could happen to Indian education in Fiji than the multiplication of the media of instruction.

The infinitely wiser course for patriotic Indians in Fiji is to ask for English as the medium where they are opposed to Hindi. The choice should be between Hindi and English, and not between Hindi and the South Indian languages. An even more desirable change, in the interests not only of Indian education but all education in Fiji, is that English and English alone should be the medium of instruction in the whole Colony, with provision for Indian and European languages as the second and optional languages.

Landlord-Tenant Agreement.

AS a result of the efforts by Maulana Abul Kalam Azad, seconded, we have no doubt, by Sardar Vallabh-

bhai Patel, a compromise is said to have been arrived at between zamindars and kisans on the subject of the Tenancy Bill in Bihar. Already, in anticipation probably of the approaching concordat, the Ministry, had in effect withdrawn the great concession it had promised to the peasants in the Bill. It was that the raiyat could, in full discharge of arrears of rent, place the landlord in possession of his holding for a maximum period of seven years, after which period the holding would return to him. The Ministry prided itself greatly, and with justice, on this provision, and said to the kisans, when they made any noise, "See how much we are doing for you!"

THE promise faded out in the report of the Select Committee. The Committee coolly say that they "considered that it was undesirable to fix any maximum period and that it would be more satisfactory to leave it to the court to determine the period." The upper limit being knocked off, how is the court to determine the period? It will take no account of the condition of the raiyat and will not try to answer the question what in equity the period should be. The court's task will be the mechanical one of accounting and finding out in what years the landlord will make enough profit to wipe off the arrears. The profits should be such as to cover (1) the amount due under the decree with interest and costs, (2) rent due after the filing of the suit, and (3) and rent during the period while the landlord is placed in possession. That is to say, under this clause the landlord will get all his dues in strict law and the raiyat will get nothing whatever, except the vague prospect of recovering his holding in perhaps the dim future.

THE Ministry, as we have said, had to all intents and purposes retracted the advantage it had offered to the raiyats by agreeing to the Select Committee's report. After such a surrender on the part of the Ministry, there was no reason for the landlords to be alarmed. But they managed to make a show of panic, and the Maulana and the Sardar between them arranged to quieten the assumed fears of the landlords. They recommended a "compromise," which we need not consider here for lack of authoritative information, particularly because in the Legislative Assembly the whole of this clause relating to the placing of the landlord in possession of the raiyat's holding for recovery of rent—the most important clause in the Bill—has been dropped. And there was praise mutually given by the Ministry and the landlords and the curtain fell on a scene which left all parties supremely happy—except, we suppose, the party mainly affected, viz. the kisans.

THE landlords' joy can be measured from the following restrained comments of their organ:

Congratulations are due to the members of the Bihar Legislative Assembly on their passing the Bihar Tenancy Act Amending Bill in the form in which it was done. What was originally expected would be a highly controversial piece of legislation eventually turned out to be the least controversial one, consequent upon the agreement arrived at between the Government and the landlords as regards some of its important provisions. . . . In consequence of the combination of a number of satisfactory circumstances, the amending Bill had altogether smooth sailing and amendments were moved and accepted with an expedition born of an understanding about the needs of the position which is commendable. . . . It cannot be said that it (the Bill) completely ensures to the zamindars all the facilities necessary to enable them to collect rents quickly and effectively. The Bill in its original form at least was not calculated to guarantee this last mentioned

right, though as passed by the Assembly some of the worst obstructions in the landlords' way of doing so have been eliminated.

The Premier expressed fervent hope for uninterrupted continuance of the valuable co-operation the zamindars had given, and the Leader of the Opposition, a representative of the zamindars said: Amen! He went further; he said: "The day is not far off when there would be no difference between our point of view and yours." The words seem destined to be prophetic.

Munshi's Civil Liberty.

MR. MUNSHI is not the first Minister of State who, while paying lip-service to civil liberty, legislates or administers it out of existence. He has used preventive sections of the criminal law, and he has employed an emergency law, which with other Congressmen he was loud in proclaiming must not be used even in a grave emergency, being inherently evil, in putting down labour discontents which, so far as any one could see, were finding vent in normal channels and had not given any cause for serious alarm by a threat to public disorder or intimidation. The present anxiety of the Congress Ministers appears to be to win their way to the Governors' favour by proving to the latter that, whatever shibboleths may be on their lips, they can be as strong as the bureaucracy, who were so long in control and whom they have now replaced. Partly for this reason and partly for the reason that their inexperience in administration makes them panicky on the slightest provocation, they are freely using measures which even the bureaucracy would have been chary of applying in the present circumstances.

OUR own Minister here, Mr. Munshi, has shown himself to be highly resentful of the criticisms which are made against his policy. At the Taj Mahal Hotel, no unworthy place to indulge his spleen from, Mr. Munshi said last week: "It is almost becoming fashionable now that some who never helped the Congress to secure the strength on which its Governments are based, try to make unfavourable comparisons with earlier bureaucratic Governments." "Men who at one time shied with the formation of Civil Liberties Unions have, after the Congress Ministries came into power, become more royal than the King himself." Why should Mr. Munshi be surprised that criticisms should proceed mostly from non-Congress quarters? He ought to know to what extent the iron discipline in the Congress has silenced criticism in Congress circles; they are inwardly chafing but cannot give voice to their feelings. Even so, Mr. Munshi would discover, did he develop the sensitiveness which is indispensable to a successful democratic regime, an undercurrent of great uneasiness in all those Congress journals which do not give themselves completely to an obsequious adulation of the Congress Governments. And now and then a Congress journal which places truth above expediency and party loyalty blurts out what is in almost everyone's mind. For our part we have contented ourselves with quoting papers like the *India Express* and the *Bombay Chronicle*, which, all honour to them, have not been sparing in their criticism because it is a Mr. Munshi who is the author of ruthless repression and not a Sir Robert Bell.

IF Mr. Munshi will out-Bell Bell, he will be criticised by non-Congressmen, who will assert their right to do so, however much it may be to Mr. Munshi's distaste, and, we hope, in the interest of purity of public life, by Congressmen too. If some of these non-

Congressmen did not agree to join the Civil Liberties Union, it was because they feared that its promoters were proceeding on the basis that while individuals are to have liberty of action, the State has no right to defend itself. But all their hesitation must now have passed away. They are surely by this time disillusioned on the point. They will now be anxious, we think, to participate in all efforts to prevent excesses in the other direction at the hands of the very people who had given cause for the impression being created that to them liberty was licence. Mr. Munshi at any rate, they will now be convinced, is thinking more of the limitations on liberty than of guarantees for it. In so far as we are concerned, we were under no delusion at any time that Congress leaders' outlook on this matter would not undergo a radical change on their assumption of office, and that there would be no need to protect individual freedom from encroachments by them as by other Governments.

"IN this age," says Mr. Munshi, "coercion has been reduced to a fine art," and no one has mastered this art more than Mr. Munshi himself. "Speak tenderly about civil liberty, and then apply ruthless repression,"—this is the formula which he has evolved, but it will not serve if the publicists of Bombay know their duty. He says: "Liberty for us is not a matter of material benefit. It is not to be weighed in the scales of a materialistic interpretation of history." What he meant to say was that Congressmen value liberty for its own sake. But he need not have put it so clumsily in his anxiety to have a dig at communists. It only shows that in his busy life as a lawyer he has not yet found time to have even a nodding acquaintance with communists' literature, though their slogans have come to his ears. After praising liberty, he asks: "If 500 strikers with the assistance of 50 gundas, by show of force, coerce the remaining 50,000 timid loyal workers from going to work, the atmosphere destroys the basis of civil liberty." But these hypothetical propositions which bear no correspondence with the actual state of things in either Sholapur or Ahmedabad, which were the victims of his coercion and not of workers' coercion, will not afford justification for resort to lawless laws, as he called them once but as he will call them no longer.

GRANTED that violence may be used to put down violence, does it follow that actual violence will be justified if used in putting down suspected violence? Mr. Munshi may give a little more thought to this problem, which is not so simple as he thinks it to be. If the State be given a charter to come down heavily on people on mere suspicion, civil liberty will be at an end. We can well imagine the anguish of the soul of Mahatma Gandhi to see Mr. Munshi degrade his lofty non-violence principle. "Even towards violent people, use non-violence," is Mahatmaji's motto. Mr. Munshi distorts it into a plea for the use of violence not only in the presence of actual violence or even a serious threat of violence, but a mere possibility of violence. And if of the existence of such a possibility Mr. Munshi is to be the sole judge, there can be no restraint upon his indulging himself in the use of all the various engines of oppression that have so far been invented or that he can himself invent.

It will be a good exercise for Mr. Munshi to essay an answer in his own mind to a question which a brother journalist has thus formulated for him: "Mahatma Gandhi's teaching consisted in abjuring violence in thought, word and deed towards the British Government even if the latter shot down hundreds of

seekers of national freedom. These seekers must even then use persuasion and bring about a change of heart in their rulers, but must never resort to acts of physical violence on them. If this philosophy is to be followed out in practice in the imaginary circumstances of Ahmedabad, Mr. Munshi and his police force must now go down on their knees to the supposed 500 strikers who are supposed to be intimidating 50,000 loyal workers and by moral suasion change their heart, and in no circumstances to use or even flourish their batons against them. Since, however, Mr. Munshi takes a different line in this case, does it mean that the Gandhi philosophy consists in being humble before the strong and cruel to the weak? Mr. Munshi must admit one of two things — which will he? — either that the Gandhi philosophy is a fraud or that the Congress Governments have turned their backs on it, though it may be right."

Agricultural Income-Tax.

THE Bihar Ministry's Agricultural Income-Tax Bill has been published. The Ministry says that there being urgent need to find additional sources of revenue, it has decided to utilise this tax, which will be levied on large agricultural incomes in the province. The Statement of Objects and Reasons has this: "As Government recognise that in respect of agricultural income the exemption limit should be considerably higher than in the case of ordinary income, the exemption limit in the Bill has been fixed at Rs. 5,000 and agricultural incomes below that figure will not be taxed." Here the Ministry speaks as if it is a self-evident truth for which no proof is necessary that agricultural incomes must be let off to a greater extent, and a much greater extent, than incomes from other sources. We not only do not see the logic of this but question it very seriously. We can understand the Ministry's action from the point of conciliating what it perhaps calls the smaller landlords and driving a wedge between them and the larger landlords. Politically a higher exemption limit may be necessary, but ethically it is not merely unnecessary but wrong.

THE rates of agricultural income-tax which the Ministry proposes are as follows:

Between Rs. 5,000	and Rs. 10,000	...	2	anna	per	Rupee
" 10,000	" 15,000	...	1	"	"	"
" 15,000	" 20,000	...	1½	"	"	"
" 20,000	" 30,000	...	1¾	"	"	"
" 30,000	" 40,000	...	2	"	"	"
" 40,000	" 75,000	...	2½	"	"	"
" 75,000	" 1,00,000	...	2½	"	"	"
" 1,00,000	" 2,50,000	...	2½	"	"	"
" 2,50,000	" 5,00,000	...	3	"	"	"
" 5,00,000	" 15,00,000	...	3½	"	"	"
Above 15,00,000	"	...	4	"	"	"

It is explained that the rates of agricultural income-tax in respect of incomes above Rs. 5,000 and less than Rs. 30,000 are proposed at the same rates as those fixed in the Indian Income-Tax Act, 1922. The rates for incomes over Rs. 30,000 are higher than those in the Indian Income-Tax Act, but as no provision is made for the levy of super-tax on agricultural income, the actual tax payable on agricultural income above Rs. 30,000 is in all cases smaller and in the case of the higher incomes considerably smaller than the tax (taking income-tax and super-tax together) payable under the Indian Income-Tax Act on other incomes of a similar size. If the smaller landlords are completely let off, the bigger landlords too receive a concession.

The mode of assessment will be as follows :

Assessment will be made on agricultural income in the following manner :—

(1) In the case of income from cultivation the assessee will have two options :—

(a) he can be assessed by presumption — that is, his income will be assumed to be a certain multiple of his rent or cess valuation. This multiple will be fixed by the Board for each district subject to a maximum of 8 times,

(b) he can file papers to show his net income. If he does not file papers, assessment will be in the manner under (a).

This method of taxation by presumption (with an option of filing papers) is that in force in England for taxing the income of farmers.

(2) In the case of all other agricultural income, the assessment will be on the income accruing after making the following deductions :—

(a) the actual sum paid during the year of account either as land revenue or cess or municipal rates,

(b) a sum calculated at 10 per cent. of the actual realisations as estimated cost of collection.

* * *

An Amazing Circular.

AN enterprising contemporary has ferretted out the following secret circular of the Kher Ministry in Bombay.

Confidential.

D. O. No. 2108-Poll.
Home Department
(Political),
Bombay Castle,
30th November, 1937.

Dear Sir,

I am to invite your attention to Government circulars No. 1292-Poll., dated 24th August 1937 and No. 2037-Poll., dated the 18th November 1937 and to say that a number of Marathi newspapers are disposed to flirt with ideas involving, or which may incite to, violence. Such incitement is wholly opposed to the policy of Government and indeed to the orderly growth of all democratic institutions, and it is the desire of Government that newspapers inculcating ideas of this kind should receive no patronage from Government. A notable exception amongst Marathi journals is the "Lokashakti" of Poona and I am to say that Government desire that preference should be given to this journal in so far as it provides an adequate medium for publicity and quotes competitive rates. Subject to the same premises, printing work in Marathi might be given to the Lokashakti Press.

Yours sincerely,
J. B. IRWIN.

* * *

WE must confess we could not believe our eyes when we saw this circular. Whatever our differences with the new Government of Bombay might be, we did not think it conceivable that a Ministry at the head of which was Mr. Kher, an exemplar of private and public virtue, would be connected with anything savouring of underhand dealing. But we decided to take notice of it only when Mr. B. M. Gupte, Parliamentary Secretary in the Department from which the circular emanated, issued a statement denying his connexion any longer with the *Lokashakti*, the proposed beneficiary of the circular. He was the Managing Director of it before but severed his connexion with it on his assumption of a responsible office in the Government. In repudiating the suggestion of self-

seeking on his part. Mr. Gupte has, however, indirectly admitted the fact of the circular having been dispatched.

* * *

WE would rather withhold comment on it, it is too vile and infamous to comment upon. But we would say this much: in showing preference to a Congress journal and its printing press, the Congress Ministry need not attribute trifling with violence and incitement to violence to other papers. If these papers encourage violence, the proper thing for Mr. Munshi is to take legal proceedings against these papers. Violence, whatever it may be from the ethical point of view, is illegal. Why does not Mr. Munshi take action under ordinary law against inciters to violence instead of taking action under extraordinary law against strikers in Ahmedabad? He can surely find more innocent means of showing favouritism than he has adopted in this instance.

* * *

WE can never believe that Mr. Kher had cognisance of this when this circular and the two previous ones left the Home Department. We are sure he would have put his foot down. All we will say is that he will have to keep a close eye on Mr. Munshi if his Government is not to come into disrepute.

* * *

C. R.'s Come-Down.

THE Madras Premier, Mr. C. Rajagopalachariar, has come down on the question of separation of judicial and executive functions from the high pedestal of principle to the ground of inadequacy of funds. In Madras he said recently, in answer to a question, at a meeting of the Law College Union :

If the executive and the judiciary are to be separated, it will have to be done on grounds of principle but not with a view to creating a few more posts for unemployed lawyers. The separation will certainly entail an additional expenditure. The question is whether in the present state of affairs it will be wise to launch upon it, when we have more urgent things to attend to.

He is still not prepared to take in hand the great reform that is desired everywhere, but it must be owned that it is great advance for him to plead insufficiency of money instead of opposing it as undesirable in itself. The Ministry has obviously to face many urgent problems involving heavy outlay of money, and he will have the public's sympathy if on account of the pressure of these problems he is compelled to keep the separation question in the background for a while. But he must first make a clear declaration of his conversion to separation, or rather reconversion to separation from his recent apostasy, before he can obtain this sympathy.

* * *

Reduction of Land Revenue in C. P.

THE Revenue Minister of the Central Provinces, Mr. Gole, in replying to Seth Khushalchand's resolution on the relief of agriculturists, detailed the various measures taken by the Ministry in this behalf and said: "Government have decided to effect a permanent reduction of land revenue to the extent of four and a half lakhs of rupees a year to be given away at a flat rate of 12 per cent. to the small holders as follows: C. P. Rs. 2,45,224 and Berar Rs. 2,04,776. The area of a 'small holding' which will qualify for reduction will shortly be announced." The budgeted receipts from land revenue this year are Rs. 2,50,27,000.

* * *

THE COMPACT THEORY OF FEDERATION.

ALL AVENUES TO PEACEFUL CHANGE CLOSED.

I.

THE new constitution of India is grotesquely inadequate to its present requirements. But this is not its worst defect; the worst defect is its immutability. Flexibility is required in two respects: first, to turn it from a constitution of partial self-government into one of full self-government, and, second, to allow its scope, even after India has become fully self-governing, for being adapted to the changing circumstances of national growth. But power to change the constitution does not rest within India. It lies with the Imperial Parliament. This is admitted on all hands, but what is not so readily admitted, or rather so clearly perceived, is that if the British Parliament retains control over the constitution, even this external power is not free by itself to make any substantive and important changes in the constitution that it deems necessary. It can introduce only such changes as have secured the full acquiescence and consent of all the States who may then have acceded to federation. These States will be in a position to exercise a *liberum veto*, which accrues to them in consequence of the compact theory of federation. The basis of the federation is supposed to be a pact or contract or treaty between the British Government and the States, and it is argued that the terms of this compact can be altered only by the common consent of the parties to it. The parties in this case are the British Government and each one of the federating States. If agreement of one of the latter is not forthcoming to any proposed change, the change cannot be introduced. The compact must stand as it is. It cannot be mended nor ended. The constitution does not contemplate secession on the part of any constituent unit from the federation when once it is established, but, in obedience to the theory that the federation is a contract between the constituent units, the States are accorded the right of declaring, in the event of a variation in the terms of the contract which has not secured their express approval, that the union is dissolved in so far as they are concerned. The only way open to the British Government to prevent a dissolution of the union is not to effect changes in the constitution which may prove unacceptable to any of the federating States. The net result of applying the compact theory is that the future constitutional growth of India, not only towards full responsible government, but towards any relaxation of the existing restrictions, is at the mercy of the States, not merely jointly but severally. We can invoke on this point the authority of Professor Berriedale Keith who says:

The list of matters which may not be altered without affecting the accession of the States contains some items of great importance. This Parliament cannot deprive the the Governor-General of control of defence and external affairs or take away his special responsibilities for tranquility and financial stability, without, it seems, affecting the adhesion of the States. . . . The net result is to create a federation in which full responsible government cannot

be introduced by Parliament without affecting the adhesion of the States. (*Journal of Comparative Legislation and International Law*, vol. 17, p. 277.)

II.

We would ask the reader to consider what great mischief is being wrought in Canada at the present time by the compact theory of federation and what infinitely greater mischief is likely to be wrought in India in future. Canada, of all the self-governing Dominions, is the only country which does not enjoy constituent powers but which has left the function of constitutional change to the British Parliament. It entrusted this function to an outside authority of its own accord. If it had provided in its constitution for a machinery for amending its constitution as other Dominions have done, the British Government would have taken no objection as it took none in the case of the other Dominions. But the fact remains that at present the power to amend the constitution does not rest in her hands. It might be thought that as the British Government has no intention of playing the role of an obstructionist, changes in the constitution would be easy of accomplishment, even though the power of making such changes is nominally exercised by an extraneous authority. It is true that Great Britain has always been saying since the British North America Act was passed in 1867: "Let Canada express her desire as to changes in the Act in due constitutional form, and we shall at once give effect to those changes." But the difficulty arises on account of the Canadian provinces having proceeded at the time of Confederation on the compact theory. Owing to the mutual jealousies of the provinces and the existence of racial and religious minorities in them, they themselves decided that the B.N.A. Act should be a sacred and inviolable instrument, and that if any changes were found necessary in it, the British Government should introduce such changes if all the provinces were agreeable. The Act has been amended seven times so far, not always with the previous consent of the provinces, and even in spite of a slight grumbling on the part of one or two. But in matters which engage the interests of the provinces deeply a deviation from the rule of obtaining their previous consent is not possible. What Canada needs at the present time is a change in the relative powers of the federal Parliament and the provincial legislatures, without which it is impossible to bring about the social and economic reforms that are urgently necessary, and this change, by which the federation will be strengthened at the expense of the provinces, cannot be made without the agreement of the provinces. The British Government has made it clear that for any major amendments of the constitution affecting the provinces provincial agreement is necessary. The Statute of Westminster, which grants authority to the Dominions to repeal or amend any Act of the British Parliament concerning them, entails

no change in this attitude of the British Government. On the contrary, in section 7(3), the Statute declares :

The powers conferred by this Act upon the Parliament of Canada or upon the legislatures of the provinces shall be restricted to the enactment of laws in relation to matters within the competence of the Parliament of Canada or of any of the legislatures of the provinces respectively.

The respective jurisdictions of the federal Parliament and the provincial legislatures cannot be altered by the federal Parliament; they can be altered by the British Parliament alone, and the British Parliament will agree to alter them at the request and with the consent of the Canadian provinces. There are only nine provinces in Canada, and Canadian politicians have found it extremely difficult to obtain the consent of these nine provinces, with the result that Canada is unable to take those remedial measures which are indispensable to improve her social, economic and industrial conditions. Will it not be sheerly impossible for India to obtain the consent of a few hundreds of federating States in addition to that of the British Parliament if, on the compact theory of federation, the consent of all of them is required, not only in the matter of a shift of legislative powers but also in the matter of elimination of the so-called safeguards?

III.

The "Fathers of Confederation" had taken every possible care at the time they framed the Canadian constitution to provide in it elements of flexibility so that they could, without having to go to the Parliament of the United Kingdom, extend the ambit of the Dominion Parliament's competence and generally strengthen the Dominion Government as might seem necessary. First, they placed the residuary powers with the federal Parliament. "All matters of a merely local or private nature" were assigned to the provinces, and "all matters of a general character" were allotted to the federation, and, besides, the general residuum or, to use the phrase of John A. Macdonald, the architect of the federation, "the general mass of sovereign legislation" was to belong to the "General Legislature" or Dominion Parliament. To what extent the founders of federation relied upon this provision in the constitution for making the federal legislature or federal government an effective instrument for the proper discharge of all national functions can be understood from the following extracts from speeches made at the time when the constitution was fashioned :

Ever since the union (U. S. A.) was formed the difficulty of what is called "State rights" has existed and this had much to do in bringing on the present unhappy war (the Civil War) in the United States. They commenced, in fact, at the wrong end. They declared by their constitution that each State was a sovereignty in itself, and that all the powers incident to a sovereignty belonged to each State, except those powers which, by the constitution, were conferred upon the General Government and Congress. Here we have adopted a different system. We have strengthened the General Government. We have given the General Legislature all the great subjects of legislation. We have conferred on them, not only specifically and in detail, all the powers

which are incident to sovereignty, but we have expressly declared that all subjects of general interest not distinctly and exclusively conferred upon the local governments and local legislatures, shall be conferred upon the General Government and Legislature. We have thus avoided that great source of weakness which has been the cause of the disruption of the United States. We have avoided all conflict of jurisdiction and authority, and if this constitution is carried out, as it will be in full detail in the Imperial Act to be passed if the colonies adopt the scheme, we will have, in fact, as I said before, all the advantages of a legislative union under one administration, with, at the same time, the guarantees for local institutions and for local laws, which are insisted upon by so many in the provinces now, I hope, to be united. . . . (The constitution) confers on the General Legislature the general mass of sovereign legislation, the power to legislate on "all matters of a general character, not specially and exclusively reserved for the local governments and legislatures." This is precisely the provision which is wanting in the constitution of the United States. It is here that we find the weakness of the American system — the point where the American constitution breaks down. It is in itself a wise and necessary provision. We thereby strengthen the Central Parliament and make the Confederation one people and one government, instead of five peoples and five governments, with merely a point of authority connecting us to a limited and insufficient extent. — *Attorney General John A. Macdonald* in the Canadian Parliament, February 6, 1865.

The real object which we have in view is to give to the central Government those high functions and almost sovereign powers by which general principles and uniformity of legislation may be secured in those questions that are of common import to all the provinces; and at the same time to retain for each province so ample a measure of municipal liberty and self-government as will allow and indeed compel them to exercise those local powers which they can exercise with great advantage to the community. . . . In closing my observations upon the distribution of powers, I ought to point out that, just as the authority of the central Parliament will prevail whenever it may come into conflict with the local legislatures, so the residue of legislation, if any, unprovided for in the specific classification which I have explained, will belong to the central body. It will be seen, under the ninety-first clause, that the classification is not intended to "restrict the generality" of the powers previously given to the central Parliament, and that those powers extend to all laws made "for the peace, order, and good government" of the Confederation — terms which, according to all precedent, will, I understand, carry with them an ample measure of legislative authority. — *Lord Carnarvon* in the British House of Lords, February 19, 1867.

IV.

Besides the residuary power of the constitution being given to the Dominion, section 91 defining the functions of the federal Parliament assigns to the latter the power "to make laws for the peace, order and good government of Canada." It was hoped that such a general provision would enable the federal Parliament to legislate on matters which, though originally local, had attained national importance in course of time and required to be dealt with on a nation-wide scale. The third provision in the constitution which was expected, without an amendment of the constitution, to effect a change in the relationship of the federation and the provinces, is the one which authorises the Dominion Parliament to take a "work".

out of provincial control simply by declaring that it is "for the general advantage of Canada or for the advantage of two or more of the provinces." Of this provision Professor F. R. Scott of McGill University says: "The declaration may be made in respect of any work, even though it is of purely local concern, and the courts cannot question the declaration on the ground that the work is not to the general advantage. Once the declaration has been made the work passes to the Dominion field of jurisdiction as completely as if it had originally been placed there specifically." (*Social Reconstruction and the B.N.A. Act.*) A fourth provision which was counted upon to provide to some extent for the future within the framework of the existing Act and without any amendment in it is section 132, which reads: "The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any province thereof, as part of the British Empire, towards foreign countries, arising under treaties between the Empire and such foreign countries." Moreover, in the constitution itself precaution was taken to make the federation paramount and the provinces subordinate. Two provisions in this behalf may be specially mentioned. The Dominion Government has the power of appointing, instructing and dismissing the lieutenant-governors of provinces. On this section of the constitution Mr. Macdonald observed: "As this is to be one united province, with the local governments and legislatures subordinate to the General Government and Legislature, it is obvious that the chief executive officer in each of the provinces must be subordinate as well." The Dominion Government has also the power of disallowing provincial laws. Thus, it will be seen that every care was taken to establish the paramountcy of the Dominion and to minimise the necessity of having to go to the British Parliament at all for an amendment of the constitution with a view to endowing the Dominion Parliament with powers which had not been specifically conferred on it but which might be found essential.

V.

All this careful foresight, however, has proved fruitless. Canada is now faced with a situation in which she will be powerless to solve the problems of modern times which the framers of the constitution had never thought of unless the constitution is amended. It appears that the constitution cannot be amended except with provincial consent, and this provincial consent is not to be had. As is observed in *Social Planning for Canada*, "the B.N.A. Act is pre-industrial," and what was suitable for agricultural communities living in a *laissez-faire* world is now unsuitable for the industrial communities that have now developed. The Act leaves "property and civil rights in the province" in the ambit of the provincial legislatures, and if the meaning of these words is stretched by the judicial authorities who interpret them to include all modern problems of labour and industry, which have to be regulated for the sake of uniformity by the federal government, then the Dominion will

naturally be unable to cope with the work that it has to do within the limitations of the Act. This is just what has happened in Canada. On some occasions the Privy Council gave a decision which served to extend the authority of the federal Parliament, according to the intentions of both the British and Canadian authors of the constitution. For instance, in the Liquor Prohibition Appeal the Privy Council said:

Their Lordships do not doubt that some matters, in their origin local and provincial, might attain such dimensions as to affect the body politic of the Dominion and to justify the Canadian Parliament in passing laws for their regulation or abolition in the interest of the Dominion.

In the Aeronautics case Lord Sankey said, using, it will be observed, almost the same words as were employed by Lord Carnarvon (quoted above) on the second reading of the B.N.A. Bill in 1867:

While the courts should be zealous in upholding the charter of the provinces as enacted in section 92, it must no less be borne in mind that the real object of the Act was to give the central Government those high functions and almost sovereign powers by which uniformity of legislation might be secured on all questions which were of common concern to all the provinces as a constituent whole.

But such decisions, favourable to the central Parliament, were few and far between. The general trend of the Privy Council judgments is and has been markedly towards strengthening provincial rights at the cost of federal power. Lord Haldane exerted a powerful influence in this direction, and the tradition has been maintained except at rare intervals. In this respect Canada and U.S.A. present a striking contrast. In the U.S.A. constitution State rights were glorified, but the Supreme Court has narrowed them and extended the authority of the Union. (We are referring here to the general tendency, and not to recent decisions like the notorious *Schechter* decision, which is in a contrary sense.) In Canada, on the other hand, various means were deliberately adopted by the constitution-makers to keep the provinces in a duly subordinate position, but both the Canadian Supreme Court and the Imperial Privy Council have exalted provincial rights and attenuated the power of the Dominion. Judicial interpretation has in both cases distorted the constitutions from the intentions of their authors!

In Canada the climax came when a group of social and economic measures adopted with no little courage by the Conservative Government of Mr. R. B. Bennett in 1935 to meet the economic depression were declared *ultra vires* by the Supreme Court and the Judicial Committee of the Privy Council. When the Bennett Government fell, the Liberal Government of Mr. Mackenzie King from party motives referred these measures to the Supreme Court for a decision on their constitutionality. Later the Privy Council's judgment was also sought, with the result that the Bennett New Deal was nullified as mercilessly as the Roosevelt New Deal in U.S.A. The Natural Products Marketing Act set up a Dominion Marketing Board and endowed it with drastic powers of regulating the export and inter-provincial marketing of any product, fixing its quality, grade or quantity, etc. Both the courts ruled it invalid on the ground that it encroached on the provincial domain which covered transac-

tions taking place in the provinces. The Employment and Social Insurance Act which provided for compulsory contributions from employers and employed was declared *ultra vires* on the same ground. Unemployment is a purely local concern, the Privy Council said in effect, and the Dominion Government can go on making doles to the provinces as it was doing for a long time but cannot put in force a contributory scheme of insurance, which invades the provincial field. The Bennett Ministry also passed three laws to implement I.L.O. Conventions, which it had ratified, on the weekly day of rest, minimum wage and 8-hour day and 48-hour week. The Supreme Court was equally divided on these laws, but the Privy Council, which can render only one judgment, again ruled them out. It was thought that section 132 as well as the section giving the Dominion the overriding right of declaring works to be for the general benefit of Canada, not to mention section 91 about "peace, order and good government" would serve to clothe the Dominion with the necessary authority to regulate wages, hours of labour and industrial conditions in general. But the Privy Council, taking a frigidly legalistic view of the matter, decided that these matters fell within the provincial sphere, and that the Dominion must keep its hands off. The instance of the Marketing Act is particularly noticeable. Along with the Dominion Parliament, the legislatures of all the nine provinces too had passed the Act, with the avowed object of curing any defect of unconstitutionality that might be discovered in the Central Act. But even the exercise of concurrent authority has not helped to save this legislation. The Privy Council has scotched it. It has practically scored the Dominion residuary clause out of the constitution and given the residuary jurisdiction to the provinces under the "property and civil rights" clause. These decisions are as great a blow to Canada as the Schechter decision is to U.S.A. The complex problems of industrial life can only be solved on the wider basis of the whole country, but the constitution, as interpreted by the courts, makes it impossible for Canada to tackle them. As early as 1934, i. e. before these measures were declared unconstitutional, the *Round Table* observed as follows, and these remarks gain very much added force by the events that have happened since :

The truth is that we have outgrown the British North America Act. The Dominion of Canada is attempting to-day to carry on the highly complex life of a modern industrial state under a constitution drawn up for a primitive community, scarcely emerging from pioneer agricultural conditions. In the United States the constitution has been developed by the courts, from the time of Marshall, C. J., as a more or less living, growing scheme of government, and judicial decisions have made flexible an eighteenth century document singularly rigid in form. With us, on the other hand, the provinces have grown in power in despite of the deliberate intentions of the "fathers" of federation. Strict statutory interpretation has virtually made them the controllers of the residuum of legislative powers.

Worse still, under cover of all this has been preserved the legal, political and economic philosophy of *laissez-faire* utilitarianism—free enterprise, as little control over busi-

ness as possible, individual competition and initiative; with concessions of social legislation here and there in the name of efficient "individualistic" nationalism. Life remained reasonably secure, and no great and violent crises provoked a united national challenge. But dangers accumulated as the augmentations of provincial power over "property and civil rights," procured by judicial decisions, thwarted legislation of growing national necessity. Nine provinces, individually and separately, were attempting to deal with the complexities of the twentieth century, while the Dominion was driven from field after field that the "fathers" had intended it to occupy. Upheld with an almost suicidal tenacity, provincial "rights" have become national wrongs. In addition, there has existed an almost childlike mentality, which the outsider is liable to miss. The British North America Act has been erected into a kind of ark of the covenant, to which has been given something akin to primitive ancestor worship.

VI.

Public opinion has now veered round. Almost everyone is convinced of the imperative necessity of constitutional amendment. In 1935 the Canadian House of Commons passed the following resolution :

That, in the opinion of this House, a Special Committee should be set up to study and report on the best method by which the British North America Act may be amended, so that while safeguarding the existing rights of racial and religious minorities and legitimate Provincial claims to autonomy, the Dominion Government may be given adequate power to deal effectively with urgent economic problems which are essentially national in scope.

The Committee has met and reported, but the question of how to obtain amendments in the constitution is as far from solution as ever. The Committee merely recommends that "in the interests of harmony and unity there should be consultation with the provinces with respect to the adoption of a definite mode of amendment." The two main parties in the country are at one in holding that agreement between the Dominion and the provinces is required for a rearrangement of the powers now allotted to the federal and provincial Governments. Here is what the Minister of Justice in the Bennett Ministry said on the subject :

The Minister of Justice (Hon. H. Guthrie) said that a singular fact was that in the British North America Act there was no power that would permit the Parliament of Canada to amend it, though in all subsequent Dominion constitutions a specific power of amendment had been incorporated. The chief reason for the omission was the realisation of the fact that Canada was populated very largely by two distinct races and divided upon religious questions. It was for the express purpose of protecting the rights of minorities. He was to a large extent in accord with the opinion that the Canadian Parliament should have power to amend the constitution subject to certain limitations. In regard to matters of procedure the Parliament of Great Britain would in all cases pass an amendment to the Act upon the Joint Address of the Senate and the House of Commons. But where an amendment was sought which went to the basis of the original treaty made at Confederation, he doubted very much whether the Parliament at Westminster would entertain a request of that nature based solely upon an Address from the Senate, and House of Commons. "I know it has been argued," continued Mr. Guthrie, "by some very able men that the Parliament at Westminster would grant any request for amendment made by the Senate and the House of Commons irrespective of the views of the provinces. They argue that all the provinces of Canada are represented in this

Parliament; that all the provinces may speak and vote here and that if the House of Commons and the Senate decide that an Address shall be presented, such action is binding on all the provinces through their representatives in this Parliament. Personally, I do not take that view of the matter. The provinces of Canada, constituted by the British North America Act, are in the nature of sovereign States so far as the affairs that have been committed to them by section 92 of the British North America Act are concerned. In regard to the subjects allotted to them they are supreme and their powers are just as plenary and complete as those of this Parliament in dealing with matters which have been placed under Federal control."

The provinces should be consulted in regard to any important change in their constitutional Act which affected provincial interests.

Mr. Woodsworth: "Do I understand that the statement of the Minister means that the provinces must agree, or simply that they must be consulted?"

The Minister of Justice: "I think that we should have to have agreement. I do not think that the Parliament of Westminster would disregard the views of the provinces merely at the request of the Parliament of Canada."

Mr. Woodsworth: "That is if one province disagreed it would be impossible for this Parliament to proceed."

The Minister of Justice: "I doubt if you could succeed in an application for amendment that would modify, alter or restrict Section 92, under which specific legislative jurisdiction is given to the provinces, without consent of the provinces."

The Minister of Justice in the Mackenzie King Ministry (Mr. E. Lapointe) agreed with him three years later, i. e. as late as in January of this year. He expressed the opinion that re-allocation of powers was necessary, "but it could only be done by securing the agreement of the provinces and not by asserting that the Dominion House could change the constitution themselves."

Only the C.C.F. and Reconstructionist parties assert that amendments even in sections 91 and 92 dealing with distribution of powers should be secured by an Address presented by the House of Commons and the Senate of Canada, and in fact that power of amending the constitution in general should hereafter lie in Canada itself and that amendments should be made by a majority vote of the Dominion Parliament in joint session of the two Houses. They are prepared only to grant that minority rights should not be touched by this flexible process of amendments. These minority rights relating to matters of race, language, religion and education should be guaranteed, they say, in the constitution, and also a Bill of Rights should be passed making the individual's right to freedom of speech, of association, of public meeting and of the press inviolable. These sections of the constitution should be entrenched, but in respect of all other sections the Dominion Parliament should be given the power to amend the constitution. They are prepared to agree upon previous consultation with the provinces, but, they insist that "such consultation would not imply a veto power, being a matter of grace, not of legal right, and a substantial agreement should be sufficient to justify a Dominion request to London even though one or two provinces fail to concur." i. e. in the event of the British Parliament's power of amendment being maintained.

VII

In whatever manner Canada solves her problem (and the solution does not appear easy), this should afford a warning to India. There are roughly only two matters in regard to which amendment of the constitution appears necessary in Canada, redistribution of legislative powers and abolition of an appointive Senate; and there are only nine provinces to be considered there. Impossibility of making social legislation successful on a provincial basis is universally admitted; social legislation is urgently desired by all the political parties; every party agrees to exclude minority rights from the amendment procedure. And yet agreement of these nine provinces seems extremely difficult to obtain. In India the matters which will have to be put right are a legion. Ours is an admittedly transitory constitution; at almost every step amendment would be found necessary. Almost the first need would be to regulate labour and industrial conditions on an all-India basis. Canada, having formulated her constitution in a predominantly agricultural age, left these matters to the provinces. We have formulated our constitution in the industrial age, but we are not willing to learn from the experience of U.S.A. and Canada. The makers of the Canadian constitution rectified the mistake of U.S.A. and allotted criminal law to the Dominion. Mr. Macdonald, in commending the draft constitution to the Canadian Parliament, said:

The criminal law too—the determination of what is a crime and what is not and how crime shall be punished—is left to the General Government. This is a matter almost of necessity. It is of great importance that we should have the same criminal law throughout these provinces—that what is a crime in one part of British America should be a crime in every part—that there should be the same protection of life and property as in another. It is one of the defects in the United States system, that each separate state has or may have a criminal code of its own—that what may be a capital offence in one state may be a venial offence, punishable slightly, in another. But under our constitution we shall have one body of criminal law, based on the criminal law of England, and operating equally throughout British America, so that a British American, belonging to what province he may, or going to any other part of the Confederation, knows what his rights are in that respect, and what his punishment will be if an offender against the criminal laws of the land. I think this is one of the most marked instances in what we take advantage of the experience derived from our observations of the defects in the constitution of the neighbouring Republic.

We continue the mistake as if history has nothing to teach us. The political power of our Central Government is very exiguous; we shall have to expand it on every side. Expansion will only come as a concession from the British Parliament. This is in itself a formidable obstacle. This obstacle does not exist in the case of Canada. Between the central Parliament and the provincial legislatures, "they may do everything that is not physically impossible," as Professor F. R. Scott says. Shall we deliberately superimpose upon the one formidable obstacle that we have to overcome what is perhaps an even more formidable obstacle in the shape of the *liberum veto* which under the constitution

the Princes can exercise over constitutional amendments? With everything else in her favour, the compact theory of federation has beset Canada's march towards recovery with undreamt-of impediments. Shall we subject ourselves of set purpose to impediments which are not to be measured as 9 to 500 or 600 but many times more by following the same theory? The Princes must be made—confining ourselves for the moment to one point, though many more points arise—to agree beforehand, as was done

in the case of all federations with the single exception of Canada, to amendments in the constitution for which a fairly flexible procedure will be prescribed; they must be robbed of their veto power which, if allowed to remain, will close all avenues to peaceful change and will provoke revolution. If they do not agree to give up the compact theory but insist on maintaining their stranglehold upon the future of British India for all time, leave them alone—till they are in a more reasonable frame of mind.

THE WARDHA EDUCATION SCHEME.

IN the *Harijan* of the 11th inst. was published the Report of the Committee on basic education for India, of which Dr. Zakir Husain was the chairman. The Report, however, is not complete in two respects. "A detailed scheme of correlated grade placements" as well as a "detailed scheme of agriculture and gardening as a basic craft" are to be published. Secondly, the dissenting minute of Prof. K. T. Shah has been withheld from publication. It was explained in the subsequent issue of the *Harijan* that the reason for it was that Mahatma Gandhi wished to discuss the dissenting minute with Prof. Shah before its publication. The reason is, however, far from convincing. The simultaneous publication of the minute would not prejudice its discussion between the Mahatma and Prof. Shah at a later date. Public discussion may even help it. Whatever that may be, final comment on the scheme must await the publication of the complete scheme and the dissenting minute.

Considering the auspices behind the Report, it deserves to be approached with sympathy and respect. The fact that in some respects the Report advocates some bold departures from current ideologies should not prejudice such an approach.

The Report commences with a condemnation of the existing system of education in India. In this, it is like almost every other report, ever published, on education in India, or, for that matter, elsewhere. No body of the calibre and character of Dr. Zakir Husain's Committee was needed to repeat what so many others, even in the most bureaucratic times, had said and said no less emphatically. The only difference, if any, is that the present Report does it in very sweeping and general terms, which is somewhat tiresome. It would certainly have been illuminating and helpful if the Report had attempted to prove how the scheme recommended therein would remedy the defects that it so easily and with such confidence points out in the existing system. A fresh repetition of the objectives and methods of education is hardly the pressing need of the day in India. Most of the suggestions made in the Report for improvement of education are fairly universally accepted principles even in India, which however have never been fully realized, largely due to financial poverty. A perusal of the report on "Educational Reconstruction and Vocational Training in the Central Provinces and Berar," 1937, will show how the backwardness of education in that province was due not to the lack of objectives and methods but

of finance. It would have been more profitable if the Zakir Husain Committee had followed the procedure of the Central Provinces Report and discussed its agreements with, and differences from, the existing system in as categorical a manner as possible, and had drawn attention to what was really new in the Wardha scheme, and examined how they would remedy the existing defects.

What seems to us to be really new in the Wardha scheme is the basic idea of Mahatma Gandhi that education should centre round spinning and that children should, by their own labour, contribute towards the cost of their education. The scheme is not content to insist on education through a craft, but insists on spinning on the *takli* and carding being made an integral part of all education, even if another craft should be the basic one. And a detailed syllabus of spinning and weaving has been drawn up. The emphasis is thus not only on education through a craft but on spinning being an essential part of craft-education.

Considering that the Wardha scheme contemplates a seven year education, which therefore corresponds to the present stages of primary and lower secondary education, the items of the curriculum, other than the basic craft, are hardly new. Mother tongue, mathematics and social studies and general elementary science and drawing are parts of the already accepted curricula. Compulsory music is perhaps new, but that again will be accepted as good by all, though few schools have the means to provide good music teaching. The only other new item is compulsory Hindustani, about which there is sure to be much controversy.

The key-note of the Wardha scheme is education through a basic craft, particularly through spinning. It has not been explained how education through this basic craft will remedy the defects of the present system of education referred to in the first paragraph of the Report. It would have been illuminating if the Report had explained how, for instance, education through the basic craft of spinning will "meet the most urgent and pressing needs of national life" and "organize and direct its forces and tendencies into proper (what are they?) channels," how it will cease functioning "listlessly and apart from the real currents of life" and be able to "adapt itself to the changed circumstances," how it will be "responsive to the realistic elements of the present situation", and how it will be

"inspired by any life-giving and creative ideal," how it will "train individuals to become useful productive members of society, able to pull their own weight and participate effectively in its work," and how it will induce the "conception of a new co-operative social order" and "replace the present competitive and inhuman regime based on exploitation and violent force" in contrast to the present system.

In the choice of the basic craft, the Report asks that two considerations should be borne in mind. The chosen craft "should be rich in educative possibilities; it should find natural points of correlation with important human activities and interests, and should extend into the whole content of the school curriculum." It would be interesting to know how the basic craft of spinning satisfies all these conditions.

It is true that the Report contemplates other basic crafts than spinning, though the latter is the basic of all basic crafts. Among other basic crafts enumerated are agriculture, vegetable and fruit gardening, carpentry, toy-making, leather work, paper-making, and "any other craft for which local and geographical conditions are favourable and which satisfies the conditions mentioned above", namely, rich in educative possibilities, etc. It would seem as if the scheme contemplated that the local geographical facilities should determine the basic crafts to be offered to the children, irrespective of the potentialities of different children. Is it suggested, for instance, that in a locality which has facilities for leather work, all children shall have it as the basic craft? There are those, not less competent educationists, who, from the educational point of view, would fit the craft to the individual child, rather than fit all children to a given craft.

It has been stated, on the authority of the Mahatma himself, that "education, if sound in its principles, should be imparted through some craft or productive work, which should provide the nucleus of all other instruction provided in the school." The Report does not explain how the curriculum elaborated therein satisfies this criterion. How, for instance, does the detailed syllabus on spinning and weaving offer the nucleus of Social Studies, General Science, including nature study, botany, zoology, physiology, hygiene, chemistry, knowledge of the stars, drawing, music and mother-tongue and Hindustani, with both the scripts; how, for instance, is spinning to be the nucleus of the teaching of history, geography, and civics, and the reverential study of the religions of the world, and other subjects enumerated in the "Objectives"?

The other new feature of the Wardha scheme is that the children by their productive work should contribute largely to the cost of their education. The Report insists that the philosophy of education through a basic craft is good in itself, irrespective of financial implications. It was fortunate that such a good education is also paying or self-supporting. The financial aspect of the scheme is based on the purchase by the State of the products of the children's industry at the prevailing market rates! It is calculated

that during the seven-year course, the child will be earning something every year and that the earnings will be progressively larger. In calculating the income, the Report speaks of "wages" at certain piece-work rates. It is not clear if this is the same as the "market rates" at which the State is to buy up the products of the children.

It is calculated that during the course of the seven-year period, the child will earn in all Rs. 60-13-6, by spinning and weaving. Thirty such children will together earn in seven years Rs. 1,825. The teacher's salary has been calculated at Rs. 25 per month or Rs. 2,100 in seven years. Thus the thirty children will contribute by their own labours Rs. 1,825 towards the salary of the teacher, amounting to Rs. 2,100, leaving a deficit of only Rs. 275 to be financed otherwise. It is thus claimed that the system is largely self-supporting.

This calculation does not take into account the capital cost involved not only in buildings and land for gardens and equipment of schools, but also in the training of teachers, supervision, etc. Separate estimates of a capital kind have been provided for the equipment for spinning and weaving. But that equipment may not be equal to teaching geography, hygiene, physiology, astronomy, drawing, and other subjects included in the curriculum though with spinning as the basic nucleus. Equipment for teaching of these subjects will cost an enormous amount.

It has been suggested in the Report that at least in the last two years a variety of crafts should be provided in each school. The equipment will, in consequence, go up in cost.

This proposal seems to counter another which suggests that each teacher should be trained in one basic craft, besides, of course, cotton-growing and carding and spinning. If more crafts are to be taught in any school, more teachers have to be engaged. In which case, the proportion of thirty students per teacher, the basis of the financial calculations, may have to be modified.

The income is calculated on the basis of the child working at the basic craft for 3 hours and 20 minutes per day, for 288 days a year, for 7 years. During this period the child is expected to progressively improve its skill in the basic craft, in order that its products may have a marketable value. This is practically what is happening to-day though outside the school-house. The children of the masses, both in cities and villages, are even today workers from a very early age, though their contributions are largely in kind, in service. At a very young age the child perhaps tends cattle or does some such simple task. Later he helps his father in his work and by apprenticing under him, gradually acquires such skill as the father can impart and ultimately produces marketable goods. The Wardha scheme would require the child to learn from and work for the school-master rather than the father, who, for the purpose of the basic craft, is as much a teacher. It is not clear how it is an improvement that the child of a carpenter, instead of apprenticing under his father, should divert his earning-capacity for the upkeep of a school-

master who could teach him skill, not in carpentry, but in spinning and weaving. It is not also clear how it is an improvement that *all* the children of a village or of a school in a town should learn just *one* basic craft, while the villagers or the townsmen, between them, follow several crafts, all of which are necessary for the well-being of the people. The only justification is that the school either supplies what the home lacks, or supplements what the home gives. A village teacher with some thirty students coming from homes pursuing various crafts cannot give, particularly if he is trained in only one basic craft, higher skill in the other crafts represented. A village teacher trained, may be to high skill in spinning and weaving, cannot impart high skill to the children of the local potter, brass and iron smith, the jeweller, the leather-worker, the accountant, the priest, etc. etc. All that he can attempt is that which is common to all these children and which he can teach better than the parents, and that is, the three R's., etc.

It is also difficult to understand how at the end of the course "every student will become a self-supporting unit." If the children, boys and girls, of the agriculturists, carpenters, smiths, leather-workers, spinners and weavers, brass workers, barbers and *dhobis*, priests and accountants, landlords and money-lenders in a village are all taught one basic craft, say, spinning and weaving, how will they all become thereby self-supporting?

SHORT NOTICES.

SOCIAL INSURANCE FOR INDUSTRIAL WORKERS IN INDIA. By S. V. PARULEKAR. (Author, Servants of India Society, Bombay 4.) 1937. 22cm. 56p. As. 8.

As a good student of labour problems and as a labour leader of long standing the author is eminently fit-

ted to write on this pressing problem. The case for the immediate introduction of social insurance as regards industrial labour has been well emphasised. Social insurance for industrial accidents, sickness, maternity, invalidity, old age and death is urgently needed, and the author puts forth a clear and comprehensive scheme which seems modest and practical. The total cost of the scheme for all the Indian industrial labour force is but 4 crores and the Government contribution is a modest amount of only 1½ crores. The scheme is a compulsory one and State-managed, wherein the three contributors—the employed, employees and the State—have an equal voice. Industrial labour is insignificant when compared to the vast agricultural labour of the country and it is worse off than industrial labour, but it is good that a beginning is made at least with industrial labour.

N. S. S.

THE STORY OF THE AMERICAN NEGRO.

By INA CORINNE BROWN. (Student Christian Movement Press, London.) 1936. 20cm. 208p. 5/-. [Received through the Association Press, Calcutta.]

MISS BROWN, the authoress, was a trustee of Paine College for Negroes in Augusta, Georgia. She has travelled extensively in Europe, Africa, Asia, studying problems of race contact. She, therefore, writes from experience based upon much research and travel. The book contains an illuminating history of the Negroes and an elucidating account of their present conditions. It is written with much sympathy and understanding of the Negro who is revealed not so much as a problem but rather as an interesting and significant human being. All interested in the future welfare of the Negroes will find this book extremely useful. The Notes and References and Bibliography at the end of the work form a very handy guide to the student of this subject.

S. A. W.

**SUPREME FOR YEARS—
SUPREME TO-DAY—
QUALITY ALWAYS TELLS.**



Mysore Sandalwood Oil, B. P. quality, the finest in the world, is perfectly blended and milled by a special process with the purest ingredient to make.

"It's good through and through
to the thinnest wafer."

Available Everywhere.

**GOVERNMENT SOAP FACTORY,
BANGALORE.**