

Servant of India

Editor : S. G. VAZE.—Office : Servants of India Society's Home, Poona 4.

VOL. XII, No. 26. }

POONA—THURSDAY, JULY 4, 1929.

{ INDIAN SUBSK. Rs. 6.
FOREIGN 15 s.

CONTENTS.

	Page.
TOPICS OF THE WEEK ...	301
ARTICLES :—	
Princes' Bad Strategy ...	304
Age-Limit for Marriage and Consent ...	305
OUR EUROPEAN LETTER ...	306
MISCELLANEA :—	
Mr. Sastri's Kenya Mission ...	307
Asiatic Labour at I. L. C. ...	311

TOPICS OF THE WEEK.

THE death of Sir Gangadharrao Chitnavis removes from Indian public life a prominent Liberal, with a distinguished record of public service rendered solely out of a sense of duty and regardless of applause or blame. Beginning from the Presidentship of the Nagpur District Council, he rose to the highest post to which a public worker could aspire in his own province, that of the President of the C. P. Legislative Council. He sat in the Imperial Council for many years as a representative of the Municipalities and District Councils and took a prominent part in its deliberations, and secured the esteem both of the people and of the Government. As a token of the former it may be noted that he was offered the Presidentship of the National Congress in 1900, although he modestly declined the unique honour, conscientiously thinking that he was not a man of ripe age. He was selected as the C. P. representative, to be a guest of the nation at the King's Coronation. Under the Montagu-Chelmsford reform scheme he was appointed President of the C. P. Council and made his mark as an upright and impartial Speaker. Along with his political activity, he took a prominent part in educational activities in his province, devoting his time and energy unstintingly, for which service the people in C. P. have on various occasions expressed their gratitude. It is given to very few, to have the privilege of serving the country in such varied capacities for nearly four decades, scoring delight and living laborious days.

IN a recent interview given to the Free Press of India in London Sir Sankaran Nair appears to be mightily disillusioned. He declared that the members of the Central Committee have no knowledge of the views of the members of the Commission

or of the lines on which the latter are likely to report. He added that the exchange of views between the two has so far been one-sided only, the members of the Commission having kept their own views to themselves. Perhaps they do not think it worth their while to present them before the famous Committee of the Indian Parliament, which when their co-operation was required was boomed to the skies. Sir Sankaran Nair does not think it probable that there would be a free discussion between the members of the Central Committee and the Commission before the former drew up their Report. He also thought it pertinent to observe that in the selection of witnesses the Central Committee had no say, and it never interfered with the selection of witnesses made by Sir John Simon. This naturally leads to the retort that it was Sir Sankaran Nair's duty as President of the Central Committee to do the needful and he should have done it long ago instead of croaking about it at such a late stage of development. If the Central Committee cannot make any impress on the Report of the Commission, then the name Joint Free Conference is a clear misnomer except in the sense that the Central Committee has heard all the witnesses and had access to the whole evidence tendered before the Conference. In view of the declaration of the Free Press made while reviewing the Indian situation that it is not likely that the Labour Government will convene a Round Table Conference of the representatives of the Indian people for the purpose of framing a constitution acceptable to Indian opinion, the prospect of a conciliation does not seem to be very assuring. What appears likely is that the Simon Report unadulterated with any of the judgments of the Central Committee will dominate the situation and Indian nationalists will hardly be in a mood to give it a hearing. This certainly is not the way of bridging the gulf and we hope that before it is too late some agency for eliciting representative Indian opinion will be devised, whatever be its particular form.

THE decision of the Working Committee of the Congress to boycott the Councils has created great dissatisfaction in various provinces, although there has been no regular revolt so far. The U. P. Swarajists have decided to abide by the mandate of the Congress out of loyalty, at the same time expressing

their regret that the Working Committee could not allow them to attend the Council. They have placed their resignations in the hands of the party leader, and hope that the Working Committee may permit them to resign, so as not to disregard the wishes of their constituencies. Two of the provincial Congress Committees in Madras have asked for permission for their representatives to attend when important measures come up for consideration. The Bengal Swarajists have been temporarily exempted from the ban by the President of the Congress till July 5 when the meeting of the Working Committee is expected to clear up all doubts and give clear cut instructions. We hope the Working Committee will muster sufficient courage to abrogate its previous decision. Pandit Motilal Nehru's assurance that there is no disagreement in Congress circles over the decision of the Working Committee is merely conventional and is not likely to deceive anybody. Pandit Motilal will bring a hornet's nest round his ears unless he modifies the resolution so as to enable the Swarajists to make common cause with other parties on fundamental issues including that of the backing of the Nehru Report. The only result of the walk-out will be the entry of reactionaries who might make things easy for provincial Governments and prevent the possibility of a well-organized opposition to anti-national measures. The opposition of the Maharashtra Provincial Congress Committee has been expressed in no uncertain terms. A move of the sort contemplated by the Working Committee can only be suicidal at this stage when the presence of all nationalist elements inside the Councils is vitally necessary to oppose the last efforts made by the bureaucracy to consolidate its position before the inauguration of a new reformed constitution. Besides the members of the Congress who have faith in work inside the Councils ought to be allowed to do the best of which they are capable instead of rotting in a condition of fruitless inactivity.

If the *Tribune* is to be believed, the Punjab Simon Reactionary Committee is apparently going to submit a divided report. The majority report is signed by four out of the seven members of the Committee—two Mahomedans, one European and one Hindu; and makes recommendations which frankly are of a very reactionary nature. While this report wants the official *bloc* to go and the legislative council to become wholly elected, it cannot bear the idea of doing away with separate electorates. It thus proposes that the majority of the members of the council should be elected by separate Muslim electorates with the necessary corollary, we presume, of a predominantly Muslim cabinet. We wonder how it did not strike the authors of the majority report that to ask for this kind of special treatment for a majority community like the Muslim is to make oneself guilty of a constitutional absurdity. Under the arrangements proposed by the majority of this committee, the provincial government is to consist of a Governor with a wholly responsible cabinet, the chief minister being chosen by the Governor from the majority party, which means that he would always be a Mahomedan and the other ministers

also being chosen by the Governor but on the advice of the Chief Minister. It is possible that in the selection of his colleagues the Chief Minister might try to give some representation to other communities; at the same time it is clear that the selection of non-Muslim ministers would ordinarily be made not on intrinsic merit nor because of their representative character but on account of their aptitude to fall in with the Chief Minister's views at least in more important matters. It does not need much perspicacity to see that the recommendations are inspired by a desire to perpetuate the political supremacy of the Mahomedans in the province. One should have expected that a body which stands for full provincial autonomy would ask for the right to recruit its services; but the majority of the Punjab Committee apparently have greater faith in the Secretary of State than themselves and propose that the two key services, the Indian Civil Service and the Indian Police Service, should continue to be recruited by him. But what is still worse is that it is suggested that appointments of high court judges should be made by the Crown on the recommendation of the local Government. With such a communally-minded Government as is proposed under this scheme it will not take long for the poison of communalism to spread to the highest court of justice in the land which, if it is really to inspire public confidence, ought to be above such narrow considerations.

* * *

OWING to its publication of the Bihar Government's memorandum to the Simon Commission which was of a confidential nature, the *Searchlight* of Patna has incurred the displeasure of the Bihar Government, which have decided to withdraw from it "such advantages as have hitherto been conceded to the journal." These advantages are the free supply of Government reports, gazettes and communiques and the receipt by the paper of advertisements and notices from different Government departments for publication for which of course payment used to be made to the paper in question. Though this is meant as a punishment to the paper, we think the stoppage of the free supply of Government publications to the paper will disadvantage the Government itself more than the newspaper; for while this facilitates the business of the editor, it ensures wide publicity for Government measures and decisions. If on account of the withdrawal of these facilities from the most widely circulated paper of the province Government measures and decisions receive distorted or inadequate publicity, they have to thank themselves for it. And it is from this point of view that we regard their decision more harmful to their own interests than to those of the paper in question. The refusal of the Bihar Government to send any more Government notices to the paper will certainly deprive it of a source of steady and sure income; but are these notices sent to that journal as a sort of bribe for keeping back from the public important confidential documents of vital public importance which might fall into its hands? And is it because it has not kept to this tacit understanding that it is sought to punish it in this manner? If so, no self-respecting newspaper would care for such patronage. But the *Searchlight* is not the only sinner in the matter of publication of confidential papers. The memoranda submitted by the Madras and U. P. Governments to the Simon Commission which were presumably confidential have appeared *in extenso* in prominent journals published in those provinces without their having made themselves liable, so far as we know, to this kind of treatment from their respective Govern-

ments. The Bihar Government is apparently too thin-skinned and too petty-minded as well. They would have done well to follow the example of the other two provincial Governments referred to above and to have connived at the matter.

THE Associated Chambers of Commerce have revised their judgment on the question of the transfer of law and order saying that their memorandum submitted to the Simon Commission about a year ago does not reflect faithfully the views held by the various Chambers to-day. The last time they showed a change of front was at the oral evidence given before the Joint Free Conference when they stated that, contrary to what was stated in the written memorandum, they held that law and order should be a reserved subject. Curiously enough, instead of bringing them to book, the President of the Conference proclaimed that there was nothing to prevent a body from holding different views at the enquiry from those they held at the beginning. In fact some of the questions asked at the time were of such a nature that they looked like a broad hint from the Commission to ascertain minutely the opinion of the constituent Chambers, so as to make sure whether the majority view was in favour of the transfer of law and order. It is not surprising therefore that some of our contemporaries regard the revised appendix as one written in direct response to this broad hint. The Chambers have however shown the courtesy of expressing their regret for causing inconvenience to the Commission by its emendations. We wonder whether any other witnesses would be privileged to modify their views and state their latest doctrines; perhaps the Provincial Governments would welcome such a privilege for airing their still maturer views. The reason given for such a modification of opinion is that recent outbreaks have made the Chambers doubt whether the elected Ministers could successfully perform their task in the face of serious communal troubles. So the old bogey is trotted out again as a serious reason for a modified attitude on this all important question. As a matter of fact this topic has been discussed in all its bearings almost threadbare and it is absurd to say that the Bombay riots and its congeners have necessitated a reconsideration of judgments once delivered. It is creditable to the Bengal and Madras Chambers that they still adhere to their old view that law and order must be transferred. The Bengal Chamber says "that unless the responsibility for the maintenance of order is transferred to the charge of a Minister provincial autonomy cannot be regarded as having a proper chance of fulfilment"; although they suggest that the grant of provincial autonomy should be accompanied by the strengthening of the Central Government's power of maintaining order. We do not think the Europeans ought to glory in putting back the hands of the clock.

WHILE nobody would deny the right of Muslims to protect the interests of their community which they feel to be endangered by the propaganda in favour of the Nehru Report, very few will congratulate the All-India Muslim Conference on their issuing the senseless and ill-tempered statement which the Committee of that body has recently issued from Bombay. If Pandit Motilal intends to fight the next election on the issue of the Nehru Report there is nothing in it savouring of the mentality of a dictator; the description of the Nehru Report as a demand formulated by a majority of caste-Hindus in India is too ludicrous to be seriously refuted. The Committee has quoted

Mr. MacDonald's rule with regard to minorities that there should be no distinctions in the enjoyment of the rights of citizens; and that languages and religious differences should be respected in law, administration, and education. So far as we can see, all this is born in mind in the framing of the Nehru Report and there is no trace of a curtailment of the Muslim citizens' rights in the constitution adumbrated in the Report. The Committee welcomes the decision to prolong the life of the present Assembly because they think there is no clear cut issue before the country just now. This is a matter of opinion; but there is no reason why the Committee should revile the nationalist Press for having spoken against the decision to extend the life of the Assembly on the ground that the decision gives to the present legislators a lease of life which is not in accordance with the spirit of the constitution. Besides it is not essential that there should be a clear cut issue in every election; an election has to be faced at the expiration of the term appointed, whether there is an issue or not. The Conference has decided to send a deputation to England in order to counteract the subtle propaganda in favour of the Nehru Constitution and place the point of view of the Muslim minority before the British public and members of the Cabinet. We only hope that in putting forward their own case, they would avoid making an exhibition of a parochial mentality. They would also be well-advised to remember that they should rely more on reasoning than on a senseless declamation against the Nehru Report, without rhyme or reason.

IN the Irish Free State Government is faced with a conspiracy, supposed to be widespread, to assassinate or intimidate jurors in political cases in which feelings run high, and, in order to meet this situation it is contemplating extraordinary measures which, if adopted, would make novel changes in the normal judicial machinery of the country. It is intended, first of all, while empanelling the jury, not to disclose the names of those who are summoned to serve as jurors. The jury is to be empanelled instead by numbers. The object of this provision is no doubt to protect them from the conspirators, but it would deprive the accused of the valuable right he possesses of challenging anyone whom he suspects as likely to be prejudiced against him. He cannot exercise this right unless he knows who his judges are going to be. The régime of secret justice which will thus be inaugurated is sure to result in grave injustice in many cases. Next, it is intended that instead of a unanimous verdict from all the twelve jurors being required before the person on trial is held guilty a verdict of nine jurors would hereafter be held sufficient. This again makes a fundamental change in the normal law of the country. The publication of this proposal has aroused a storm of opposition in Ireland, and we are sure that Government will have little chance of getting it through unless they produce incontrovertible proof that the danger is imminent and serious. But this proposal has a moral for India. If intimidation or murder of jurors actually takes place on a large scale, Government cannot but adopt extraordinary methods of putting down the conspiracy. While we are bound to regard with very grave suspicion any proposal for setting up special machinery of justice we must remember that the first duty of a state is to preserve its own life and that when attempts on it cannot be defeated by ordinary means it must and will resort to extraordinary means, including martial law, to defeat them.

PRINCES' BAD STRATEGY.

WE knew that they would do it, and they *have done it!* The Princes had two alternatives open to them: either they could, by repudiating Sir Leslie Scott's cocksure theories and shallow sophistries which would in effect bar the road to self-government in this country, enlist the whole of British India on their side and, by introducing a modicum of reforms in their States, bind their subjects firmly to themselves and with the united strength of these popular forces they could compel the Imperial Government to recognise their just claims; or they could by taking the opposite course antagonise both these forces and on the ground of such antagonisation appeal to the Imperial Government for relaxing somewhat the rigour of the control it now exercises over them. The Princes, it is now evident from the resolutions they presented to the Viceroy, have opted for the latter alternative; they have elected to alienate the people both in British India and Indian States and by this means to worm themselves into the favour of Government. This no doubt appears to them to be their best strategy; however, if only they will reflect further on the situation they will soon find how little they can possibly gain in this way and how much more by following the other alternative.

The average British Indian politician is averse from any interference in Indian States' affairs. His whole soul revolts from the policy which the British Government has consistently followed in depressing the Indian States. And if he had the power he would restore the Princes to their rights of full sovereignty, without asking too many questions as to the way in which the Princes are ruling their own subjects. He in fact comes heavily down upon any agitators in Indian States who may dare to follow, even at a long distance, his own methods in extracting some measure of political power from their rulers. He stands sedulously aloof from any measures which the Government may feel compelled to take in discharge of its solemn obligation to prevent gross misrule in Indian States, even when the misrule in question is barefaced and open. On the contrary he will not scruple to oppose such measures and represent the unredeemed tyrant as a martyr to a vengeful Government. Is it wise, we ask, for the Indian Princes to turn such a firm friend into what he will inevitably become—an implacable enemy?

The British Indian politician could thus afford to lavish indiscriminating friendliness upon the Princes because the Princes never crossed his path. He had even a faint hope that they might one day assume leadership in the emancipation of his country. In any event he could always use them as a serviceable handle for carrying on agitation against the British Government. But his single-minded endeavour has all along been to obtain freedom for his country. Not realising this, however, the Princes have now definitively ranged themselves against the Swaraj movement. They have allowed Sir Leslie Scott to put forward propositions, according to which

the British Government would not have the power, even if it had the will, to confer self-government upon India. These propositions the Princes have now endorsed. Do the Princes realise that after this they will have to reckon with hostility on the part of the people of British India, almost as indiscriminating as the friendliness to which they were used so far?

The people at large of Indian States can with great difficulty be induced to demand self-government from the Indian Princes. They are as a rule quite content if the Prince is a benevolent despot, if he uses his autocratic power even moderately well. If there is some pretence of consulting the people on occasion, general satisfaction is expressed. If the Prince merely publishes a report of his administration and an account of the revenues raised by him, which is yet a rare phenomenon, the people feel that he is little short of a demi-god. In this state of public feeling it would have been the easiest thing in the world for the Princes to introduce some modest reform and thus hold the few agitators in the States who advocate radical reform at bay. They could easily have secured the support of all their people for the claims—political as well as economic—which they have to urge against the British Government. But the States' people now find that the Princes, without moving in the least to take even the first step in establishing popular government in their own States, are trying to block the progress of British India towards self-government. The Princes could have done nothing calculated more effectually to forfeit the sympathies and the affections of their subjects.

Having estranged the people both in British India and Indian States, the Princes have now thrown themselves for the assertion of their rights and the redress of their grievances solely on the instinct of *divide et impera* which may be an active force with the lower order of British politicians. But is it likely that even these will regard the help to be derived from the Princes in checking British India's political advance of such great value that they will be willing to loosen their hold on them? No. The British Government, if it desires to put down the movement for self-government in British India, can certainly do so without summoning to its aid Sir Leslie Scott's contentions, "unheeded and crude", regarding its constitutional position. If on the other hand it finds it expedient to add India to Britain's self-governing dominions, it will not allow these contentions to interpose an obstacle. It will cut its way through them. The net result of the Princes' new strategy can therefore only be that they will lose the support of those whose assistance they so badly require in regaining something of their lost position.

It is hardly necessary to examine once again the validity of Sir Leslie Scott's argument, which consists of nothing more than play on the word

foundly struck by the efficiency and devotion displayed by the staff of the International Labour Office. It is important on general grounds that an international civil service of this kind, representative as it is of various countries and nationalities, should conform in its service standards at least to those established by the best national civil services, otherwise it will cease to attract persons of the right type to come to Geneva and make their career here. I hope, therefore, that the Governing Body of the International Labour Office and the League of Nations will give the most sympathetic consideration to the proposals of the Director in this regard.

He expressly added:

Speaking in the name of the Indian employers I affirm my faith in the utility of the work done by the International Labour Organisation.

Mr. Joshi voiced the opinion of the Indian workers when he said:

I regret that the representatives of my Government, perhaps acting as a handy tool of the British Government, participated in the reactionary effort in the last Assembly of the League of Nations. I feel sure that the workers of India not only do not want the expenditure incurred for this Organisation to be reduced, but they will be glad if the expenditure and activities of the Organisation simultaneously continue to increase."

Sir Atul Chatterjee—of whose balanced judgment, wise caution, and fine sanity there will hardly be any question—not only supported the budget at the Governing Body's meeting but also said at the Conference:

Speaking as a Government representative, I can assert that the publications of this Office have been of the very greatest utility to all Governments in distant parts and in overseas parts of the world who want information on the progress of social legislation in other countries. Similarly, these publications have been of the very greatest use to Members of Parliament, to social workers and indeed to everyone interested in the progress of humanity.

This remark of Sir Atul's assumes added significance as it was made following his insistence on the information and education resulting from the activities of the International Labour Organisation being of far greater value than any formal legislation. Nor was the appreciation of the work of the Office and its place in the economy of nations properly appraised by our delegates alone. Speaker after speaker bore testimony to the vast and meritorious work which the I.L.O. was doing and the Latin Americans, a very powerful group in the League, were loud in claiming the attention of the Office to their peculiar needs. In view of the misunderstanding which would seem to exist in India in this regard (for all Indian delegates who have had experience of Geneva appear to be agreed in the belief that a real knowledge of the work of the international organisations here would dispel the widespread scepticism prevailing in India about Geneva)

some of the remarks of Monsieur Jouhoux will be found interesting:

In Germany, for every 100 francs in the budget there is paid to the International Labour Office half a centime; in Australia one and one-tenth centimes; Spain, one and one-tenth centimes; France, seven-tenths of a centime; Great Britain, four-tenths; Italy, nine-tenths; and Japan one and one-tenth centimes... The payment made by Great Britain to the I.L.O. is £34,000 a year; the telephone expenditure in the Ministry of Labour of Great Britain amounts to £36,000. That means that Great Britain—and she is not the only one—pays less to the I.L.O. than she pays for telephone expenditure in her own Ministry of Labour.

Besides attacking the Government of India for joining forces with the late British Government in its effort to cripple the activities of the I.L.O. Mr. Joshi also charged our Government with the discourtesy of omitting to invite Monsieur Albert Thomas to visit India in the course of his recent Far Eastern tour. He felt it necessary to warn the I.L.O. about the growing influence of Moscow which could not be set off either by the patent remedy of repression or by the dangling of ideals but only by rapid development in social legislation. In answer to this Sir Atul Chatterjee explained that Monsieur Thomas's tour programme would admit of only too short a visit to India and as such he felt it necessary to approach the Director about this question on a more suitable occasion. This being, as he thought, perhaps his last appearance in the Conference, the High Commissioner for India took upon himself to put forward certain suggestions. He deprecated the tendency to magnify the value of ratifications and drew attention to the influence of the Organisation in disseminating information and educating public opinion. He also put in a plea for an agenda, less charged, and for subjects to be discussed in the Conference to be determined at least two years ahead so as to leave time to gauge accurately the feeling of the general public about them.

Mr. Shunmugam Chetty came forward with the suggestion that the office of the Correspondent at Delhi should move to Simla with the Government of India so that the necessary contact between the Government and the representative of the I.L.O. could always be maintained.

He insisted on the necessity to bring the Indian States within the sphere of the International Labour Organisation as otherwise owing to unfair competition the employers would find it hard to agree to the ratification of the measures recommended by the Conference. This is a point on which workers and employers were in agreement, and by putting national considerations first Mr. Chetty showed a similar agreement as regards forced labour. In view of the conditions in which Indian workers lived in places like Africa he urged the immediate abolition of forced labour, dissociating himself from the general group who were concerned about their interests.

MR. SASTRI'S KENYA MISSION.

Could Mombasa have found a hall three times as big as the fine hall of the Goan Institute it would have been thronged as the Institute was, on Tuesday night (the 11th June, says the Kenya Daily Mail). Mr. P. H. Clarke made an admirable Chairman and in the audience were a great number of the Coast European citizens; in fact the number was not even limited by the tickets, for wherever there was a foothold, there was an enthusiast of one race or another. Many ladies graced the seats. It was a most attentive house and

those who failed to get in got an inkling of the proceedings through doors and windows. The Right Hon. Srinivasa Sastri was received with cheers on introduction by the Chairman.

Mr. Sastri said:—Mr. Chairman, ladies and gentlemen:—Now that I am about to leave the country I have been asked, and very properly too, what I have been doing and what I have finally to say. It is difficult to speak one's mind freely and fully in this connection, knowing that misunderstandings

are only too easy, and that the attempt to clear one misunderstanding often leads to another. (Hear, hear.) I have, as has been already pointed out, come here to represent the case of the Indian community to Sir Samuel Wilson. It has also been mentioned in the papers how, having come to do that, I did the job only partially and stayed at Nairobi all the time. The unfortunate delay of a week in my arrival in this country has had one consequence.

The Indian Congress appointed a strong deputation to wait upon Sir Samuel Wilson and chose my colleague and friend, Pandit Kunzru, to represent their case. He has therefore been the real spokesman of the Indian community and I have sat aside watching the proceedings and helping, so far as I may, from behind. I would assure the Indian community that that substitution has been an entire gain to them. Their case could not have been presented with greater ability, circumspection or vigour. It was thus left to me to stay in Nairobi and do anything that might be possible to bring matters to a better understanding between the European and the other races. I have found the task by no means easy. It is not my object to apportion blame. Perhaps another could have done better, but I would say that I have found the situation very difficult indeed. If a man with far greater prudence and ability to understand the various aspects of the question stayed here several months, he might be able to make some impression. As it is, ladies and gentlemen, I may not claim more than this: that I have tried my best to understand; I have seen as many people as I could; and I have established what in modern phraseology is called "personal contact" with several influential gentlemen. Whether these personal contacts are going to be useful in future is more than I at present can say. I hope they will be of use in the hands of a more fortunate representative of the Indian Government, and it is in that hope that I leave.

Now, ladies and gentlemen, that is not a very encouraging account, but I have nothing better and I would not deceive anybody by saying that they may expect great things. No! We have, I mean the Indian community have, for some time past, concentrated attention in the political sphere on a common electoral roll. That has been resisted by the European community with all their strength and great influence. This question, as you know, came into great prominence as a result of the report of the Hilton-Young Commission where it has been recommended as an ideal to be aimed at, and with regard to which preliminary enquiries should be started by the High Commissioner whom they propose that the Government should appoint.

There is no doubt that the hopes of the Indian community were raised considerably on this account, and it seems to me that they were on the whole quite just and should be treated in the proper light. My endeavour, to the extent that lay in my power, has been to recommend the institution of the Common Roll to the European community. At two meetings in Nairobi, one somewhat private, the other public, I spoke about the common and communal rolls at considerable length and did not by any means conceal my very strong partizanship in favour of the common roll. It is no news, I take it, to many here present, that in India at the present moment there is a great attempt being made to abolish the communal, and put in its place the common, roll.

INDIAN CONCESSIONS.

I am altogether on the side of the common roll. (Applause.) I know by experience in India how unfortunate the consequences of a communal roll have been, and, if I have any regard for the welfare of

Kenya, I should throw all the weight of my influence upon the side of a common roll in the country. I recognise to the full how dear to the heart of the Indian community the common roll is. Yet in order to reassure the European community, we have been willing to introduce restrictions and safeguards upon its operation so that any fears that the European community may entertain should be removed.

To secure this common roll the Indians have been willing for many years that the franchise in this colony should be a "civilisation" franchise, compounded, if need be, of a property and educational qualification. You will realise what a great sacrifice it means, when you remember that quite recently the adult franchise was conferred on the Indian community almost without their asking for it, that they should now be willing to surrender it, if need be, in order that their voting strength should be brought within a small compass which need not alarm the European community in comparison with their voting strength. That the Indians should be willing to concede this seems to me a distinct step towards establishing their good faith and moderation.

But they have not been content even with that; they have gone farther still and agreed to the provision that after their voting strength has been so restricted, their number of representatives on the Legislative Council should be considerably less than the number of representatives allowed to the European community upon nearly the same voting strength.

Now these two concessions together seem to me to make it absolutely irrefutable that the Indian appreciation of the common roll is not based merely upon selfish considerations when it has induced them to see that every precaution is taken so that under it the political balance of this country may not be upset.

Since 1921 a strong contention has been put forward on behalf of the European community—for which, however, I have in spite of my research been unable to find any justification—that the object of the Indian community is somehow or other, by some subtle or underhand process, to get control of the political machinery of Kenya and to run the Government of this colony on purely Indian lines for the exclusive benefit of Indians, and with the object of supplanting the power of the Britisher.

Now it seems to me that such propaganda is absolutely unrelated to the facts. We have tried repeatedly to contradict these statements, but unfortunately the means of publicity that the Indian community command, whether here or in England, are by no means so strong as the means at the disposal of the European community, and for that reason truth has had, strange to say, "to seek the corner." (Laughter.)

CASE FOR THE COMMON ROLL.

Believe me, ladies and gentlemen, if other reasonable safeguards are required—I emphasise *reasonable* safeguards, the Indian community would not be unwilling to consider them, such is the importance they attach to the common roll.

But why do they attach such importance to the common roll? So far as I have been able to understand, it is not that they think the common roll will bring them any extraordinary blessings denied to another community, but because they are fully persuaded that in the circumstances of this colony the common roll, leading to a common citizenship, is the only means of securing its steady progress and prosperity.

It is an unselfish desire on their part, and I am utterly sad that the motive has been "misunderstood" and their attempt has been met by a strong

५११ ३०९.२ ५११ ३०८ आर ३०७-४
५११ ३०५ व ३०६ आर ३०७
३०७ ५११ ३०९ मर ५११ ३०५
३०५ ३०६ ३०७ ३०८ ३०९

"the Crown." All who know anything about constitutional discussions know how risky it is to be too free with that expression. Professor Maitland has well given the warning in his lectures on "Constitutional History" (p. 418):

"There is one term against which I wish to warn you, and that term is 'the Crown.' You will certainly read that the Crown does this and the Crown does that. As a matter of fact we know that the Crown does nothing but lie in the Tower of London to be gazed at by sight-seers. No, the Crown is a convenient cover for ignorance; it saves us from asking difficult questions, questions which can only be answered by study of the statute book. I do not deny that it is a convenient term, and you may have to use it; but I do say that you should never be content with it. If you are told that the 'Crown' has this power or that power—do not be content until you know who legally has the power—is it the king, is it one of his secretaries? Is this power a prerogative power or is it the outcome of statute?"

The term often means nothing more than the government. Professor Maitland, than whom there are few more competent authorities on constitutional law, says the Crown is very often "a corporation aggregate"; but continues "a better word has recently returned to the statute book. That word is Commonwealth" (vide his *Collected Papers*, vol. iii, p. 257). In other words, the Crown only means the

Commonwealth, or as Professor Delisle Burns has said in one place, it only means "the supreme executive." It will be seen from this on what unsure foundation Sir Leslie Scott has reared the fabric of his weird theories. In fact these theories have no basis.

For our own part we are glad that these theories have been advanced. Nothing else would have served to shake British Indian politicians out of their indifference to the condition of Indian States' people and unreasoning partiality for Indian Princes. A year ago no politician of repute could be persuaded to speak of Indian States; now every other politician is found dwelling on the dangers implicit in the situation created by the Princes. Our politicians are yet chary of openly supporting interference where maladministration justifies it, but we have no doubt that after some time they will themselves demand it. In the matter of economic adjustments we have no doubt that the Princes will now find their stoutest opponents in the British Indian politicians—and also in the people of Indian States, although a thinly veiled attempt is being made by the Princes to win them over by promising to devote to their service any additional revenue that will accrue from these adjustments. Is it from the Princes' point of view a good strategy to turn their back upon their real friends and supporters and betake themselves for protection to the very Government which has wronged them?

AGE-LIMITS FOR MARRIAGE AND CONSENT.

THE Age of Consent Committee presided over by Sir Moropant Joshi has, we understand, submitted its recommendations to the Government of India. The main recommendations are said to be unanimous, though it would appear that Moulvi Mahomed Yakub, M.L.A., has attached a minute of dissent to the Committee's report on certain points. If the Press report is to be believed—and the report speaks very confidently—the recommendations are very liberal and, if given effect to, will make a great advance on the present state of things. To appreciate how great the advance will be, we shall first state the existing position of the law. There is no limit of age at present at which marriage may lawfully be contracted. Nor is there any limit of age for men at which marriage may lawfully be consummated; but there is such a limit for women, the limit being 13. A man may not have intercourse with his wife, even with her own consent, if she is under 13, such intercourse being treated as rape and punishable as such. As for a minimum age of consent outside marriage, the law as it exists to-day makes it 14 for women (there being again no limit for men). Sexual intercourse between a woman under 14 and a man who is not her husband constitutes the offence of rape, the consent of the woman not being recognised as a defence to the charge.

The Joshi Committee has now recommended, firstly, that a minimum age of marriage (i. e. con-

traction of marriage) should be fixed at 14, we suppose, for both men and women; secondly, that a limit of age should be fixed for consummation of marriage at 15, again, we hope, for both men and women, which will make it impossible for the wife or the husband to enter a plea which will be accepted as valid that the young person gave his or her consent; and, thirdly, that the age of consent in extra-marital relations should be 18, again, we suppose, for both men and women. The changes recommended by the Committee are thus: (i) whereas marriage can be contracted at present at any age, it should not be contracted hereafter below the age of 14; (ii) whereas the consummation of marriage with a wife under 13 is unlawful at present, this limit should be extended by two years and placed at 15; (iii) whereas intercourse by a stranger with a woman under 14 is unlawful at present, this limit should be raised by four years and fixed at 18; and (iv) assuming that the age of consent as recommended by the Committee is applicable to men as well as women, whereas there is at present no restriction on the age of the man when he has sexual intercourse either with his wife or another woman, the limit of age in his case as in the case of the woman should hereafter be 15 within marriage and 18 without; that is to say, the consummation of marriage with a husband under 15 and intercourse with a man who is not a husband under 18 should be unlawful whereas these acts are now lawful.

On the whole we believe that the ages of marriage and consent proposed by the Committee will satisfy progressive opinion in the country; nor will they be particularly obnoxious to orthodox opinion, to which sufficient respect has been made in several points. To place the lowest age of marriage at 14 when there has been no limit at all so far may seem to some a very rash step. They may argue that even in some European countries, which suffer from no handicap of age-long custom as India does, the legal age for marriage is as low as 12 for women, though the actual age at which marriages take place may be more advanced. But they ought in fairness to remember that in these countries marriages between persons under age become void or voidable. The Joshi Committee is strongly against making such marriages voidable in this country. This is a concession to orthodoxy which it will greatly appreciate. Another direction in which an attempt was made to appease orthodox opinion was to empower certain authorities to grant exemptions in exceptional cases, but this attempt failed. In some European countries the local civil or ecclesiastical authority can grant dispensation to marry under the prescribed age, but the prescribed age in these countries is generally higher than that recommended by the Committee.

While on the one hand the Committee has tried to take orthodox opinion with it by declining to make marriage of persons under age null and void, it has sought on the other hand to reconcile progressive opinion by raising by one year the age limit for the consummation of marriage. In Europe and America marriages are consummated at the time they are solemnized and the age of marriage on these continents is the same as the age of consent in marital relations. Although therefore matrimony can be contracted in India at the age of 14, the age of marriage in the sense in which it is usually understood in other countries will be in this country, according to the Committee's recommendations, not 14 but 15. We think that this is as far as we can go at the present time. Our endeavour must of course be to raise the age of marriage so that eventually it may coincide with the age of consent. But what we are chiefly concerned with is to have the age of consent at a reasonable figure. In England till the other day the marriage age was 12 for girls and 14 for boys; but in fact marriages under 16 were exceedingly rare. And if by Lord Buckmaster's Bill the marriage age was recently raised to 16 for both sexes it was only to avoid the sense of shame in having to acknowledge at international gatherings that the legal age was unreasonably low. Another reason for raising the age was that otherwise, as *Headway* for June very shrewdly observes, "it was very difficult to press, as it is necessary to press, for the raising of the age of marriage in a country like India." What is known in European countries as the age of consent refers solely to extra-marital relations and in respect of these the Indian social reformer has no cause to complain because the Committee recommends that it should be 18 in this country, whereas the highest

limit for age of consent in European and American countries is 16. But below this limit absolute protection is given to the young in these countries, no exception whatever being allowed. But the age limit is as high as 21 in cases where some exceptions are made and some kind of special defence is open to the offender such as that he had reasonable cause to believe that the victim was over the age of consent.

In considering the question of the age of consent we generally have in view the age of consent for girls only; the case of boys is almost invariably ignored. But our law in this behalf must be applicable to both sexes, and it is so applicable in most countries. Where a distinction is made it is in the direction of raising the age limit for boys higher than for girls by a couple of years. In India however in framing our legislation we took into consideration the age of girls alone, no kind of restriction being placed on the age of boys. This has been a very grave defect in our legislation, and though the Associated Press's summary on the point is not clear, we take it that this defect will be removed by the Committee and that its recommendations will apply as much to boys as to girls. We believe the discussion entered into above will justify the opinion we have formed that the Committee's recommendations are, taking one thing with another, quite reasonable.

OUR EUROPEAN LETTER.

(From Our Own Correspondent.)

GENEVA, JUNE 13.

THE INTERNATIONAL LABOUR CONFERENCE.

THERE is a visible feeling of hopefulness and satisfaction about the proceedings of the Conference this year. This is, of course, accounted for by the change of government in Great Britain. The consideration which the new Government has shown for the Conference is as great as the apathy of its predecessor. Mr. MacDonald's cordial message of greeting and the British Government's representative's announcement in reply to the straight question of Mr. Poulton, the workers' delegate, that Great Britain will soon take the preliminary steps for the ratification of the Hours Convention were both auspicious. Besides much as the delegates from the overseas countries may complain of Geneva concentrating excessively on European problems, there is a general recognition that in taking up the subject of forced labour, the Conference has given some attention to other than purely European questions. This impression has been further strengthened by the Directors' recent tour to the East of which the Conference will no doubt hear more tomorrow when he takes part in the discussion about his annual report.

If that discussion has brought out clearly one single issue it is regarding the budget of the International Labour Office. In view of the attack on this budget by the fourth Committee of the Assembly of the League of Nations last September, an attack in which representatives of the Government of India wholeheartedly co-operated with the Tories, it is interesting to notice the statements made by the Indian delegates at the Conference. Concerning the internal expenditure Mr. Shunmugam Chetty, an employers' representative, observed:

Those of us who have taken an interest in the working of the International Labour Organisation have been pro-

negative from the other community all these years. Moreover, as I told you before, India has some experience of the communal roll. We know how once it is introduced it grows stronger and stronger upon the feelings of the people, and it would be nearly impossible to persuade them ever to relinquish it.

When the Constitution is laid down, the Indian people here are particularly anxious that it should be laid properly, and that is why, before anything should get stereotyped they have held their hands and abstained from the Legislative Councils in order that they might do nothing to prejudice their case, but that they should keep it alive and constantly before the authorities in order to convince them of their earnest desire not to do the wrong thing, but to do the right thing from the very beginning. Their hands at least shall be clean; if the communal roll disfigures the public institutions of this country and stands in the way of a future common citizenship, the responsibility shall not lie on the shoulders of the Indian. (Applause.)

COMMON CITIZENSHIP.

Now, ladies and gentlemen, I have spoken of a common citizenship and a word upon that subject would perhaps clear another little difficulty which attaches itself most persistently to this discussion. I wish to combat the notion in the name of the Indian community and I hope that those who take part in this controversy hereafter will remember, at least, that a strong protest has been made in this direction on this occasion by the spokesman of the Indian community.

I cannot approve, nor will the Government of India allow, that by any arrangements in this colony there should be two degrees or orders of citizenship, one higher and the other lower, the Indian to be consigned to the lower. That is an impossible arrangement. There is no sacrifice that the Indian community will not bear, if called upon to do so, to avert this as a calamity of the first order, and it would be a calamity not to them merely, but let all far-seeing persons apprehend that it would be a calamity which would not leave the European community untouched when it falls upon the Indian community, for so are the two communities bound together in this colony that I am really surprised that any serious-minded persons should go on proposing at this hour of the day that the European should occupy the place of power alone. So a colony can never be built up; so a people on one level, but the Indian on quite another, can never grow into faith and prosperity. I trust all those among you who believe that the people of this colony have one destiny will avow that faith and see that it prevails in the final adjustments that may be made.

Now that a Labour Government is in power, though not overwhelmingly in power, you will not be surprised that the Indian community remembers how quite recently a prominent Labour statesman gave his undertaking that if his party came into power there should be only one citizenship in Kenya.

It is therefore not unnatural that we should look with some expectancy on the first handling of this question by Mr. Sidney Webb. Therefore do not be annoyed if we seek to influence the new Government in England to exert their power and to see that the destinies of Kenya are from the first given a proper shaping. Thus things in the meantime must wait.

It is not, however, the Indian community only that is waiting, as it were, on Mr. Sidney Webb's first attempts at the handling of Kenya's affairs. In my talks at Nairobi to Europeans of influence that point of view was taken. One gentleman, whom I may not name, but who wields, I believe, very great

influence in Kenya, especially told me: "What is the good of our discussing this problem seriously and knocking our heads together if all this labour will be lost and the present Government upsets all calculations?"

On the European side, therefore, corresponding to the hope of the Indian community, there is a certain amount of uncertainty and even apprehension. The question must accordingly wait for a time, and I am by no means sorry that this breathing time is given, so that if possible you here, both European and Indian, may take a brighter and more hopeful view of the situation.

POINTS OF DIFFERENCE.

But the common roll is merely one of the subjects under discussion. The divergence between the two communities seems to be marked by several other subjects also, with regard to which I have been able to obtain some amount of helpful information, but I have come to this conclusion, and I am confirmed in it by opinion all round, that this great subject of the method of election to the Legislative Council wants to be out of the way by a satisfactory agreement first, and then all the other subjects of difference will be susceptible of a comparatively easy solution.

Upon one point, however, a word may be allowed me if only to clear up certain fundamental considerations. It may seem somewhat incongruous that I should have to refer to what some among you, broad-minded and liberal politicians, may feel to be elementary, but forgive me for a moment even if I seem to labour the obvious.

In surveying your arrangements made for education or medical relief, or the constitution of the public service, or other branches of government activity, one sometimes comes upon an underlying idea that primarily and mainly this country belongs to one community, that the revenues that are gathered are primarily meant for the benefit of that community and that only secondarily and afterwards do other communities come in for consideration. It is not always avowed, and when I put it in this naked form many people will unhesitatingly repudiate it, but it is not difficult to see that this is the point of view of those who have had the power of administration in their hands. I am not speaking merely of the Government people, but of those who influence them in the Legislative Councils by their majority power. It is not difficult to see that perhaps unconscious in many cases, but active and always existent, is the feeling that the needs of one community, great and small, must first be served before even the great needs of the other community can be taken into consideration.

A PERMANENT PART.

That, ladies and gentlemen, is the disadvantage of putting political power into the hands of the representatives of one section of the community. Is it therefore strange that the Indian community, handicapped by this one-sided arrangement in various ways and suffering already in vital respects, should ask before all things to be regarded as an element of the population of this colony? During the virulent propaganda of a few years ago I myself remember coming upon statements to the effect that the Indian was an unwelcome intruder and that if he could be got rid of it would be well for those that remained behind. (Laughter.)

However, that point of view is so absurd that I dismiss it from my purview, but I would ask that it be no longer put forward as a governing consideration in these affairs. Now as it is clear that the Indian community, being here, is as justified in

remaining here as any other community, is it not well that the two communities should adjust their difficulties and march forward in peaceful cooperation?

That is the point of view I wish to urge. The Indian community is here by all the rights that can be brought forward; therefore their claims must be considered upon all the principles of equity and fairness and justice for which the British Empire has established a name.

THE HOME PARALLEL.

I have been asked very often why I put forward claims for the Indian community which in India have not yet been conceded. For example, take the question of education. I have sometimes been asked why in East Africa the Indian community should not be content with just that standard of literacy, that percentage of literacy, which they find disclosed in the various annual education reports of India. Why do they want more education in Kenya than they would get in India? Now that comparison, it seems to me, is altogether beside the point, besides being utterly unfair. The Indian community in this country wish to become qualified to bear the responsibility of the burden of a higher order of citizenship.

It is often cast in our teeth that we are a poor race, that in respect of standards of life we come much lower than the European community, but as we wish in the colony of Kenya to make good, to be accepted as equal citizens under the same Sovereign and the same flag, we cannot be content with just that degree of education that poor India is able to afford to her many many millions.

How can we be fit subjects for the citizenship of Kenya if we are to be no better off in this country to which we have emigrated than we were in India? Sometimes it is asked: "Are you not doing better than you would be doing in India?" So we are, but did any community come here in order to be worse off than it was at home? (Applause.) Or only just as well off as it was in its own country? (Applause.)

MIGRATION.

Now it is the venturesome man in any community who migrates, and when he migrates he is the one who makes good and improves his status, and why should he not? What principle, I wish to ask, of the British Empire, what rule of equity, justifies anybody in saying to the Indian community: "You shall not be in Kenya or in South Africa any better than your compatriots in India?" If this was to be the case then we should put an end to all migration. Nobody would venture to go to any place to improve his prospects, and the human race would be a queer proposition.

Now it seems to me, therefore, that that argument too must be put aside and dismissed as unworthy of the citizens of the British Empire. If we can get rid of these two propositions, if we admit once and for all that the Indian community is here and must be allowed to remain here on equitable terms in a position to develop its own abilities to the utmost, and furthermore that no feeling of jealousy should be aroused in other communities if the Indian community also gets a fair share of the advantages of this young and growing colony—then when we get rid of these two fundamental grievances, then we can go on to the fundamental rights to which the Indian is entitled.

It seems to me, ladies and gentlemen, that we are not left without a guiding principle in this branch of our enquiry. What should the principle be? We are asked, and the natural answer it seems to me is afforded by the reply that Mr. John Cecil

Rhodes made in Cape Colony: "Equal rights for all civilised persons."

Now I do not see what grave difficulties there are in that principle that we should refuse to be guided by it in the management of Kenya. The former Secretary of State for the Colonies has admitted, and only recently Mr. Amery gave his homage to this principle, and expressed himself quite contented if in East Africa this should be enthroned as inviolable.

That takes us back to the franchise question, and I am of those who believe that when we are given votes on the civilisation qualification, it is perfectly possible to see that the franchise is so distributed that every voter more or less would be a valuable citizen, a prop and a support to a flourishing young colony rather than the reverse.

It was a test laid down for the High Commissioner when he should be appointed, that he should enquire into and lay out the precise basis upon which this franchise should be granted. Now that is a troublesome question. Above all things I must be fair enough to point out that the establishment of such a franchise would involve a withdrawal of the adult franchise both from the European and the Indian communities.

FRANCHISE BY CIVILISATION.

Now this principle of the franchise is a vital one, reaching to the very bottom of the foundations of Kenya. Whether upon Rhodes' principle the franchise will eventually be established for all civilised people is an event I dare not project, but if that could be done I really believe we should have discovered there the basis, the lasting foundation, of Kenya's welfare. But allow me on this point to say that I realise quite fully it involves what in political language is usually called "backward step".

It involves the surrender of a privilege that people have acquired, and it involves furthermore the recognition that this surrender is called for in view of a privilege owing to the whole community. That is the great thing; it is not always easy to get people to realise that they must sacrifice small things in order to compass the great, and if I could persuade the Indian community to surrender the adult franchise and accept the education franchise such as Mr. Amery has strongly recommended, I should have indeed got my people, and I should be proud of it, to set an example which might well be followed by the Europeans. But, as I said before, I must not be rash; I will ask both communities if I may to attack this and other similar problems in the spirit of fellowship and peaceful co-operation.

A SAD DIVISION.

Nothing has struck me more forcibly than the utter division now prevailing between the two communities. Mombasa is better, I understand, than Nairobi in this respect, but even Mombasa, you will pardon my saying, leaves something to be desired in this connection.

It seems to me that the tragedy of the situation lies in our not recognising that there can be no real progress, whether political, educational or social, where there is no social peace, where communities pull apart and believe that their best interests are served by isolation and not by unity. We must recognise that in the history of our race conflict between communities has always meant stagnation and decay; it has never meant progress. Constitutional advance, administrative amelioration, economic prosperity, all depend entirely upon this primary condition, that the communities have learned to live together as members of one organic whole and may not forget that they are members of that whole ex-

cept at the sacrifice of what is vitally important to all alike.

The children of one community, equally with the children of another, are the care and anxiety of the State. The health of the members of one community is equally with that of another community the concern of the State. Where these views are not held at the very bottom of the mind of the administrator and politician and statesman, there discord and disharmony are bound to prevail, and neither national efficiency nor prosperity but the opposite will be the result.

A COMMON PLATFORM.

Now may I ask European and Indian to learn that they are members one of another and that save by their community action Kenya cannot progress at all? May I ask them to realise this and to take the necessary steps for the establishing of mutual understanding and mutual co-operation?

That should not, it seems to me, be impossible. I am not asking that intermarriages should take place, I am not asking that our manners and customs should be made to coalesce and that all these frontiers should be more or less obliterated. That would be absurd, perhaps also it would not be profitable, if it could be managed, but believe me, ladies and gentlemen, on the common suffrages, on the common interests, on the general welfare of the community, on the laws that are made, on the way in which these laws are administered, on the way in which finance is managed, on the way in which revenues are raised and disbursed for the public benefit, in all these most important respects the community have only one point of view.

If they will recognise it and can come together upon the same platform, then not only their individual interests but their general interests also will be served and must advance. It is that point of view that I wish to impress.

In our literature the great national hero Rama is described in marvellous phrases by the greatest poet of all time. Do you know that among the virtues attributed to him the most striking is this: that "He spoke first?" He did not wait until another person addressed him, he stood not upon his dignity, or upon his rank, he came down from the high level, and in order that the timid and hesitant might be emboldened he spoke to him, he addressed the first word and relieved all his fear. Also it is said that in so speaking the first word and in putting people at ease he would enliven his countenance by a smile.

That is the ideal that I would recommend to you, fellow-citizens, who now enjoy in this colony the balance of political power and have it in your power to do the first noble thing. Stretch out your hand in amity and fellowship, smile and say the first words of peace and friendship, and you will find that my fellow-countrymen, however in their hearts they may be sad at the contemplation of grievances and disabilities, will not be slow to take several steps in advance and come forward to meet you on this platform of friendship, of co-operation, of common and earnest endeavour in making of Kenya a prosperous and contented member of the British Commonwealth.

I hope in that appeal I may include my fellow-countrymen also. You are by no means to wait until you are summoned to this temple of amity and friendship, but there rests upon you a more solemn duty than upon the Europeans to remember that in our sacred scriptures emphasis is laid upon the qualities of forgiveness and forbearance. Remember no wrongs, put them aside in view of the great future which alone can brighten the prospects of Kenya. In view of that great future remember the

solemn injunction of our ancient scriptures: remember no wrongs but be glad to the extent of your power in this work of pacification.

Come forward then, you who have friends among Europeans, and these also who, alas, are inclined to dwell all too exclusively upon the duty of coming forward, forgetting past grievances however difficult it may be, and take your place as citizens of Kenya, full of hope for yourselves and full of hope for the colony in which you have come to dwell.

ASIATIC LABOUR AT I. L. C.

MR. JOSHI'S SPEECH.

Following is a verbatim report of the speech made by Mr. N. M. Joshi as India's Labour Delegate at the twelfth session of the International Labour Conference in Geneva on the 7th June, 1929.

I am glad that once again I am privileged to come to Geneva for this Conference and to have an opportunity of passing in review the record of the work of this Organisation. I feel that the Director's satisfaction with the achievements of this Organisation is to some extent legitimate, and I offer my congratulations to all those who are responsible for its success. The number of ratifications of Conventions and the action taken on Recommendations by States Members show that they have responded at least partially to the demands of Geneva and that they realise that this way leads to their own safety.

The Conference is also becoming more representative. For the first time China has sent a full Delegation. For the first time I see in this Conference representatives of the workers of the Dutch East Indies and of French Africa. The success already achieved along these lines gives some indication of the more general prevalence not only of the aims and ideals associated with this international centre, but also of its methods. Geneva stands for the establishment of just and humane conditions of work by evolutionary and peaceful methods of discussion and persuasion. While fully appreciating the benefits of Geneva and its ideals and methods, however, we shall not be justified in lapsing into an easy mood of complaisance. We must not forget that the numerous ratifications to which I have referred are, for the most part, of minor importance not involving a serious change in the legislation of those States which are responsible for them. The ratifications of more important Conventions have been comparatively few and in spite of the fact that Geneva has been exercising its influence for nearly a decade there is still much to be done towards the establishment of just and humane conditions of work. This is especially the case in non-European parts of world. In my own country, which is not, I admit, entirely unaffected by the influence of Geneva, the conditions of life and work to a great extent remain the same for workers, as indicated by the rate of mortality, housing conditions, educational progress, want of provision against sickness, unemployment and old age. In this connection I have to draw the attention of the Director to the report on labour conditions in India which forms part of the Asiatic enquiry undertaken by the Office which is not yet published, and I hope that the Director will take steps to publish it as early as possible. May I also suggest to the Director that his Report should present rather a true picture of the existing state of things, uninfluenced by fear or favour of the Governments of these countries?

May I here digress a little and enter my emphatic protest against the attempt which Dr. Paranjpye, one of the Delegates for the Government of India, made the other day to divide the labour ranks by

pitting me against one of my respected comrades from Germany, Mr. Fortwängler, who two years ago visited my country to investigate labour conditions prevailing there, and placed a correct picture of them before the European world?

To resume my narrative of the labour conditions in Asia, may I say that even in Japan conditions are not actually very much improved? China, Siam and Persia have not yet made a beginning. Afghanistan and some other parts of Asia are not even touched. The imperial State ruling over a large number of Crown Colonies, several of which are vast, have not done much to discharge their responsibilities towards the workers living in them, as is evident even from the Director's annual Report. I may here draw the attention of the representatives of the French Government to the fact that at Pondicherry and other French possessions in India there is hardly any factory or labour legislation, and I hope that they will soon take steps to see that the conditions in the French possessions in India are at least brought into line with British India.

Leaving aside these details regarding conditions which need improvement, may I say that the Conference itself has to achieve an international character. Only a small section of the workers in Asia and Africa is represented in this Conference. South Africa sends a representative of but a small minority of workers. Defective as this Organisation is, and when much remains to be done, I regret to see in its atmosphere signs of retrogression. The spirit of progress which was visible at Washington seems to have almost disappeared. Some Governments have not only become reactionary in their attitude towards workers, but their efforts to reduce the expenditure of the International Labour Office, and even that of the League of Nations, in the name of economy is an indication of apathy, if not of hostility, to these Organisations. I regret that the representatives of my Government, perhaps acting as a handy tool of the British Government, participated in this reactionary effort in the last Assembly of the League of Nations. I feel sure that the workers of India not only do not want the expenditure incurred for this Organisation to be reduced, but they will be glad if the expenditure and activities of the Organisation simultaneously continue to increase.

As I see these signs of retrogression my loyalty to this Organisation and my duty towards those whom I represent compel me to utter a friendly warning. The dissatisfaction at the practical achievement of Geneva is growing. Geneva itself has created expectations in the hearts of the workers of the world which still remain to be even partially fulfilled. Moreover, the influence of Geneva is not the only influence which is affecting the imagination of the workers of the world, particularly those of the East. There is the other influence centred in Moscow, differing from Geneva in ideals and methods, which is making a strong appeal to their imagination by the grandeur of its promise. We must therefore seriously consider whether the results achieved so far by this Organisation are adequate to satisfy the workers and to strengthen the lines of peaceful and evolutionary progress. The "just and humane conditions of work" are still a far-off ideal. Ignorance promotes pathetic contentment, if left undisturbed. But hearts and imaginations having once been touched, it is dangerous to ignore the discontent. It is futile to argue that the translation of ideals into actuality is a slow progress. The slowness of evolution makes revolution attractive. The

workers of Asia and Africa will not wait for many decades to achieve what the European workers may have achieved in a century. Evolution must therefore be sufficiently fast and sufficiently substantial for its own safety. If the workers of these regions are to be satisfied merely by Geneva ideals being dangled before them and by very tardy and insignificant action, we shall not be justified in blaming them if they cannot resist the attraction of the grand though unrealisable promises of Moscow and what it represents. It is true that the results will be calamitous, but Geneva will not be able to absolve itself from its share of blame. Various Governments responsible for the government of these regions, including my own, are trying to arrest the growth of Moscow's influence by methods of repression whose failure can easily be foreseen.

I feel sure that my criticism will not be taken amiss. I am not a pessimist. It is my optimism and it is my faith in the ideals and methods of Geneva that lead me to urge upon you the necessity of strengthening our efforts to achieve our ideals in as short a time as possible. The visit of the Director to the Far East shows that he is alive to the situation I have described, and I hope this visit will produce some beneficial results. I must take this opportunity to express here my surprise that he should have omitted India from his tour. I cannot imagine that he is growing cold towards the workers in my country. Perhaps this omission may be due to the failure of the Government of India to extend to him a friendly invitation. If that is true—and I fear that it is true—I can only interpret the conduct of the Government of India either as an indication of the reactionary spirit which is coming over them in their attitude towards this Organisation, or to their incapacity to forget their ancient jealousies even in these days of the *entente cordiale*. But I hope that the Director will soon visit India, and may even be followed by my friend, Mr. Butler, the Deputy-Director. These visits, however, though very important, are not enough. We must give greater attention to the problems of the East and of the Colonies in the Conference itself. I am glad we propose to consider the question of forced labour in this Session. I hope questions regarding these neglected sections of workers will continue to come up every year. Let us make the Conference more representative, and let us quicken our pace. I hope in the next Conference the Crown Colonies will be represented by the representatives of the workers and I also hope not only the native workers of South Africa but even the Indian workers residing there will be properly represented. Let us not hesitate to take up the big problems. Let us also face the difficulties which are created on account of some of these parts of the world being subject nations and by the prevalence of the feelings of racial antipathy. I know by my own experience in India how the solution of social problems is made difficult by intense political feelings and racial animosities. I realise that this Conference cannot take up political questions, but it must certainly desire that these problems will soon be solved, that these difficulties will soon be overcome, in order that its own path may be smoothed and that the progress of its work may continue unhindered.

Mr. President, I thank you.

WANTED—Candidates for Telegraph and Station Master's Classes. Full particulars and Railway Fare Certificate on 2 annas stamp. Apply to:—
Imperial Telegraph College, Nai Sarak, Delhi.