

The Servant of India

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Topics of the Week.

U. P. Legislative Council's Remedy.

THE summoning by Government of a Conference of leaders of political parties with a view to suggesting means for a settlement of the present *impasse* has been recommended by the U. P. Legislative Council which discussed the matter last week. One of the important tasks of the proposed Conference will be to devise methods whereby Congress co-operation could be secured in the work of constitution-building. Though the resolution passed by the Council refrains from making specific mention of the Congress but only refers to "all parties" the reference is in fact to the Congress which is the only important political party that is not taking a hand in the elaboration of the future Indian constitution. A Conference such as the one suggested by the U. P. Legislative Council will, if it materialises, doubtless go a great way in making useful suggestions for resolving the present deadlock, but will come to nought unless both the Government and the Congress are actuated by a spirit of give and take, and a determination to arrive at a settlement. With important Congress leaders clapped in jail, there is no means of knowing how their minds are at present working; but the mentality of the Government is not such an unknown quantity. "No compromise" with the Congress is their watch-word—from the Viceroy to the juniormost Collector. So long as they are in this mood it is doubtful if the proposed Conference will really serve any useful purpose. With the Government determined to and confident of their ability to crush the Congress, the necessary atmosphere for such a Conference would seem to be lacking. Unless they recognise the need of Congress co-operation as an essential condition of the success of any constitution, they cannot be expected to fall in with the wishes of the U. P. Legislative Council or even with the conclusions that the Conference itself, in case one were called, would come to.

Working of the Ordinances in U. P.

THE administration of the Ordinances also formed a subject of consideration by the Council which emphasised the need of "greatest moderation and restraint" in that behalf. The willingness of the Government to accept this part of the resolution is an indirect admission of the fact that the use of the emergency powers vested in the executive by the Ordinances was not strictly limited to the minimum needs of the situation. Indeed Government spokesmen made apologetic references to the police excesses to which popular representatives had drawn pointed attention. The most flagrant of such excesses were, to mention only two, the closing down of the Congress hospital at Allahabad the reopening of which with a provincial medical service officer in charge the Government announced its intention of allowing and the order issued at Aligarh disallowing hired conveyances to people clad in Khaddar, which, the Government explained, was due to a misunderstanding. The resolution also pressed the need of a more sensible classification of disobedience prisoners. It suggested that these should as a rule be placed in class A, class B being assigned to them only for special reasons, and that utmost consideration be shown to women satyagrahi prisoners. The framing of such a hard and fast rule was, according to the Government, a matter of considerable difficulty in view of the class of people from which Congress workers were sometimes drawn. Whatever that be, there is no reason why this classification should in some cases give the impression as if vindictiveness had something to do with it—an impression confirmed by the same people being placed in a lower class during the present civil disobedience struggle than during the 1930 campaign. It is to be hoped that everything will be done to show that such an impression was groundless. It may be mentioned in passing that the number of civil disobedience prisoners in that province had mounted up to nearly 6,000 by the end of last month. That the U. P. Legislative Council could carry these resolutions against the Government and even without the Government challenging a division shows the universality of the feeling of condemnation of the present rule by Ordinances.

Use of Excessive Force in Madras.

A MEASURE of the extent to which the brutal handling of Congress workers by the Madras police has embittered public feeling against the Government is provided by the speeches delivered in the Madras Legislative Council by popular representatives in the course of the general budget debate. It was hoped that after the widespread revulsion of feeling engendered against them by the death of a Congress volunteer at Tiruppur as a result of the lathi charge to which he fell victim, the police in that presidency would learn to be more merciful in dealing with Congress workers; but the happenings in the city

of Madras within the last week have completely belied such expectations. On Thursday last two Congress workers went to picket foreign cloth shops in that city and were shortly after followed by the police who on finding their order to disperse disobeyed belaboured them with canes so mercilessly that the volunteers were forced to sit down owing to sheer physical exhaustion. The severe caning left many wounds on their bodies, but the police did nothing to render them first aid or to give them medical relief. Their condition happened to attract the notice of a lady passer-by who took them to the General Hospital in her car. As they were wanted by the Police Commissioner they were taken to his office in the hospital ambulance car. They were suffering from such acute bodily pain that though arrangements were made to take them in chairs to the Commissioner's room they were not removed from the ambulance car as it was apparently felt that it would add to their discomfort. The recording of their statements had therefore to be done in the ambulance car by the Police Commissioner who later sent them back to the Hospital under arrest.

As expected, the conduct of the police on this occasion was the subject of a volley of questions in the Madras Legislative Council when the Home Member admitted that even the Police Commissioner considered the beating of the two Congress workers "rather severe" and that an Under-Secretary to Government who also saw them soon after the incident took the same view of their treatment by the police. The matter is at present being inquired into by the Police Commissioner who seems to have assured the Home Member that in case he found that excessive force was used disciplinary action would be taken against the offending policemen.

Commenting on this incident, the *Times of India* remarks:

"... the latest allegations, coming as they do on the top of several others, are not calculated to reassure public opinion. Picketing is a public nuisance, but it is not a crime for which offenders may be beaten on sight. The Madras Government would do well to ensure in future that their subordinates clearly understand their powers under the ordinances so that there may be no more cause for complaints."

This case and that of another Congress volunteer who is stated to have been made to drink urine, to mention only two from amongst the Madras Police's worst lapses, make it necessary that such inhuman activities on their part deserve to be curbed without delay. The latter incident would really be incredible in these days were it not for the fact that a member of the Madras Legislative Council Mr. Indriah who, according to Mr. S. Vencatachalam, "could not be suspected of attacking the Government without justification", had made himself responsible for the statement.

* * *

A Suggestion to Bar Associations.

THE judgment of the Punjab High Court in what is locally known as the Anarkali Procession case deserves wider publicity than it has received so far. It would appear that on February 9 nine ladies accompanied by an equal number of men started in a procession "for the purpose of preaching wearing of khaddar." The procession was later on joined by large crowds and a magistrate who was accompanying it fearing a breach of the peace ordered it to disperse. During the one minute allowed for the purpose all except these original eighteen processionists left the place. These were arrested and subsequently tried, most of the ladies being sentenced to four months' rigorous imprisonment and a fine of Rs. 50.

The ladies being followers of the Congress which enjoins the boycott of law courts did not appeal against these, what were generally looked upon as, excessive punishments; but the Punjab High Court Bar Association interested itself in their case and filed an application for revision. In the course of the hearing the preliminary objection was raised whether the High Court had any jurisdiction to intervene, seeing that the ladies, the parties immediately concerned, had chosen not to appeal. Mr. Justice Duleepsingh who heard the application disallowed the objection and added: "It is not a question of any right of the accused or the *locus standi* of the High Court Bar Association, but the High Court itself has power in any case, to which its attention has been drawn, in any manner whatsoever, to interfere in the interest of law and justice." On the question of the guilt of the accused, while he upheld their conviction by the lower court, he regarded the sentences as "much too severe" and reduced them to the period already undergone, part of the period being regarded as being in default of the payment of fine. It is a pity that Congressmen should have imposed a self-denying ordinance upon themselves in the matter of appealing against magisterial excesses; but there is no reason why the different High Court Bar Associations should not be sleeplessly vigilant in the matter of drawing their respective High Courts' attention to any cases of injustice or excessive punishments that may happen in their province.

* * *

Plea for rule of law in Indian States.

IN his recent speech at Datia the Agent to the Governor General in Central India addressed words of advice to the Indian Princes which they would do well to inscribe on their hearts. In emphasising the importance of a well regulated judiciary to the well-being of the people the Agent looked "forward to the time—not far distant I fervently hope—when all the States in Bundelkhand will have a joint judiciary and a joint high court staffed by judicial officers of the highest importance." "The rule of law" he pointed out "was the first of the seven lamps of administration which Lord Irwin so wisely ordered the rulers of States to place before them as their ideal and if this lamp along with the others is kept burning bright the Indian States have little to fear for the future." Though more than four years have elapsed since Lord Irwin tried to impress upon Indian Princes the need of the establishment of the rule of law in their territories, very few would seem to have responded to his request to light even this first lamp, much less the other six. This is an interesting commentary upon all the talk about the progressive nature of the rule in Indian States which was indulged in by the representatives of the Princely order at both the sessions of the R. T. C. We associate ourselves with the congratulations which the Agent conveyed to the ruler of Datia upon having carried out the very necessary reform of the separation of judicial from executive functions. "There is no measure" he said "which has a more beneficial effect on the well-being of the people and of the administration than this". And yet is it not a wonder that even in spite of the strong agitation in favour of it on the part of Indian politicians for the last half a century such an imperative reform should not have been introduced in British India even after 150 years of British rule? We hope that at least the strong emphasis laid upon it by the Agent will make those responsible for its postponement see its desirability and induce them to carry it into effect as early as possible.

* * *

FUNDAMENTAL RIGHTS.

OPINION is not unanimous as to the necessity or even practical utility of a declaration of fundamental rights inserted in the constitution. Quite a large number of leading public men believe that real protection of such rights is afforded by statute. To seek to prohibit the central or provincial legislatures from passing any law calculated to impair these rights is, according to them, at least futile and may even be hurtful, since the prohibitory clauses in the constitution are found in other countries often to result in restraining the legislatures from pursuing a progressive policy in social legislation. But there is no denying that a large volume of public opinion is in favour of writing elementary rights of citizenship into the constitution. And when a federal constitution is being planned, which is necessarily a written constitution, a declaration of these rights is inevitable. However keenly divided expert opinion may be as to the value of such a declaration, one would have thought that there could be no question of applying the constitutional guarantees, if there are any, to some of the federating units, leaving the other units to deal with fundamental rights in what way they pleased under their own laws. Countries are to be found which assert these rights only in the statutes; on the other hand, a larger number assert them in the constitution. Some of these latter make their bill of rights very spacious, thus reducing it more or less to a statement of political or moral maxims which cannot all be translated into practice; others limit it strictly to rights which can be enforced. But be that as it may, there is no country in the world in which the national constitution recites the fundamental rights and yet excludes some of its citizens from the protection to be derived from such a recital. However, this is precisely what the Consultative Committee of the R. T. C. has decided to do. It is engaged at present in framing elaborate provisions to be embodied in the federal constitution for safeguarding citizenship rights in general and the rights of the minority communities in particular, but it has declared in advance that it does not intend the provisions to be applicable to the people even of those Indian States that will enter the federation. This decision is opposed both to common sense and to all constitutional precedents.

It is objected that in the federal constitution now being hammered out civil and criminal law will be a local concern in respect of the States, and that being so, the States cannot possibly hand over part of this subject to the federal court to administer. This objection however has no substance in it. If it were well-founded we should have found that wherever civil and criminal law is a local instead of a national concern, the constitution did not provide a bill of rights, but as a matter of fact it is not so. The U. S. A., which is a notorious instance of a country in which a subject requiring uniformity of legislation is put in charge of the states leading to a most confusing diversity, is also a leading

instance of a country where the utmost stress is laid upon constitutional guarantees of civil liberty. The states retain the power of legislation, but surrender it to the federal government to the extent required for the safeguarding of fundamental rights. A declaration of such rights imposes restrictions upon the legislative and executive power not merely of the national government, but also of the state governments. Following the same analogy, if our federal constitution is to embody a similar declaration, it ought to insure that the private rights of life, liberty and property shall not be infringed by the federal government, nor by the provincial governments, nor by the States' governments. That civil and criminal law is handled in the States by the States' governments is no valid objection to the private rights of States' people being protected by guarantees of individual liberty incorporated in the federal constitution. The States in India must consent to the surrender of power involved in this as the states in the U. S. A. have done. If they do not, it only means that they are not willing to have a proper federation, and British Indians must consider whether it is worthwhile to have a federation which in every respect is to be framed as would suit the States' rulers, however injurious it may be to the common weal.

As for the need of a declaration of rights for the States' people, it will be universally recognised that it is far greater for them than for British Indians. In British India a popular government will be in charge of law and order. Oppressive action against individuals will there be possible only if the elected representatives of the people in the legislature are willing to condone it. A declaration of rights would therefore be useful in British India only to prevent a subservient, even if a popular, legislature from condoning such action. But where, as in the States, legislatures do not exist at all or where popularly elected representatives have either no place or power in them, private rights of citizens have to be protected not only against the subservience of a popular legislature, but, first and foremost, against the autocracy of the rulers. The case for a federal guarantee of individual rights in British India may be more or less academic, but in Indian States it is far from academic. There is no denying this, but the final question is whether British Indians will exert any pressure at all upon the States to agree to such a guarantee, let alone making it a condition precedent to federation. Even for a casual observer of the Federal Structure Committee's proceedings in London, it would be too much to expect that they would exert any pressure. If the declaration of rights to be inserted in our federal constitution is made inapplicable to Indian States, British Indians will not suffer in the least. The only people who will suffer are the people in the States. If politicians in British India therefore fight for the extension of the federal guarantee of civil liberty to the people in the States, it will be an act of disinterested altruism on their part. Are they capable of this? The rulers of Indian States will send

into the federal legislature their own nominees. If British Indians do not quarrel with this arrangement, if they agree to have their own legislature filled with nominees of autocratic governments, if they are unequal to protecting their own interests, is it likely that they will raise their voice effectively in a matter which does not concern themselves? They seem to have made up their minds that the enemy they have to fight is not autocracy irrespective of the colour of the skin where it resides, but the Britishers because they wear a white skin. Even the Mahatma is not free from this common weakness: the Princes to him are national heroes deserving high praise, his condemnation being reserved for the foreign villain.

ORDINANCE RULE.

SIR Samuel Hoare's speech in the India debate in the House of Commons was devoted mainly to a justification of the Ordinances and other repressive action that is being taken by Government to meet a threat of the renewal of civil disobedience by the Congress. The justification proceeds on the usual lines. The Congress threat was wanton and had no other basis than the war psychosis of the Congress leaders. The Government in the circumstances had no alternative but to put down the Congress movement with all the resources at its command, and this it was doing not merely in its own interest but in the interest of all future Governments in the country. For, whoever be in the position of the Government would always be compelled, when faced with a nation-wide movement of civil disobedience, to repress it with a strong hand, and the stronger the hand the sooner would the necessity of coercion disappear and therefore the better it would be. The extraordinary powers that the Government had taken to itself were admittedly very drastic: it could not be otherwise in the circumstances. The Congress considered itself at liberty to break all laws and to do all acts calculated to make government impossible. The answering action on the part of the Government must surely be equally comprehensive. The Indian public has therefore no right to complain that the Government has now armed itself with extensive powers. It would only have a legitimate grievance if these powers were used indiscriminately. On this point the Government's orders were strict; as remarked by the Home Member in the Legislative Assembly on 1st February, "In proportion as those powers are drastic, so we recognise the necessity that they shall be administered with the strictest discipline and with the greatest moderation and restraint. That has already been enjoined upon the Local Governments who themselves are dealing with that spirit."

Such is Sir Samuel Hoare's defence. We have dwelt often enough in the past few weeks on the circumstances in which the Congress resolution on civil disobedience was passed and on the sweeping character of the Ordinances; but we might at this stage consider any possible justification for Sir Samuel Hoare's denial of the criticism "that the authorities were abusing the powers they

possessed, that they were using them ruthlessly, and that they were using them in such a way as not to deal with an actual emergency, but also as to suppress the legitimate expression of public opinion." That this criticism is well-founded can be best proved not by reciting the police excesses and atrocities which are reported in newspapers, for it can always be said, where the atrocities are not claimed to be "manufactured", to use Sir Samuel's phrase, that the particular circumstances in which the allegedly excessive force was used, justified and required the use of that much force. Even where the employment of excessive force can be proved, it may be said in defence that the individual police concerned are to blame and not the Government or its policy. For instance when on 26th January Mr. Arogyaswami Mudaliar complained in the Madras Legislative Council that the picketers when running away were caught and beaten, some of them on the head, till they fell unconscious, in order to prove that the maximum amount of force was used when no force was necessary, Mr. F. E. James argued: "(If picketers are to be forcibly dispersed) who shall measure the amount of force that is actually necessary? There is of course no doubt that in a situation like this it is possible for the existence of abuse. It is possible for the officials, the subordinate officials, from time to time to exceed the amount of force that is actually necessary in dispersing picketers. In a huge force like the Police force in a great country like India, it is obviously impossible to expect every officer to act within perfect limits. But I say that the responsibility for any misuse which may have occurred rests with those who have provoked the use of this arm of the law. Upon them and upon no one else should this responsibility rest."

Police excesses are always difficult to bring home in a conclusive manner. We shall therefore leave them alone for the present and would substantiate the truth of the criticism which Sir Samuel Hoare denied by instancing such action as the Bombay Government has just taken against the *Week* in calling upon that journal to deposit Rs. 2,000 under the all-pervasive Emergency Powers Ordinance. This notice was certainly not issued by the subordinate officials of Government; it must have been done by the higher officials in pursuance of the Government's policy. Speaking with particular reference to the Indian Press, Sir Samuel Hoare observed that the action taken against it under the Press Act and the Ordinance had been designed to one purpose alone, namely, to stop incentives to disorder and terrorism and not to stifle expression of public opinion. Was a security demanded from the *Week* because it was found to incite people to disorder and terrorism? The offending paragraphs, that is to say offending in the eyes of the Bombay Government, have been pointed out; they are before us at this moment. One is a criticism against the uniform policy of all local Governments to let civil resisters out of gaol under certain conditions, one of them being that they shall report themselves to the police periodically. There is nothing in the

Week's criticism which has not been repeated in other papers and which we would not if necessary repeat today. The criticism is perfectly cogent and sound. It is certainly wrong to say first that the persons were released on parole and then that they were punished for breaking parole. They never undertook not to engage in civil disobedience or to report themselves at the police-thana. Such an undertaking was not even demanded from them. It was a unilateral act on the part of the Government, who imposed a certain condition upon them and set them at liberty, without ascertaining whether the condition was or was not acceptable to them. To suggest therefore that the civil resisters, in breaking this condition, were guilty of something dishonourable, as is implied in the phrase "breaking parole", is to make a false insinuation. In respect of the condition imposed the *Week* has said just what every other paper has said, viz. that it is a humiliating condition. Sir Phiroze Sethna himself says that "one could hardly expect any self-respecting individual to give an undertaking of the kind that was demanded." If the *Week's* comment is to be interpreted as an incitement of the people to a breach of the Government's order, then no nationalist paper will escape punishment, not certainly the SERVANT OF INDIA. In the second paragraph, the *Week*, basing itself on a comment in the *New Statesman and Nation*, only points out how readily the Government resorts to repression leading inevitably to a few broken heads and even loss of life, when it could have pursued the path of negotiation. If to ban such criticism is not to stifle public opinion, we should like to know what is.

And what is the record of the *Week*? It is not a supporter of civil disobedience. If it were, its editor would be the first to put the policy into effect and dare the law to do its worst upon him. It has with rare courage criticised the Congress and its doings whenever it considered them to be wrong. But, unlike the average Anglo-Indian paper, it does not reserve its condemnation exclusively for the Congress. It would not carry the slightest weight in the country if it did. The Government too occasionally comes under its lash; but its criticisms, however pungent, never proceed from malice or ill-will. It is an exceptionally good specimen of what independent journalism should be; and those who know how hard it is to conduct a really independent paper in India, neither burning incense to popular idols nor always girding at the Government, will never cease to deplore the loss which the country has sustained by its discontinuance. It is in any case preposterous for Government, in face of its action against the *Week*, to claim that it is using its repressive powers with discipline and restraint. For the editor prefers to stop the paper rather than make it subservient to Government's policy and thus incidentally gives an example to the so-called civil disobedience papers as to how civil disobedience can really be practised.

Our European Letter.

(FROM OUR OWN CORRESPONDENT.)

GENEVA, February 20.

THE SITUATION IN EUROPE.

IN my last letter, I argued that the opposition between 'moral' and 'military' sanctions with regard to the League was more apparent than real for all practical purposes, (although it might sometimes serve to bring out an important distinction of principle), that the Anglo-American thesis which prevailed in drafting the Covenant had for its material context a common Anglo-American policy and the support of the British navy for the League. I also argued that the return of the United States to the isolationist policy and her persistence in it, the change that has come over the world in its attitude towards Great Britain and the doubts about the ability of the British navy, in the conditions of to-day, to act as the sole custodian of world peace and the demonstration of the unsuitability of the present League machinery for the defence of world order in the Sino-Japanese dispute had the cumulative effect of undermining the League's influence as a basis of security.

Such a feeling has naturally given rise to a desire for the reorganisation of the League on a surer functional basis and the French proposals might be regarded as a contribution towards a reorganisation scheme. The French plan, as it is, does not, it is true, remove any of the old difficulties inasmuch as it is almost impossible in the present state of public opinion in the various countries, to make any one of the powerful nations put forth its forces for the defence of world order, in a dispute which does not affect its own interests. If the old Anglo-Saxon insistence on 'economic sanctions' overlooked factors such as the probable existence of powerful communities outside the orbit of the League, the difficulties arising from the uncertainty of the law relating to the freedom of the seas and of arriving at a general agreement concerning the aggressor in a specific dispute involving a Great Power etc., the French idea of arming the League errs in the direction of exaggerating the possibilities of achieving unity even within its fold. The French proposals in reality amount to no more than attributing to the French forces a power at least as great as was ascribed in the original plan to the British navy in the political organisation of the world.

Viewed in this light, as reinforcing Britain's support to the League and not as a positive and final contribution to its reconstitution the French proposals need to be further considered. There has been a significant change in the attitude towards them in Great Britain during the last few days, a change that has coincided with a similar change in Great Britain's position with regard to the Far Eastern crisis. Far from being summarily rejected as an impossible plan, for setting up a hegemony, the French proposals are receiving careful and even sympathetic consideration in influential quarters. There are three factors to be borne in mind in connection with these proposals; firstly, that for political organisation theoretical perfection is an entirely secondary matter and the regard for the end to be attained is a compelling force; secondly, there is only one possible way of bringing about disarmament—that of increasing security, which cannot be done by political sermons as the psychology of fear does not yield to words in any clime; and thirdly, in political controversies in

general one has to guard against the tendency of taking any statement too literally.

Neither the justification for, nor the criticism of, the French position can be comprehended until the present situation in Europe is fully grasped. That situation forms the background of every thought expressed at the Disarmament Conference and every proposal put forward there. The outstanding features of that situation still are the unrest in Russia and in Germany and there is a widespread feeling that the latter is at present an incalculable factor. Statesmen, when they seriously set about the task of political planning, still treat these two regions as mysterious and something to be dreaded. They do not include them in their reckonings. Their thoughts are almost exclusively given to the erection of forces which will be powerful enough to deal with anything that this uncharted part of the political map of Europe will produce. It is unnecessary to enumerate the reasons for this feeling as regards Russia. Until the Russian experiment ends in some definite results and the relations of the Soviet with the outer world can be envisaged with some degree of certainty, there is no prospect of improvement in this respect.

It is otherwise with Germany. There events are still in transition and the attitude of France and England towards this country will have considerable influence in shaping its future. It was not a little unfortunate for Europe that following upon the evacuation of the Ruhr came the economic depression. Public opinion in France, which has been moved to support the evacuation, only as the result of considerable effort on the part of those who upheld the policy of conciliation, had been led to expect a corresponding recognition of the efficacy of gradualness on the other side of the Rhine. Instead, the death of Stresemann, the proposal for Austro-German Customs Union and the effects of the financial and economic crisis that overtook the country so rapidly had repercussions, which produced not only a profound disillusionment in France but the fear that the extremists in Germany were acquiring power. Recent political events have served to deepen this fear and it has now become nearly impossible to talk of Franco-German reconciliation except with some Frenchmen and Germans who habitually reside outside the land of their birth for the sake of their livelihood.

Even in England, where there is a certain sympathy for Germany, there is a perceptible effort at present not to manifest that sympathy too openly for fear that such encouragement may have the regrettable consequence of making the audacious elements in Germany altogether reckless. Moreover, Great Britain is obviously in need of French support at this juncture and the old policy of balance of power has become clearly inapplicable.

The only other way of restoring the tranquility of Europe is to reinforce the power and prestige of the League. Whatever may be the ultimate evolution of the society of nations which the League represents, those that want it to prevail and are desirous of maintaining the continuity of its tradition must combine their forces, merge their interests and present a common front to those who would break it up, however laudable the intentions of the wreckers may be. Even in the most optimistic days of the Peace Conference, as I have pointed out, the League was not expected to fulfil its functions with the aid of moral forces alone, and in these precarious times, it cannot thrive on mere propaganda. It must have crusaders to defend it. Its most powerful members are France and England and the implications of the Reparations

issue as well as the Far Eastern crisis are such as to bring England and France together and both to the League. Anglo-French understanding is necessary not only in the interests of England and France but of Europe in general. There are few Germans, even among those who are indignant about existing circumstances, who resort to extreme remedies except in despair. There are many in England and France among the advocates of the maintenance of some sort of order in Europe in face of the rising tide of uncertainty, who are well aware that it is not enough to point to the past and attempt a judicious estimate of the blame for the present. They know that *status quo* is a sterile conception as a final formula and the time for a change has come. Several of the statesmen gathered here secretly avow that unless new institutions are evolved and dynamic conceptions take the place of the habit of reverting to the old order, confusion awaits them. But these statesmen are only individuals with restricted mandates, responsible to the public opinion in their respective countries. Their democracies hold them back and these can be pushed forward towards disarmament only if security is established. In the world as it is constituted to-day, the feeling of security can be infused only by a common front being presented by those nations who have the greatest power in the name, and on behalf, of a universal institution. The progress and further evolution of that institution, important as these questions are, are the work of to-morrow and must await its establishment and defence.

Reviews.

THE I. L. O.'s ACHIEVEMENTS.

THE INTERNATIONAL LABOUR ORGANISATION. THE FIRST DECADE. (Published for the International Labour Office, Geneva, by Allen & Unwin.) 1931. 25cm, 382p. 12/6.

SOME time ago this journal had occasion to review a symposium written by the officials of the League of Nations Secretariat, setting out in objective form the achievements of the League during its first decade of activity. The work was admirably done, but its reviewers were unanimous that, in so far as it left out of account the achievements of the International Labour Organisation, it was incomplete and had to be supplemented by a companion volume devoted to the social work which the I. L. O. has been so successfully undertaking ever since its inception. The volume at present under review is the outcome of that unanimous demand.

The appeal of the I. L. O. is perhaps even more universal than that of the League of Nations. It is beyond doubt the only institution which is devoting itself to the interests of all sections and classes of humanity, and its basic principles of social justice and equality of opportunity command a deeper allegiance and evoke a more spontaneous loyalty than the high, but till now somewhat ineffective, principles embodied in the League's Covenant. The Sino-Japanese conflict has demonstrated that some of the leading members of the League are not always ready to honour their commitments; and however unjust it may be, the *defaillance* of certain countries at the present crisis has had its characteristic reactions on the League itself. Besides, the political issues which take up such an overweening part of the League's attention are mostly European issues with which the rest of the world is not primarily concerned. The same criticism, however, cannot be made of its social and economic activities; and it is because the I. L. O.

s coming to be looked upon as the "social counterpart of the political League that it commands the prestige which it enjoys to-day.

The book under review is divided into four parts. The first deals with the structure and functions of the I. L. O., the second with the nature of the work it has undertaken and the social classes affected, the third with the results as evidenced not only by the number of ratifications of the Geneva Conventions but also by the unconscious but, none the less, remarkable manner in which even unratified Conventions have affected national legislation and, the fourth, with the relations the I. L. O. has established with Governments, workers' and employers' organisations and various other social institutions. It would obviously be impossible to treat within the short compass of a review of the varied and fruitful activities of the I. L. O. which are dealt with in this remarkable book; we are, therefore, compelled to refer the interested reader to the volume itself for enlightenment as to the I. L. O.'s methods of work and the results achieved. But it must be remembered that this volume is something more than a mere recital of dry-as-dust facts. It is, as Monsieur Thomas says in his Preface, "a confession of faith." The cook, it is often said, is no judge of his own broth; he is too much concerned with the minutiae of the cuisine to appreciate properly the flavour of his own dishes. But here we have an enthusiastic band of international *chefs* explaining their various culinary processes and finding that their taste has not by any means been spoiled by the fumes of the kitchen. "Surely," as Monsieur Thomas says, "surely among all the voices raised in praise, or it may be, criticism, of our work, it is but right that a voice from within the office should be also heard. It is this voice which finds expression here—a discreet, perhaps somewhat colourless voice,—the voice of officials. . . We can say with joy and pride that in these ten years the conviction and enthusiasm of the staff of the I. L. O. have never failed or weakened."

In a volume which is so full of shrewd suggestions and wise reflections it is hard to select any as being the most practical or the most imbued with generous sentiment. It will suffice to say that the plain and unvarnished account of the rigorous examination of their own work by certain officials of the I. L. O., who for obvious reasons, have preferred to maintain their anonymity does not lose charm in the telling; for these suggestive pages reveal all the actions and reactions which go to form the net-work of social progress. To us in India, particularly, far away from Geneva, these pages bring a message of ardent hope. We are now on the threshold of political democracy and the question that is uppermost in our minds is how we might purify ourselves in order that democracy in this country may prove itself to be really the harbinger of social equality and distributive justice. The influence of the I. L. O. on our own legislative activity has been of the greatest practical value; for it is not a mere accident that almost all the great progressive steps in Indian social legislation have been taken after the establishment of the I. L. O. Thus, in the I. L. O., we have an ally of the greatest efficacy, in the difficult task of redeeming from their helotry the enormous masses of the working class population in this country and enabling them to play their own part in the political system which is now being created. Viewed from this angle, the intimate connection between the work of the I. L. O. and our own political progress becomes clear.

In conclusion, the reviewer has to confess that he has found nothing to criticise either in the mode of presentation of the social philosophy which is explained in these pages or in the work which has been

built on the basis of that philosophy. A non-official account would have been more enthusiastic in tone and more interspersed with laudatory remarks; but the serious student of social affairs will not reckon their absence a defect. For we have here a faithful balance-sheet of the I. L. O.'s activities during its first decade—a period rich in events, prolific in experiments and fruitful of results which justify the most sanguine optimism of those who drafted Part XIII of the Treaty of Versailles.

K. E. M.

ELEMENTS OF LAWS OF ENGLAND.

AN ELEMENTARY TEXT-BOOK OF THE LAWS OF ENGLAND. (2ND EDN.) BY ALBERT HENRY RUEGG. (Allen & Unwin.) 1930. 22cm. 194p. 7/6.

OF the arts of life law is the highest; nay, it can even be considered to be the measure of civilization. Narrow and immediate good is what the savage strives after, while with civilization our conception of good becomes wider and wider. We learn gradually to subordinate the craving for the narrower to the greater and more abiding good. This in fact is the ultimate source of all law. It is an instinct common to all races and hence alone has civilization become possible.

In practice however we attach greater importance to the arrangements by which this common instinct is clothed with authority and is made definite. So that only the principal rules which are effectively enforced go under the name of Law while the rest are merely considered to be social arrangements. There is no doubt a dividing line between these two; but both derive their value for mankind from a common source viz their capacity of improving the conception of good.

It will thus be seen that the study of law is not merely a professional study, but also a cultural study of the highest importance; and it was so accepted in the earlier days of university education. The study of jurisprudence or even particular systems of law was considered necessary for the make-up of a refined gentleman. Latterly however only professional men interest themselves in the study of this subject.

From a practical point of view also a grounding in the elements of this subject seems necessary in these days of laws, more laws and still more laws. There is no department of life where one has not to conform to numerous laws and rules and bye-laws and ordinances. It is as well therefore that one should know what they are, how they are made and enforced. An accurate knowledge of all details is certainly out of the reach of ordinary citizens. Even professional lawyers do not claim to possess the whole of it. But the broad outlines can be easily learnt even by the man in the street. And though he may not be able to say what the law is in any particular instance he will know what it is likely to be. This should be quite enough.

With this twofold view—practical utility and cultural value—Judge Ruegg has prepared this book. Whether it will be used as a text-book just yet one cannot say. But there is no doubt that it deserves to be so used. In India also we should add this as a voluntary subject both at the elementary and the higher examinations. Suitable hand-books of Indian laws will then be forthcoming without much difficulty.

B. R. DAMLE.

SHORT NOTICES.

ECONOMICS. AN ELEMENTARY TEXT BOOK. By W. J. WESTON. (Gregg Publishing Co., London.) 22cm. 208p.

TIME was when Economics was essentially a subject taught only to the students in the B.A. and M.A. classes of the Indian Universities, but during the last decade attempts have been made in a large number of Upper India Universities to begin its teaching in the Intermediate stage. This is really difficult work, but it becomes far more so when Marshall's book on the Economics of Industry is put into the hands of the candidates. The performances of the students at the examinations then become an intolerable absurdity as they do not understand what they write about. The paucity of suitable text-books for the young is one of the vital causes of such a catastrophe. But with the progress of demand the supply also is keeping pace. Weston's Economics is a valiant attempt at making the subject as easy as it is possible to make it within a short compass. The reviewer would unhesitatingly recommend the use of this little book for the Intermediate classes of our Universities. The author says in the preface:—"The aim throughout has been this: to give the learner a wish to think upon economic problems and some material to think upon. Each lesson has its exercise. The exercise calls for more than a paraphrase of part of the lesson. It calls for independent thought. At any rate it has been devised to do this."

The author who has had considerable previous experience in the get-up of text-books has undoubtedly succeeded in making his exposition clear for the young student who begins his study of Economics. The book is well got up and the publishers ought to be congratulated for their service.

S. V. AYYAR.

THE ORIGINAL PROGRAMME OF THE THEOSOPHICAL SOCIETY AND PRELIMINARY MEMORANDUM OF THE ESOTERIC SECTION. By H. P. BLAVATSKY. (Theosophical Publishing House, Madras.) 1931. 18cm. 75p.

THIS book embodies a controversy between two gentlemen, Mr. M. M. Chatterji and Mr. A. Gebhard and Madame H. P. Blavatsky, the founder of the Theosophical Society. The gentlemen point out that the Theosophical Society "has laws without sanction, a legislative body without legality, a parent society without existence and a President-Founder above all rules." Madame Blavatsky comes out with a reply which, though it may be satisfactory—a kind of Magna Carta—to the theosophists, cannot convince those who are outside its pale.

N. S. KRISHNAMURTHY.

Miscellaneous.**THE GOKHALE DAY CELEBRATION.****R. B. K. V. SETHA IYENGAR'S SPEECH.**

The following speech was delivered by Rao Bahadur K. V. Setha Iyengar, in connection with the Gokhale Day celebration at Madras on Feb. 19:—

It is a privilege to share in the atmosphere of this annual pilgrimage to the shrine of one whose

life gave a unique exaltation to public work in Indian national life. For a whole generation Mr. Gokhale strode through the public of the country like a second Colossus. Wherever Gokhale went he brought light and strength and enthusiasm where before there was darkness, despondency and weakness. By precept and by example he taught the country the correct values in public work and set up right standards for the guidance of public workers. He was truly a great path-finder. More than many others he discovered the path for the promotion of national fitness and prosperity which all could tread with usefulness and safety. I do not think I shall be far wrong in saying that in his plan emphasis was evenly distributed between the method and the goal in public work.

He has bequeathed to the country an undying tradition in public work. In many forms and for many purposes that tradition has helped to stimulate effort. It is a tradition which enshrines the simplification of wants and the scorning of delights. It is a tradition which places country before personalities. It is a tradition which recognises the great importance of discipline and training for public workers and their great potency for leavening the public life, wherever they go. To this day his name is a perennial source of inspiration to every aspirant for public work in the country. As a dynamic tradition you find it to-day in the institution which rightly goes under the name of Servants of India and which wherever it exists and wherever it is functioning has been a real temple of public service.

The Servants of India have given the country broader and keener vision of the possibilities of public work. They have brought courage and patience, indefatigable industry and expert skill in the tackling of public problems. They have stood for a robust patriotism which enables one to temper zeal with discretion and for an unquenchable optimism of outlook. Long may Gokhale's name continue to inspire the public life of India and long may Servants of India, whether in the Society or out of it or doing the same work without the name, tread in the footsteps of him of whom it can be truly said that he has left indelible footsteps in the sands of time.

BOOKS RECEIVED.

ALBERT KING OF THE BELGIANS IN THE GREAT WAR. By LT. GEN. GALET. Translated by Sir Ernest Swinton. (Putnam, London.) 1931. 25cm. 341p. 25/-

GERMANY'S ROAD TO RUIN. The Middle Years of the Reign of the Emperor William II. By KARL FRIEDRICH NOWAK. Trans. by E. W. Dickes. (Putnam, London.) 1932. 25cm. 382p. 21/-

RISE OF THE PESHWAS. By H. N. SINHA. (The Indian Press, Allahabad.) 1931. 24cm. 255p.

A LAST CHANCE IN KENYA. By NORMAN LEYS. (Hogarth Press, London.) 1931. 23cm. 173p. 8/6.

THE POLITICS OF NAVAL DISARMAMENT. By GIOVANNI ENGELY. Trans. by H. V. Rhodes. (Williams & Norgate.) 1932. 23cm. 301p. 15/-

LANCASHIRE AND THE FAR EAST. By FRED A. UTLEY. (Allen & Unwin.) 1931. 22cm. 395p. 16/-

CIVILIZATION AS DIVINE SUPERMAN. A Superorganic Philosophy of History. By ALEXANDER RAVEN. (Williams & Norgate.) 1932. 22cm. 240p. 12/6.

ECONOMICS. An Elementary Textbook. By W. J. WESTON. (Gregg Publishing Co., London.) 22cm. 208p.