

The Servant of India

EDITOR : P. KODANDA RAO.

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Topics of the Week.

No Extension for the Assembly.

RECENT press messages from Simla indicate the possibility of a general election of the Assembly early next year. The news certainly lacks official confirmation, but promises to turn out well-founded. If Federation was shortly coming as was fondly imagined in some quarters, an extension of the Assembly's life till its advent would have been quite in the fitness of things. For this no parliamentary legislation was needed, the Governor-General's power to grant the central legislature a longer lease of life than its statutory one being in no way limited under the present Government of India Act. But owing to the unexpectedly protracted nature of the proceedings of the Joint Select Committee and the need for it to dispose of the Burmese problem along with the Indian, there would appear to be no immediate prospect of Federation materialising. Indeed advices from England mostly agree on fixing 1937 as the year in which Federation with central responsibility would begin to function. With the prospect of the new constitution being in working order at the centre so far removed, it is but the proper thing to arrange for a newly elected popular chamber of the central legislature to come into being as soon as possible. We earnestly hope this will be brought about without avoidable loss of time.

As unmistakably proclaimed by public opinion, the present Assembly owing to its antiquated nature oftentimes fails to be a faithful reflector of the state of public feeling in the country. No better proof of this is needed than its readiness to serve as a handmaid to Government in endowing the obnoxious ordinances with the dignity of the law of the land. It is inconceivable that with a lower chamber more in touch with public opinion and more keenly alive to its sense of responsibility for the public good this would have been so easily possible. There is therefore every-

thing to be said in favour of a general election and everything against the continuance of the present Assembly. If the election is timed to take place after the Joint Select Committee's conclusions are known, it would afford a convenient means of sounding public feeling about the proffered constitution. It is a matter of common knowledge that even moderate opinion, not to mention that which is officially dubbed as "irreconcilable", is by no means united in looking upon the new constitution, with its endless safeguards and special and discretionary powers for the Governor-General and Governors and other objectionable features like second chambers in provinces and appointment of non-elected ministers in provincial cabinets, as an unquestioned advance on the existing order of things. The election, if it took place, as suggested, after publication of the Joint Select Committee's report, would provide a measure of how widespread was the public dissatisfaction with the new constitution.

Protection for Proprietary Rights in Land.

MR. N. M. JOSHI'S recent speech in the debate in the Legislative Assembly on a resolution demanding a constitutional guarantee that "proprietary rights of any citizen in land should not be taken away for any reason whatsoever, without payment of an adequate compensation" seems to have been misunderstood in some quarters. As explained by him in a press interview subsequently, the main point of his speech was that there should be no constitutional limitation imposed on the powers of the future Government in the matter of the acquisition of land, by the Government, for public purposes. Mr. Joshi added :

"There is no such constitutional limitation imposed upon the powers of the present Government, and we should not show less confidence in the future responsible Indian Government.

It is not suggested that any future Government should avail itself of the method of expropriation without compensation as its ordinary policy. But there may arise cases when compensation need not be given.

If the principle that no proprietary rights in land can be taken away without compensation is accepted, this will prevent efforts to improve the position of tenants. The proprietary rights in land may include the relationships between the landlord and the tenant, and if the future Government intends to give the present occupancy tenants or tenants-at-will an improved status, the landlords may demand compensation—a result which very few people desire.

The present Government of India have not paid compensation whenever they have passed tenancy legislation.

Again if once the Government's power, as regards proprietary rights, is challenged in the case of land, it is bound to be challenged in other respects also, as is already done in the case of commerce.

The Indian public will never agree to the payment of compensation in case of restrictions placed upon certain sections, in the matter of commerce and industry, even where such restrictions are bound to cause loss to those, who have already acquired certain vested interests."

* * *

Retrenchment in Bombay and Bengal.

A STATEMENT of further action on the Reorganisation Committee's report was recently supplied to the Bombay Legislative Council. It shows that the immediate saving expected as a result thereof will be about Rs. 24 lakhs and the ultimate about Rs. 76 lakhs. Very nearly half of this will be accounted for by the proposed revised scales of salaries for Government servants. The Committee's recommendation about the constitution of administrative boards at head-quarters has been rejected. To establish such boards would, it is stated, lead to "enhanced cost", without the compensating advantage of either administrative efficiency or convenience. This implies the obvious corollary that the Committee's suggestion for the reduction of one divisional commissionership which hung upon the formation of these boards has also been found unacceptable. With the proverbial unwillingness of the Indian Civil Service to allow any posts reserved for itself to be reduced and with the formulation of Government's decision on the matter largely in the hands of the members of the Service, it cannot be wondered at that a smaller number of Commissioners than the existing three has been found impossible. In Bengal too where the Retrenchment Committee had proposed a reduction of two out of its five Commissionerships the Government has flatly refused to give effect to it either wholly or partly. In the United Provinces, however, it is observed that one Commissionership has been marked out for abolition. All which shows how irresistible must be the pressure of public opinion if these posts generally considered to be a fifth wheel in the coach are ever to become matters of history.

Though in Bombay the strength of the Cabinet could be reduced from 7 to 4 without any breakdown of the administrative machinery, in Bengal on the other hand, with an admittedly lower standard of administration, the proposal of the Retrenchment Committee for a reduction in the size of its Cabinet has been turned down. Not that this decision has anything to do with the amount of work actually thrown on the Executive Councillors and Ministers. As is well known, it has been dictated very largely by communal and racial considerations. It would indeed be difficult to prove that the members of the Cabinet are so terribly overworked that any addition to their duties would place an unbearable strain upon them. But cost is apparently no consideration where as e.g. in Bengal a particular communal balance is to be maintained, a very practical illustration of how communalism is prejudicial to public interest.

In Bengal the Governor's expenses will be reduced, among other things, by reducing the number of musicians in his Band establishment and by appointing as commandant of his Bodyguard a military officer of a lower status than at present. Unless we are greatly mistaken, some reduction of expenditure on these items has been effected in Bombay too. Whether the result is achieved by identical action or by other means is a matter of indifference to us. What we are more immediately concerned about is why in these days of extreme financial stringency, instead of effecting small economies on them, the items themselves are not altogether done away with. Such a course has been favoured not by Indian opinion alone but even by sections of European opinion which looks upon both the Bodyguard and the Band as costly superfluities. The Bodyguard had perhaps

something to do in less peaceful times when the Governor needed personal protection both at the head-quarters and while on tour, but now has no work except on ceremonial occasions. As for the Band the services of the band of any military regiment stationed at provincial capitals would as suggested by a former Commander-in-Chief, be at the disposal of the Governor at a moment's notice. There is thus no sense in continuing such establishments which constitute a heavy drain on the public purse.

* * *

"A Time for Steadiness."

COMMENTING under the above caption on the foul murder of Mr. Burge, District Magistrate of Midnapore, the *Statesman*, after calling upon Europeans "to establish in their hearts and minds the habit of thinking upon the problem of what causes these murders and how they are to be prevented" apart from "mere outbursts of indignation" and "the demand for vague strong measures", says:

But law and order are one thing. Constitutional reform is quite another. The Viceroy has a dual policy, and we would ask the average European to reflect deeply on the ultimate problems of India's Government. The Royalist executive as soon as it began to devote itself to the question soon discovered that there must be very deep reasons indeed which lead every Viceroy to advocate reform and realize that Indians have now a tremendous permanent grievance in the attempt to govern India from Whitehall. Moreover, despite the nitwits of the *Daily Mail*, it just cannot be done, and so long as the attempt is persisted in, so long as some Salisbury sitting at Home can publicly thrust in an oar to make the task of the Crown's representative difficult, so long as India's economic problems are viewed in the last resort not from the angle of India's interests but according to the views of Mr. Montagu Norman, or some other City banker, so long as the belief exists that avenues of employment and careers are denied to Indians and that the bridge between the governing and the governed is only a draw-bridge that can be swung up from the moat at will, leaving authority inaccessible in a fortress instead of being the organ of the public, just so long will you have underground revolution, and just so long will you have assassinations, the number of which only the permanent application of the sternest methods can possibly keep in check. We have to choose between the transfer of responsibility from Westminster to Indian soil or the permanent application of something approaching martial law. This last, a vacillating and in regard to India an ill-informed electorate, totally unfitted for the present responsibility for India, is also incapable of guaranteeing. It is for the Royalists to show that Europeans retain in excitement their sense of reality, and have a permanent policy other than that of indifference to the land they live in, punctuated by spasms of blatherskite from "strong men" periodically erupting.

* * *

Government Publications.

REPLYING to an interpellation in the Assembly Sir Frank Noyce stated the Government publications of various descriptions weighing more than 1,600 maunds were sold as waste paper and that the Government realised just over Rs. 2,800 by the sale. Mr. Joshi pressed the suggestion that, instead of selling old publications as waste paper, Government should distribute them among libraries and public men and others who are interested in such publications but who are unable to purchase them at the marked price. It is a great pity that Sir Frank Noyce did not readily fall in with the suggestion. It is undoubtedly true that there are many libraries and students of public affairs who cannot afford to purchase official

publications but who would nevertheless wish to study them. It is earnestly to be hoped that Government will reconsider its attitude and consent to make a free distribution of publications, say, six months after the date of release to all those who apply for them and pay the necessary transport charges. This is an infinitely better disposal of the publications than to sell them as waste paper. A list of publications available for such free distribution may be announced in the public press and applications invited.

Going Strong.

THE Devadhar Malabar Reconstruction Trust, which has been steadily carrying on useful work in Malabar for over a decade now, has last week opened

yet another centre of work at Malappuram, the headquarters of the Moplah area. The local Sub-Collector, Mr. B. W. Day, I. C. S., presided over the opening ceremony and expressed appreciation of the work done by the Servants of India Society through its local worker, Mr. V. R. Nayanar. Mr. K. K. Pooker, Moplah leader, also expressed his appreciation of the non-communal cosmopolitan work of the Society, specially in the direction of bringing together the Moplahs and the Hindus to do common work. In these days when nothing is safe from communal bias, it becomes increasingly difficult to win public support for strictly non-communal work of social uplift. It is therefore specially gratifying that the work of the Trust has received such support and that too in the heart of the Moplah land, the centre of Moplah fanaticism during the Moplah riots.

GANDHI POLICY AND CONGRESS POLICY.

I

IT was with a feeling of devout thankfulness that the people heard the news from Parnakuti last Thursday that Mahatma Gandhi had decided not to offer civil disobedience and not to go back to gaol for about a year. They were feeling the most acute anxiety and the deepest concern as to what he would do after recovering his health. It then appeared as if there was nothing for it but that he should court imprisonment as soon as he was physically well enough to do so. He had laid the injunction upon every true Congressman to find his way into gaol by practising civil disobedience, and after the expiry of his sentence to return to the same old place by another act of civil resistance. This was to go on continuously till the non-violent war with Government was officially brought to an end. This last qualification meant nothing, as all Congress organs had deliberately been disbanded beforehand, and no one had been left to speak with Congress authority. Gandhiji had wound up his own Ashram too, so that his intention clearly was that for all who now joined the fight it was to be a fight to the finish; that there was to be no turning back in the middle; that the only respite that the satyagrahis could look for was when they were recuperating their bodily energy between two terms of imprisonment. These directions that were issued to Congress workers were not to be varied on any account, whatever be the actual result of the movement and whatever be the state of the country. To seek gaol again and again without intermission was a religious duty which every Congressman had to discharge in any circumstances. Mahatma Gandhi seemed to most people to have burnt the boats for himself and other Congressmen so completely that they did not feel that any alternative was left for the initiator of the movement but to go back to gaol after a few weeks' rest. All that they dared to hope for was that Government after arresting him would treat him as a detenu and State prisoner so that no prison regulations would come in the way of giving him all possible facilities for doing Harijan work and that no more fast unto death would be necessary for him. How great then

must have been their relief to find that an alternative was available to the Congress leader, if not to his followers!

The Mahatma's decision to keep out of gaol and do Harijan service is so welcome to all as affording a miraculous exit from a situation which appeared altogether hopeless and impossible that one would fain not examine too closely the processes of reasoning by which he arrived at it. But the present is such a good instance of his elusive logic that one may stop to consider it for a moment. Government had been very considerate in releasing him when he was dying; he must for his own part requite kindness by kindness. It would be pity to compel Government to rearrest him after he had owed his freedom to it. He must be equally chivalrous to it by himself preferring to stay out of gaol. "There is no room for smallness in civil resistance." Supposing other satyagrahis too after conviction were restored to freedom without being jailed or let out before the sentence ran out, would it be also their large-hearted duty to put away the weapon of satyagraha and subside into law-abiding citizens? We wonder what the Mahatma would say to such a suggestion. It is the essence of the movement to force Government to take action against those who are at war with it. How is the movement to be carried on if the satyagrahis keep quiet at something which they construe into a sign of relenting on Government's part? As a matter of fact, there was nothing out of the common in Government's release of the Mahatma. It did not betoken any particular sympathy with him or courtesy for him. It is very difficult therefore to understand how suspension of satyagraha was for him not only proper and expedient but "inevitable," albeit "unfortunate". He himself says that if he were to offer himself for arrest again, he would be denied facilities for Harijan work and would be compelled to enter on a fast. This shows that there is no change of heart, nor even change of manners, in Government. Strictly speaking, there need have been no change in his plans for this reason, though for other reasons the change is most welcome to us. Mr. Gandhi seems to think that for the period of a year when, but for Government's generosity, he would have been in gaol, he must regard himself as a pri-

soner though he may be living outside gaol. No anti-Government activities would be open to him. If he is to deny himself the practice of satyagraha, because, morally if not legally, he is a prisoner on parole, why should he consider himself free to give political advice to men of his party? There is no consistency in his decision, nor is it based on convincing reasons, though if the decision were different to what it is it would have been from our point of view a great national disaster. Nor can we feel certain in our mind that we are wholly out of the wood yet. The freedom which the Mahatma has reserved to himself of making occasional excursions into politics even while by his own choice he is a prisoner permitted to do social work may yet bring him into clash with Government in the inside of a year. We have no doubt that the Mahatma will walk warily and use the greatest amount of circumspection in getting mixed up in politics. May we hope that Government too on its part will exercise equal judgment and self-restraint in dealing with him? With the leader of satyagraha keeping aloof from aggressive activities, though under no formal restriction at Government's hands, the movement cannot make much headway. Will not Government exploit to the full this position of tactical advantage in which it finds itself?

II.

The announcement of the Mahatma's decision was followed next day by the publication of letters exchanged between him and Pandit Jawaharlal Nehru. The letters show many points of disagreement between the two Congress leaders and presumably they were published at the instance of the younger leader who must have desired that the differences should be fully known in Congress circles. Panditji sees no substantial difference between individual and mass civil disobedience and reminds Mahatmaji of his admission that if any organisation felt strong enough to organise civil disobedience of the mass variety it should be allowed to do so and not precluded from doing it by the statement of Mr. Aney. Mahatmaji however adheres to the ban on mass civil disobedience by saying that in fact there is no organisation in the country which can face the risk and for that reason that kind of civil disobedience must be put out of the question. The two leaders differ also on the amount of secrecy that can be legitimately and usefully maintained in carrying on the campaign of satyagraha. Even Mahatmaji feels that some amount of secrecy might be allowed in exceptional circumstances, but the disadvantages of allowing it at present so far outweigh, according to him, the possible advantages that he would rather, not on grounds of principle but on those of expediency, taboo it altogether. The letters contain some other points of disagreement on Congress strategy, but the major differences unfolded to the public view in the letters relate to the basic principles of the Congress policy, and we will endeavour to set them down here as we see them.

To describe this difference in one word, perhaps we may say that the Mahatma is at bottom a Nationa-

list and the Pandit a Democrat. The latter would immediately start attacking the vested interests, for unless these interests are put in their proper place and the masses given a chance of coming into their own, self-government has no meaning for him. He would not mind if such a campaign would result in all the vested interests clinging to the British Government, who might with their help be even better able to put down the exclusively political struggle which looms so large in the eyes of our people. A self-government which can only be obtained by conciliating all the vested interests at the start, so that these may be persuaded to unite in asking for political privileges from the British Government, does not appear to Pandit Jawaharlal to be a worthy objective. For it would only mean a change of masters, the brown in the place of the white, but it would not make any easier, and might in fact well render more difficult, the task of putting it in the power of the masses of the people to ameliorate their own conditions and take their proper place in the government of the country. Pandit Nehru would therefore have the fight go on on all fronts at the same time; to postpone your fight with the vested interests till you finish your fight with the British Government, in the hope that the vested interests may come to your aid in downing the British, seems to him to be wrong in principle as well as wrong in strategy. Mahatma Gandhi, on the other hand, would concentrate all the energy of the nation at the present time in arraying all available forces against the British Government. The forces that are most powerful for this purpose are the vested interests, and he would not therefore be in a hurry to turn the masses against them. His effort would rather be to combine the masses and the vested interests in a common anti-governmental campaign by taking up only such questions as have caused discontent with Government among both sections. Mahatma Gandhi has in his long public career given heroic battle to Government at many points; but he is yet to take up the cause of, say, tenants as against landlords, of labourers as against employers, of the poor as against the rich, of the States' people as against the Princes. Welfare work for those who are down and out he has consistently advocated, but social changes of a basic character he has carefully refrained from working for. Not that he does not desire these changes; obviously he does and very much so. But he would like this internal struggle to be put off till the external enemy is put out of the way. He notes in his reply that Pandit Jawaharlal does not refer to the constructive programme at all. We think the omission was deliberate. Panditji does not lay much store by it. Mahatmaji does because items in it like Hindu-Muslim unity are calculated to bring all classes together so that the nation can oppose a common front to the Government. Mere self-government is not Panditji's objective as it is the Mahatma's, unless it is also true popular Government.

The point that we are making, viz. that the Mahatma, unlike the Pandit, is a nationalist first and a democrat long afterwards can best be established beyond doubt by reference to his attitude to the

Princes. He has unweariedly and unceasingly incited his followers to an extreme sort of agitation and action against the British Government; but he has with equal assiduity and unbroken consistency discouraged them from carrying on even the mildest movement against the Indian Princes. This was even before federation had appeared on the horizon. After federation was mooted he definitely ranged himself on the side of the Princes, thinking thus to extort power from the hands of the British even though, if the extortion succeeded, power would come to be lodged in governmental organs dominated by autocrats. Pandit Nehru refers to a remark said to have been made by the Mahatma at the Round Table Conference to the effect that "democracy and autocracy can ill go together." For our part we are unable to trace this observation by the Mahatma; but it is quite possible that he may have somewhere and some time uttered this platitude. But how did he implement this principle at the Conference? Did he maintain that, so long as the States' rulers continued to be autocratic, a federation of the democratised British Indian provinces with the autocratic States must be put out of the question? Or did he even say that, however autocratic may be the internal organisation of the Governments in the States, the rulers of these States must be willing to adopt democratic practices at any rate in the federal government; that, unless they agreed to this, federation must be ruled out? He took up neither of these positions at the Round Table Conference. What then is the practical application of the excellent doctrine to which he is said to have given voice that "democracy and autocracy can ill go together?" Was it merely an exhortation to the Princes to constitutionalise their governments in their good time? He might as well give such gentle advice to the British Government—and stop there. On the British Government he does not mind making what are sheerly impossible demands. Immediate transfer of control over the army a man of his intelligence must know is physically impossible, but he asks for it all the same, thus hoping to swell the volume of discontent against the British Government. But he could not bring himself at the Round Table Conference even to ask for election of the States' representatives in the federal legislature. He was quite willing to give a free hand to the Princes in this matter: they might have nomination if it so pleased them. What is even more important is that the free hand he was willing to give the Princes was to last for all time; they were not to be required, even after a certain transitional period, to introduce election in the States for returning representatives to the federal legislature. Guaranteeing elementary rights of citizenship he insisted upon in British India, but in the States he was willing again to leave it to the discretion of the Princes. From the attitude that he took towards the Princes it would almost appear that, according to him, foreign rule was the evil and not autocratic rule. If autocracy can be utilised in getting rid of foreign rule, let us not quarrel with autocracy just yet. This is what he would say.

To which Pandit Jawaharlal would reply that in the first place foreign rule cannot be got rid of by such an unholy alliance, and secondly, democracy will not become easier of accomplishment by replacing, as an interim arrangement, a bureaucracy by a sort of autocracy. He would not make common cause with any reactionary forces; he would rather fight all of them together. And surely he regards the proposed federation as an attempt on the part of the British Government to entrench itself behind, as Mr. Joshi calls them in his speech, the forces of reaction and the forces of autocracy. The differences thus disclosed between the Congress leaders are not merely what Gandhiji calls them temperamental differences; they go very much deeper. They are differences of principle and outlook and objective and method. One is first and foremost a nationalist; the other is a democrat first and last.

EXPANSION OF THE U. T. C.

THE remarks made by the Commander-in-Chief in the course of the debate on the U. T. C. in the Council of State are a specimen of the narrow-mindedness from which all military executives suffer. Mr. Mehrotra's resolution was a sound and straightforward suggestion to Government that they should take early steps to improve and to expand the organisation of the University Training Corps. It is quite open, even excusable, for the Government to plead that the suggestion is ill-timed in view of the financial and constitutional difficulties of the present day. But the Commander-in-Chief almost forgot the declared policy of Government when he went on to tar the whole of the U. T. C. organisation. The Army Commander delivered himself only of a half-truth when he observed that the U. T. C. were raised primarily with a view to obtain recruits for the officers' posts in the Territorial Battalions. There was a much wider purpose in the inauguration of these corps and if only the Commander-in-Chief cares to go over previous announcements and reports he will find that it was intended by means of these corps to create among the educated classes a familiarity with military pursuits. This purpose the present U. T. C. units have fulfilled very creditably and if for no other reason at least for this an expansion of the Units is called for.

Even considering for a moment that the only rôle that the U. T. C. are expected to play is that of a recruiting ground for officers' ranks in the Territorial Army it is surprising to find the C-in-C. declaring that the experiment has proved a failure. There are several efficient officers in the Territorial Battalions who owe their aptitude to the training that they had in the U. T. C. Several more have been absorbed in the Army-in-India Reserve of Officers, and the number who are attempting to enter the regular army from the U. T. C. is not negligible. Nobody who has even the slightest knowledge of the working of these units can doubt for a moment that far from the results of the activities of these organisations being disappointing they are very encouraging. At any rate they are more encouraging than what should be expected from the grudging and unsympathetic policy

followed by the military authorities. Not only is the expenditure on units steadily retrenched, but the level of training is also lowered. For the alert mind of an undergraduate enough food must be provided by the training to satisfy its enthusiasm. There is almost a universal complaint that the present training imparted in the U. T. C. is utterly inadequate either to spread the enthusiasm for it very wide or to retain the sustained interest of those who are already in it.

In fact, if the course of training had been deliberately framed so as to daunt enthusiasm and show up the whole experiment as a failure it could not have been more limited and monotonous than what it is at present. Such simple accompaniments of infantry organisation as Lewis Gun sections have been barred from the U. T. C. units. The Cavalry, the Artillery and the Air Force sections are beyond the range of imagination itself. Even the existing course is being pursued with daily dwindling efficiency on account of reduced expenditure which has sorely affected the facilities for the training of N. C. O.'s and men. The policy of racial and communal reservation is followed even in the Territorial Units so that an ardent and efficient candidate if he does not belong to a particular class cannot find entrance even though there is a vacancy. This policy of communal reservation of officers' ranks in the Territorial Army is against the best traditions of citizens' organisations.

One wonders whether the Army gods at Simla ever care to check facts for themselves when we come across such a statement as that made by the C.-in-C. when he said "even from the educational standpoint results achieved have been disappointing." The fact of the matter is that in spite of the discouragements offered by the present military policy of the Government, both with regard to the Terri-

torial and the Regular army, large numbers of young men are seeking the opportunities for military training offered by the existing institutions. We have no hesitation in saying that a talk of 'failure even from the educational standpoint' is utterly unfounded and unmerited. It is a poor return made by the Army Commander for the zeal and devotion with which all connected with these organisations are pursuing their arduous labours. In a big country like India it is possible that owing to local reasons, the enthusiasm in certain provinces is not as great as it is in others. But surely the Government is far from having done its best to offer inviting conditions. When the Indian U. T. C.'s are placed on all fours with the British O. T. C.'s in the matter of training and service opportunities it will be time enough to talk of lack of enthusiasm, of failure and of absence of educational benefit.

The speech of the Commander-in-Chief is particularly ominous at the present moment. All political parties in India are agreed on two points. We want very rapid Indianisation of all ranks of the Army and we want to reduce our expenditure on defence. The only way to achieve these ends is to spread wide the military bias in education and also to increase the facilities for special military instruction. So also the standing Army must be reduced to an exclusively Indianised rank and file, with territorial reserves in all parts of the country. Loose and unmerited charges of failure against the existing non-regular branches of the Army are likely, even though they might not be intended, to misguide public opinion in this matter. In a scheme of Indianisation and re-organisation of the defence of India the University units must hold a key position. Their achievements in the past have been enough earnest of their suitability for this rôle. To talk of failure with regard to them is mistaken and misleading.

THE FLOGGING OF A EUROPEAN.

THE theory is continually upheld in England that, under the British Constitution, all races are equal in the eyes of the law, and that the Queen's Proclamation in India, of 1858, is a Magna Charta, which did not affect India alone, but every part of the vast territories directly or indirectly administered by Great Britain through the British Parliament.

In India itself, it has been made palpably evident that the writ of the Queen's Proclamation has never run in practice. Glaring examples occur every day of racial discrimination, not merely in customary convention, but also in legal procedure. In East Africa the racial discrimination has become established by law in a British Colony so that any idea of political equality between British and Indian is made impossible. That is why the Rt. Hon. V. S. S. Sastri once exclaimed "If Kenya is lost, all is lost." The Highland areas of agricultural soil have been reserved for the ruling white race. Now, year by year, the danger grows greater, that the South African

policy of complete white domination will at last be sanctioned even in Kenya. General Smuts, at Nairobi, has evidently been talking over this question with the European settlers. It is necessary, he asserts, that one single policy should prevail from Capetown up to Nairobi with regard to the treatment of the natives by the white ruling race. The position of that white ruling race must be finally established.

In this respect, South Africa, as a self-governing Dominion, with full independence, is regarded as beyond the scope of direct influence from Great Britain. When the Colour Bar Bill was passed into law in South Africa, restricting certain industrial occupations to the white races, no protest was raised by the British Cabinet. The King's formal consent was given to an Act of Parliament in South Africa which embodied this racial discrimination in its worst form. When the question was raised in the House of Commons, the reply was made that South Africa now had reached full Dominion Status, and therefore the British Parliament had no *locus standi* in the matter.

But it so happens that on the borders of South Africa are those Protectorates, over which the British Parliament has still reserved its own peculiar control. These are Basutoland, Swaziland, and Bechuanaland. The last named is the largest of these Protectorates, and treaty rights were obtained by a very remarkable Christian, named King Khama, who was one of the outstanding heroes of last century in that part of the world. He claimed from Queen Victoria that people, who had become Christian, should be treated in a Christian manner. He stood out against the degradation of the rum and gin traffic by which many of the African tribes had been demoralised. In the end he won his case. He ruled his kingdom wisely and well.

One of the great desires of the South African Union Ministers has been to try to incorporate these Protectorates within the Union. But up to the present, the British Parliament has refused to hand over its own responsibility. The Africans within these Protectorates have loudly protested against any scheme which would bring them under the power of South Africa. Every year the struggle is carried one step further. Most South African statesmen seem to be certain that in the long run the paramount rule over these territories will be conceded by Great Britain to the Dominion.

Recently Leonard Barnes, the author of 'Caliban in Africa,' which is the most scathing exposure of South African colour prejudice, has taken up the cause of these Protectorates and has shown how fatal it would be to hand them over to the Union Government. His book has made a great impression in England.

Just at this critical moment there has occurred an incident, which will rouse passions to the highest pitch of excitement. The whole question of these Protectorates will be at stake in the issue which has suddenly arisen.

For a son of King Khama, who is a Chief in Bechuanaland, has actually flogged under the law of his own territory a white man, called McIntosh, for immoral conduct. The defence has been made, that McIntosh was living as a native and was therefore subject to native laws, and that despite repeated protests he had continued his immoral practices. It was stated that again and again the evil effects of such conduct had been brought to the notice of the Commissioner, but no action had been taken. Therefore at last the Chief had flogged him in order to uphold morality in his tribe. It was also urged in defence, that King Khama had treaty rights with Great Britain which his son had inherited.

A very peculiar thing took place when this action of flogging a European was reported. Vice-Admiral Evans, with a party of marines fully-armed, travelled up by rail from the sea-base at Simonstown and held an enquiry on the spot. The Chief made no resistance to this sudden display of force, but appealed to British justice. What followed is still doubtful. One newspaper reports that the Chief was deposed by Vice-Admiral Evans. Another version is that he was suspended.

The second version is more likely to be correct. For the matter could hardly be settled without reference to the British Parliament, since it contains issues of major importance. Some of these are as follows:—

(a) If an ordinary white man can flog an African with impunity, and even an African Chief cannot do the same to a white man, within his own jurisdiction, however grave the offence, then it is useless to talk of British justice. The Queen's Proclamation has no meaning in these territories if such proves to be the case.

(b) The event is certain to be seized by South African Nationalists in order to insist on these Protectorates being incorporated in the South African Union Dominion.

(c) There will be a rallying of the white settlers to support South African opinion all along the vast territories, from South Africa to East Africa. The claim will be made that such matters cannot be settled in London. The demand for 'self-government' whereby is implied the rule of the white race in Africa over all other races will be redoubled. This is likely to be taken as a 'test case' and if British public opinion in Great Britain insists on racial equality and racial justice against the opinion of the white settlers in Africa, this may lead on to such cleavage between the Whites in Africa and the British people in Great Britain, that what is called the British Commonwealth may be rent in twain,—just as the United States was rent in twain over the 'Negro' question.

(d) The Indian question cannot possibly be separated from this issue. Furthermore, there can be no doubt which way Indian opinion will incline. It will side with the Africans. Just because Indians in Africa have such an invidious position, standing between the two races, they have suffered again and again. But every moral sentiment makes the Indian settlers more and more to be the supporters of the African claim for racial equality and racial justice. For it is their own claim in another form.

C. F. ANDREWS.

Our London Letter.

(BY AIR MAIL.)

(From Our Correspondent.)

LONDON, September 8.

LORD WILLINGDON'S MISCALCULATION.

I THOUGHT that by his two speeches, a fortnight ago, Lord Willingdon was "asking for it." He made, apparently, two mistakes. He blasphemously mentioned the forbidden phrase, "Dominion Status", and he referred to the Federal Scheme as though it had already been decided that it was to be the basis of India's new constitution. It was almost inevitable that Lord Salisbury should send a strong letter of protest to the *Times* asking with what authority the Viceroy was usurping the functions of the Joint Select Committee and the powers of Parliament. Both he and Sir Reginald Mitchell-Banks have asked whether the country is to be confronted with a

Viceregal dictum which, if not in law or in theory binding upon Parliament, might yet, in fact and in practice, be found to be so binding. Sir Reginald Mitchell-Banks, who is supported by Mr. A. A. Somerville, M. P., asks a number of questions which, from his point of view, are very pertinent and which run as follows :

(i) If we, the Members of the Imperial Parliament, are not to anticipate the conclusions of the Joint Select Committee, why should anybody, even the Viceroy, be free to anticipate them?

(ii) If we, the Members of the Imperial Parliament, are not free to pronounce the final and sovereign decision, why should anybody, even the Viceroy, be free to anticipate our judgment?

(iii) If, however, the Viceroy may anticipate, with authority, the conclusions both of the Joint Select Committee and of the Imperial Parliament what becomes of the judicial character of the former and the sovereignty of the latter?

(iv) Shall we not, in fact, be told that while we are constitutionally free and sovereign, yet the words have been uttered to an expectant India, and we are committed, in honour, to redeem the pledge, even if given without our sanction?

All this is, of course, quite logical so far as it goes, but it leaves out of consideration two very important matters. The first is that the Government of India have made it quite clear through their spokesmen that, with their knowledge of the situation in India, something far more radical than Sir Reginald Mitchell-Banks and his colleagues (not to speak of the still further right-wing Tory group represented by Mr. Churchill and Lord Lloyd) are prepared to concede, is called for at a very early date in order to appease what still remains of reasonable and friendly Indian sentiment. The second is, as the evidence hitherto given of the Secretary of State for India clearly indicates, that the National Government, overwhelmingly Tory as it is in composition, is irrevocably committed to the principles and the policy laid down in the White Paper proposals, and that, if compelled by party factional conspiracy and Parliamentary obtuseness and indifference to realities, to abandon its policy, the Government must, if it retains any self-respect, resign and appeal to the country, even at the cost of dividing the Conservative Party.

I believe that if the Government were to take its courage in both hands, should such an emergency arise, the country would respond and give it the specific mandate for which it would ask. I do not, however, believe that the Tory Party is going to commit political suicide on the issue of India. Events nearer home may bring about that result independently and it would be mainly in order to prevent such a party catastrophe that middle-minded Conservatives would exhaust all their efforts to prevent so vital a decision being taken on the issue of India. This is both a source of strength and weakness to the Government. It is the nature of British politicians, in particular when faced with a critical decision, to try to reach a compromise, usually at the expense of the interests of third parties. That would be a source of danger to India. On the other hand, knowing better than their opponents the nature of the dangers ahead in the domestic field, as well as of international events, the Government, if they are prepared to stand firm when the time comes, should be able to carry through their policy so far as it goes without serious sacrifice. On the whole, therefore, it is as well that the Viceroy said emphatically what he did say recently at Simla and it is inconceivable that he would have made either speech without the closest consultation with the Secretary of State for India

and the latter's substantial approval on behalf of himself and of the Government at large. Nevertheless, this event will have given fresh ammunition to the Tory reactionaries for their autumn campaign. After approving Lord Willingdon's policy in retrieving India from "a state of anarchy into which his predecessor was rapidly plunging" it, Mr. Randolph Churchill writing in the *Sunday Dispatch*, remarks insultingly: "It is a pity that Lord Willingdon has only reversed Lord Irwin's policy in one department. His talk has now become as loose as that of the poor creature who preceded him."

Later, Mr. Randolph Churchill asks whether Lord Willingdon's reference to Dominion Status would not imply, consequent upon the Statute of Westminster, the conferment upon India of the right at any moment to repudiate the sovereignty of the King Emperor. There is no need to denounce young Mr. Churchill too strongly in view of the fact that Professor Berriedale Keith in a letter to the *Morning Post* has asked the Government for a pronouncement on this question. He points out that whilst he himself is of the opinion that the right to secede from the British Commonwealth of Nations is excluded by the preamble to the Statute, nevertheless two self-governing dominions already hold the right of secession to be the official doctrine; that Mr. Bonar Law, in resisting the grant of dominion status to Ireland while defending the Government of Ireland Bill of 1920, used as a conclusive argument the fact that dominion status involved the right of secession; and that no British Minister has consented since 1926 to affirm that dominion status does not include that right. The learned Professor therefore claims that, in the interests of India and the United Kingdom alike, the British Government ought to tell us whether or not the dominion status it promises India includes the right to secede. He does not, however, go far enough. If the British Government denies that dominion status for India does include the right to secede, someone will have to ask whether dominion status has one meaning for India and another for South Africa. Either part of the Commonwealth will have to put the question and as the answer might be extremely embarrassing to the British Government, it is conceivable that it will avoid the issue by declining to be led into Professor Berriedale Keith's seemingly innocent trap.

THE MIDNAPORE MURDER.

Nothing could have been more harmful to Indian constitutional prospects than this latest tragedy at Midnapore. The supreme folly of supposing that such acts of violence are going to bring early satisfaction to a distraught and disunited India is one of those obsessions of which emotional youth and blind fanaticism of mature individuals are alone capable. In reality they leave the field open to appeals to equally blind fanaticism and thoughtless emotionalism from the opposite side, whilst reason is appealed to in vain. It only needs a very few more insane acts of this kind to blow sky-high the hopes of constitutional reformers and to bring down upon India the scourge of cruel reaction and to rivet upon her the galling shackles of tyranny and oppression which it is the alleged object of the terrorist to remove with the minimum of delay. Sir Alfred Watson, who can speak with a personal authority on the Bengal terrorist movement, has contributed two articles to the *Times* in which he seeks to show that terrorism is not the result but the cause of oppressive legislation at least in Bengal. At least, however, Sir Alfred Watson has been careful, in his criticism of Indian nationalism, to involve only Bengal Congressmen in a flirtation with and possibly a loose tolerance of terrorism. Miss Cornelia Sorabji, ever more royalist

than the King, has followed these two articles up with a letter in today's *Times* in which she definitely goes so far as to charge Congress generally with a hardly concealed approval of terrorism as a part at least of its apparatus for securing its undesirable ends. Miss Sorabji is never so happy, it would seem, as when generalising from particular cases and, with a somewhat nauseating unctuousness, she is besmirching the reputation of a considerable section of her countrymen and women many of whom have, whether rightly or wrongly advised, made such sacrifices for the cause of their Motherland as do not appear to have fallen to the lot of this lady who seeks and finds so much solace and comfort in the amiable and mostly reactionary circles in this country in the long intervals of a self-imposed exile from her own. She was once heard to explain to a British audience that her countrymen suffer from the defect of telling British people the things that the latter would like to hear. She forgot for the moment that she herself was a very obvious exponent of this weakness to the extent that it exists. However that may be, it is certain that Midnapore will loom large upon all the platforms upon which, for weeks to come, the British reactionaries will fulminate in their efforts to prevent any substantial extension of constitutional reform in India.

THE CYNOSURE.

It must be a matter of great satisfaction to any man or woman in public life to have the confident feeling that he or she is indispensable to the scheme of things and that those who are blind to a realisation of that indispensability are sinning against the light. Such insensitiveness is indeed a crime and Commander Kenworthy, whose autobiographical notes appeared during the week-end and to which I referred in my last letter, has a genuine grievance against the Prime Minister and his colleagues in the late Labour Government for not realising, with that swift intuition of which the gallant Commander appears to possess the secret, the grave injury done both to him and to the Empire's welfare in failing to bestow upon him one or other of the obvious opportunities that he was swift to observe to render unique and possibly even historic service to all concerned. Among other revelations that we find in this discreet record of events that might have been, is the fact that Mr. MacDonald overlooked Commander Kenworthy's claims to the Viceroyalty, but as they were by British Indian leaders and Princes alike, because he was jealous of his rival and also because he sought the high office for himself. Commander Kenworthy claims that Ministerial friends of his were equally surprised as himself in learning of his omission from the last Labour Administration and the denial to him even of a provincial governorship in India for which, he tells us with a disarming modesty, he was qualified and highly recommended, he attributes to the Prime Minister's incapacity to appreciate merit even where it stared him in the face. He attributes to himself elsewhere a discovery and an invention that, having been brought to the notice of Mr. Lloyd George at a critical stage of the War, he enabled the latter to win it. One can only come to the conclusion that so long as Britain can produce selfless, original and modest heroes like Commander Kenworthy, its future is assured even though its present is unrecognising and ungrateful. Unfortunately, on one question of fact that can be tested Commander Kenworthy's memory seems to have been at fault. He told us last Friday morning that when the question of Mr. MacDonald's translation to India as Viceroy appeared imminent, he and other members among the elder brethren of the Labour Party were authorised by their colleagues to wait upon Mr. Snowden, as he then was, in order

to invite him to place himself under Mr. Arthur Henderson's leadership in the party and in Parliament and that they did so with very unpleasant results so soon as Mr. Snowden realised that Codlin (i. e. Mr. Henderson) was the friend, not Short (i. e. Mr. Snowden himself). The same evening, when confronted with Lord Snowden's emphatic denunciation of this statement and of the entire episode as a lie, and his insistence that no such conversation took place or suggestion made then or at any time. Commander Kenworthy admits that Lord Snowden was right in saying that nobody at all accompanied him when he called upon Mr. Snowden, and that the other persons whom he had earlier alleged to have accompanied him were unable to be present. The matter thus lies not, as Commander Kenworthy would have had us believe, between Lord Snowden on the one hand and Commander Kenworthy and a number of reputable colleagues on the other, but between Lord Snowden and Commander Kenworthy alone. This was a bad lapse and it may be necessary to examine Commander Kenworthy's other claims in the light, among other things, of a possibly defective memory.

Miscellaneous.

SPEECH OF MR. N. M. JOSHI ON THE INDIAN PRINCES PROTECTION BILL.

MR. N. M. JOSHI (Nominated Non-official): Sir, this Bill comes in the natural order in which our Government seeks to bestow protection on the different classes of people in this country. Yesterday we discussed a measure by which protection was sought to be obtained for one class of people. Today we are discussing a measure by which Government seeks to give protection to another class of people. Mr. President, it seems to me that this is one of a series of measures of protection which, though intended apparently for the protection of the classes which are sought to be protected expressly in those measures, still really are intended for the protection of the British Government in this country. I would like first to deal with the general aspect of this measure. I have an instinctive abhorrence or dislike for measures which try to restrict the freedom of the citizens of any country. When I try to find out the reason for my instinctive dislike, I find there are two. One of the reasons is that when you try to pile up measure after measure of this kind, a general atmosphere of fear is created round every public man. This is not a solitary measure which is trying to restrict the freedom of the people of this country. One Bill after another has been introduced and passed, with the result that the most loyal subject, the most constitutional public worker in this country, feels a kind of nervousness, he feels a kind of hesitancy in undertaking public work. Sir, I am not against any kind of penal legislation. Penal legislation is absolutely necessary for anti-social and anti-moral acts, but when penal legislation is proposed for acts which in their nature are not anti-social, but which are considered to be anti-social by Government when they transgress the limits of reasonableness, surely we must accept such measures with a greater caution than was shown by the Deputy Leader of the Nationalist Party. Sir, it is true that there are some acts which do become anti-social when they are carried beyond a certain limit. At the same time we must remember that the apprehension felt even by the most loyal citizens when such measures are proposed is also a natural one, because

our safety depends upon the whims and caprices of the Magistrates and Judges. The borderline between an act which is legal and an act which is illegal is so thin that no man feels safe to conduct his public work in this country. There is another reason why I have an instinctive abhorrence for such measures. Whatever may be the professed object of passing these measures, their application goes much beyond what appears on the surface. I shall give you only two instances. Some years ago, this Legislature passed an Act in order to put a check to the communal hatred that was feared to grow between the Hindu and Muslim communities. Last year one of the provincial Governments launched a prosecution against a man who stated publicly that the capitalists exploited their workers, on the ground that it created hatred between two classes. I will give you another instance. Last year, the Legislature passed what is called the ordinance legislation. It was stated that the measure was intended against the acts of those people who resorted to civil disobedience. I have seen a prosecution launched under that measure against a person who resorted to picketing purely in an industrial dispute. Sir, after having got this experience, is it unnatural that people like myself, who have to take part in agitations, should feel a kind of fear when such measures are proposed?

Dealing with the legislation before the House, let us see what grounds the Home Member has put forward in support of it. The Home Member first stated that India is one country, although it is divided between British India and 500 Indian States. I agree with that statement. India is one and indivisible, but the question is not whether we agree to that statement; the question is whether the Rulers of States agree to that statement or not. We on our part are anxious that India should be regarded not only as one social unit, but that it should be regarded as one political unit and that there should be a strong central government in the whole of India and not only in British India. (Mr. B. Das: "Hear, hear").

Mr. President (The Honourable Sir Shanmukham Chetty): Order, Order. The Honourable Member will resume his speech after lunch.

The Assembly reassembled after Lunch at a Quarter after Two, Mr. President in the Chair.

Mr. N. M. Joshi:—When the House adjourned for lunch I was dealing with the point made by the Honourable the Home Member that India being one country, the Governments that exist within the borders of this country should have the same protection which the Government of British India has. I stated that we, the citizens of British India, are anxious that not only India should be one socially and ethnologically but India should have one strong Central Government. That is our ambition. Unfortunately the rulers of Indian States are equally anxious that the Government of British India should have as little to do with the Government of Indian States and it is on account of that fact in spite of our desire that there should be a common government for the whole of India that we are obliged to treat some governments within the borders of India as being foreign to ourselves. Let us examine the present constitution itself. Under the present constitution it is true that the Governor-General-in-Council has not only control over British India but he has also some control over the governments of Indian States. That control is strictly limited. I am sure even the Honourable the Home Member will admit that the control which is exercised by the Governor-General-in-Council on account of the

power of paramountcy is limited to grave maladministration of Indian States. The Governor-General-in-Council has no control over the day to day affairs of Indian States. If there is an act of injustice in an Indian State the Governor-General-in-Council has no control. If the acts of injustice go on multiplying and if the extreme limit is reached and the Government of India find that there is grave maladministration, then alone the Government of India can exercise their powers of paramountcy. Whatever may be the opinion of the Government of India and the Political Department in this matter, the rulers of Indian States are not going to admit that the Government of India have got power to interfere in their day to day administration. Mr. President, you have been a member of this Legislature for a long time and may I ask you on how many occasions could we discuss in this legislature the question of injustice being done in Indian States to British Indian subjects? We have discussed the questions of injustice being done to British Indians in South Africa. We have asked hundreds of questions on this subject. We have asked questions on injustice being done to British Indian subjects in the United States of America. May I ask you to bring to mind, Mr. President, whether any questions were admitted at any time in this legislature regarding the injustice done to British subjects in Indian States? How many times have we been allowed to discuss injustice done to British Indian subjects in Indian States? We are not allowed to discuss these questions in this legislature, although we are allowed to discuss the injustice done to British Indian subjects in foreign countries like the United States of America and the dominion of South Africa. This is the present constitution. Now, let us examine the future constitution which is proposed to be established. If there is really little connection between the present Government of British India and the Governments of Indian States, the connection between the Government of British India and their own governments will be much less in the future constitution. The princes are claiming that in the future constitution the powers of paramountcy will not be exercised by the head of the Federal Government but they will be exercised by another entity, called the Viceroy of India. That shows the desire of rulers of Indian States that the connection between British India and their own States in the matters with which we are concerned in this Bill should be as little as possible. The rulers of Indian States after a few years may even go further and claim that the same person should not be the Governor-General of India and Viceroy and thus they may complete the separation that already exists between British India and the Indian States. I can understand the Government of a country wishing for protection against conspiracies of its own citizens when the citizens of a country have got constitutional rights to get their grievances redressed. That is the justification for any government of a country seeking protection against conspiracies of its citizens, but why should a government, which has nothing to do with our government, which is as foreign to the government of ours as the government of the United States, if it is not more foreign as I have shown in this matter, claim this right? There are very few countries besides India which try to protect the rulers of other States in a vicarious manner. The Government protects itself against conspiracies but it does not undertake the vicarious duty of protecting the rulers of other States and I do not know why our Government, when the rulers of Indian States themselves are anxious that their government should be kept separate in the matter of law and order, should undertake this duty. Moreover I can understand the Government which is con-

stitutional expecting its citizens to be constitutional, but what is the constitution which the rulers of Indian States have given to their subjects and what is the constitutional remedy which British Indians have against injustice done by the rulers of Indian States? I therefore think that when our Government insists that when we want our grievances to be redressed against the rulers of Indian States we must adopt only constitutional methods. I want the Government to tell us what is the constitutional method open against injustice done in Indian States. I have shown that there is very little constitutional method open. If constitutional method is open by all means insist upon only constitutional methods being employed or at least see that the governments of Indian States first become constitutional and then expect either the subjects of Indian States or subjects of British India to be constitutional. Mr. President, the second argument used by the Hon. the Home Member in support of this measure was that there must be reciprocity in this connection. He told us a historical fact that the Rulers of Indian States had helped our Government in putting down the agitation in British India. I am aware of that fact. I remember very well an ex-Member of this Assembly, a well-known man in India, Mr. Muhammad Ali Jinnah, being sent out bag and baggage from an Indian State. I remember a man like Mr. Srinivasa Shastrri being forbidden to speak in another Indian State. (Mr. B. Das: Shame.) It may be true that these Rulers of Indian States have helped our Government in putting down political agitators in this country, but is it right that those Rulers who do not want to have any connection with us should be protected on the ground of reciprocity? The only matter in which they are willing to have reciprocity is to tighten the ropes round the necks of Indian citizens? Do they really want reciprocity with us in all matters? If they want it, we in British India also want reciprocity with the Rulers of Indian States and with the subjects of Indian States. Let us examine how far they are willing to have reciprocity with British India. Examine the White Paper. The representatives of Indian States, according to the proposals of the White Paper, will have a right to discuss purely British Indian affairs. They will have a right to vote on purely British Indian matters, and even on legislation like this which will not be applicable to Indian States. But, Sir, will the States on the ground of reciprocity agree that legislation of this kind applied in their own States could be discussed in the Federal Legislature and will the Federal Legislature be allowed to discuss and vote on criminal law that will be applicable to Indian States? They will not agree to such a reciprocity; they do not desire such reciprocity. I will give you one more example. The White Paper proposes that all subjects of Indian States and perhaps the Rulers of Indian States will have the rights of citizenship, franchise and the right to stand as candidates in British India. During the examination of the Secretary of State before the Joint Parliamentary Committee, I asked the Secretary of State a question. I asked him: Will he on the ground of reciprocity secure similar rights to British Indian subjects in Indian States? His reply was an emphatic No. Why? Because the Secretary of State knows that the Rulers of Indian States are not willing to have reciprocity with British India. When the Rulers of Indian States are not willing to have reciprocity in these matters, why should our Government go out of their way to have reciprocity in this matter before us? There was another argument used in favour of this Bill. It was that there is going to be a Federation and therefore all the units of the Federal Government should be protected even in these matters. If there had been a

Federation whose authority in the matter of criminal law or penal law had been acceptable to the Rulers of Indian States, I would certainly have granted the protection which is asked for to all the units of the Indian States. But, Sir, we are not going to have a Federation where the Federal authority will have any power in matters of criminal law in Indian States. Under those circumstances, why should we make the proposals for a Federation as the ground for giving protection to the Rulers of Indian States when they are not willing to accept the authority of the Federal Government in a matter with which this Bill is concerned?

Then, Sir, I wish to speak a few words about the position of subjects of the Indian States. Sir, the subjects of Indian States are at least for practical purposes the subjects of the British Crown and these poor people deserve some consideration at the hands of the British Government. What is their condition? My friend Mr. B. Das has described those conditions in detail. He has told us that the subjects of most of the Indian States have not got even ordinary elementary rights, leaving aside the constitutional rights of having a legislature and discussing matters in that legislature. They cannot hold a meeting to ventilate their grievances; they cannot hold a conference to ventilate their grievances. If they are treated with injustice, there is no power which can save them. You may know that when our future constitution was discussed in London, there was a Round Table Conference. Every interest was represented at that Conference. We sent representatives of British India. On the other side, the people of Great Britain were represented including the representatives of the Government of Great Britain, of the Liberal Party in Great Britain when the Labour Government was in power, of the Conservative Party when the National Government is in power, the Labour Party is also represented. Were the subjects of Indian States represented at that Conference? Not only were they not represented at that Conference by delegates but when the subjects of Indian States wanted to appear before the Joint Parliamentary Committee to give evidence, even their witnesses were not accepted. Now, Sir, where are these subjects of Indian States to go for redress? How are they to seek redress? What business have our Government to tell them that they must follow only constitutional methods and not unconstitutional methods? Give them protection and then insist on their following the constitutional methods. Considering the matter from all points of view, the Bill which is before this Legislature is undesirable. It is a Bill which seeks to support the States and their maladministration and their autocracy. The Hon'ble the Home Member admitted very frankly that even where there will be mal-administration you cannot resort to unconstitutional methods; you cannot create hatred for maladministration. That is the section in the Bill. Now, if we are not to create hatred, if we are not to create contempt for maladministration, I want to know what we are going to create for maladministration. Are you going to create respect and admiration for maladministration? Therefore, before our Government tries to penalise the creation of hatred or conspiracies against rulers from whom no redress is possible by constitutional methods, let them see that the rulers of the Indian States become constitutional rulers. At the beginning of my speech I stated, although the professed object of the Bill is to protect the Princes, if you ask my opinion frankly, perhaps bluntly, I may say that the Bill is equally intended to protect the British Government in British India. When we were discussing yesterday the question of protecting the

proprietary rights of the zamindars, the representative of the European Group who spoke on that resolution in an unguarded moment let out a confidential secret. He knew the secret, being a British subject and there was no difficulty for him to know the warlike plans of Government. We Indians are not admitted even to the cypher bureau, but he being a good Briton knew the confidential plans. He said that the protection of proprietary rights in land were the first line of defence. Of course he did not say that these lines were the first line of defence for the British Government. He did not like to tell us the whole truth but he just gave us a glimpse of what the truth was. Now, the Government of India at the request of our Zamindars are creating that line of defence. Unfortunately that line of defence is not quite reliable. You know the shape of that line of defence in this house. If the artillery at one point tries to hit the target it might hit one of its own men. Not only it sometimes may do this by accident but the artillery not being homogeneous but heterogeneous one section of the artillery sometimes hits at another section of its own lines. Some of the gunmen are very erratic. Sometimes the gunmen represented by my Honourable friend Mr. Maswood Ahmad may open fire on another section represented by my Honourable friend Bhai Parma Nand. That line of defence is found to be not reliable. It is a defective line of defence. This information about lines of defence was given to us yesterday by one of the representatives of the European group. Many years ago I had heard that a man well-known in my part of the country as being a very wise man had also discovered these lines of defence. Sir, you may have heard about Mr. Ranade. He was a social reformer and was also regarded as a political leader by large sections of people in the Deccan. I have heard that Mr. Ranade used to tell those people who used to gather round him that in the Indian situation there were factors which would always be used by the British Government as lines of defence for the maintenance of their authority in this country during our struggle for freedom. We, in India have got several such factors each one of which affords to our Government a very strong line of defence. The Hindu community is full of injustices. We have the evil of the caste system, the evil of untouchability and the evil of Brahmin, non-Brahmin quarrels. I am not suggesting for a moment that the British Government has created these injustices. We have to thank ourselves for those injustices in our social system. But there is absolutely no doubt in the fact that these injustices serve as bulwarks for the support of the British authority. I shall not tire out the House with instances. But I shall give you, Sir, one more. Take the religious intolerance amongst our own people and the Hindu-Muslim feuds. I am not suggesting for a moment that it is the British Government who created these feuds. We have to thank ourselves for their existence. But can any one deny the fact that these feuds amongst ourselves, between the Hindus and Muslims, have not served as a bulwark for the support of the British authority in this country? But these bulwarks have now begun to totter from their foundations. The Brahmin-non-Brahmin quarrel has practically ended, the leaders of the untouchables have begun to cooperate with the touchables in the struggle for freedom. In this House itself there are parties where the Hindus and Muslims cooperate. Therefore, it is natural that our Government should seek for other fortifications, other lines

of defence. There are new lines of defence arising one line of defence consists of the orthodoxy among the Hindus as represented by my Honourable friend Pandit Satyendra Nath Sen and by Mr. M. K. Acharya outside, another line of defence we discussed only yesterday and this Bill represents the line of defence which is the strongest of all. This Bill is intended, whatever may be the professed object of this Bill, to strengthen this line of defence and to strengthen this fortification. I wish to make an appeal, Mr. President, to our Government which is a British Government. I make this appeal as a loyal citizen. Whatever my amiable friends may have said yesterday about me I still claim that I am a loyal citizen. I claim also that I am one of the most firm believers in the use of constitutional methods and I say, Sir, that I am not only a loyal citizen, I am not only a firm follower of constitutional methods, but I am an admirer of British history, not only of British history, but I am an admirer of British character and Britishers as a whole and in that capacity I make an appeal to our Government that measures of this kind are not in accordance with the traditions of British history. They are against their traditions. Instead of depending upon the forces of reaction, the forces of autocracy, let them depend upon the good will of the progressive sections in this country. They may say that they may show good-will towards the progressive sections but that the progressive sections may not respond. Even then I say that the British Government should stick to their tradition of freedom. If they fail on account of our not responding even their failure will be glorious. But, Sir, if the British Government insist upon staying in our country as unwanted guests with the support of all forces of reaction and autocracy, it will be an eternal disgrace to their tradition and history.

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