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TOPICS OF THE WEEK.

ALL India rejoices that the new era of reforms is being inaugurated by His Majesty's Gracious Proclamation which announces, in addition to the royal assent given to the Government of India Act, a grant of amnesty to political prisoners, which was so very necessary to the establishment of the atmosphere in which alone the reforms can flourish. Several of our leaders have been released, and we trust that amnesty will be given on the largest possible scale. Public peace will not be endangered thereby, but on the contrary will be made secure by enlisting the people thoroughly on the side of the authorities.

THE text of the Irish Education Bill has been published. It embodies all the amendments recommended by the Killanin Committee in the law relating to compulsory attendance—they were mentioned in these pages in a recent article on the subject. In the first place, the Act of 1892 is to be made applicable throughout Ireland, all limitations on its application being abrogated. Effect is thus given to the Committee's recommendation that "the compulsory attendance clauses of the Act should apply to every place in Ireland without exception. Their application should not, as at present, be left optional in case of rural areas." Next, the age at which a child may be excused from attendance at school is to be raised from eleven to thirteen years, the employment of children under thirteen years of age being forbidden, and the fine imposed for a breach of the rule being raised from forty shillings to a maximum of five pounds. The maximum fine on parents is to be raised from five to forty shillings. Where a

local education committee provides means of conveying a child to and from a school, the fact that the school is distant more than two miles from the residence of the child will not be regarded as a reasonable excuse for non-attendance. This Bill is of special interest to us, for all our Compulsory Education Acts are modelled upon the Irish Education Act. It will show how in every progressive country the legal provisions regarding compulsory attendance tend to become more stringent and their scope wider.

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REFERRING to the affirmative power of legislation in the central Government provided for in the Government of India Act, Mr. Motilal Nehru observed in his Congress presidential address: "I cannot reconcile myself to the idea that a single individual, be he the wisest and most responsible man on earth, should be invested in an emergency with the power to enact laws affecting a fifth of the human race." The personal responsibility of the Governor-General has been unduly emphasised in this remark, and the *Times of India* does well to point out that the Joint Committee speaks throughout of the Governor-General in Council in this connexion. They say: "The Committee have no hesitation in accepting the view that the Governor-General in Council should in all circumstances be fully empowered to secure legislation which is required for the discharge of his responsibilities; but they think it is unworthy that such responsibility should be concealed through the action of a Council of State specially devised in its composition to secure the necessary powers. They believe that in such a case it would add strength to the Government of India to act before the world on its own responsibility." The provision of the Act, interpreted in the light of this recommendation, is more favourable in so far as the executive council of the Governor-General, which will include not less than three Indians, will have a voice in the decision on reserved legislation.

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WE will also point out that, in the case of the Indian budget, the power of restoring items struck out or reduced by the Legislative Assembly has been vested by 27 (7) in the Governor-General in Council, which ensures that the Indian view will be strongly pressed by the three Indian members in the executive council before the Legislative Assembly's resolutions are set aside. The Governor-General in Council is to make a declaration that he is satisfied that the demand refused by the

Assembly is essential to the discharge of his responsibilities.

THE retrogressive provision in the Government of India Bill allowing the Governor to block provincial legislation has been retained in its final form. A similar provision has also been made in the central Government in 27 (2), although it had not been contemplated in the Bill in its first draft. This unwelcome addition was made in the Joint Committee on the motion of Mr. Montagu. We are surprised to find that the Secretary of State, instead of preventing the Governor being given a power new to the Indian constitution, himself proposed its extension to the Governor-General, as all the evidence that was heard by the Joint Committee on this point was for not letting the Governor choke off a bill before it reached the final stage. Mr. Sastri, *e. g.*, argued thus :

I do not see the necessity for the Governor having this new constitutional power. It is a dangerous power for any Governor to have to exercise. The Governor has the power in the last resort of vetoing legislation. I put it to the Joint Committee that it would be considered an extraordinary thing to go to the legislative council and say : " Now you are discussing this subject, I will not allow you further to discuss this subject." It would lead to a very dangerous situation, and it is not necessary. Where the Governor is strongly of opinion that any legislation will be risky or dangerous or undesirable, he has it in his power to veto it at the end. Perhaps if he allowed the discussion to go on he might change his mind and he would see that it was a measure which he could on the whole accept. You propose, further, to invest him with the power of returning such a bill for the reconsideration in certain respects of the Council before he gives his assent. That power should be enough.

IT is clear from the proceedings of the Joint Committee that the Labour party's representative on that body could not see his way to stand by the Delhi Congress resolutions for full provincial autonomy and for the fixation of the time limit within which complete responsible government should be realised in the central as well as local administrations. The utmost that even the left wing of the Labour party could bring itself to do was to press for the transfer of all provincial subjects except those of law, justice and police, and the transfer of even these excepted subjects after six years. This only means that it realised what the Congress did not, that dyarchy being the very essence of the Bill, its elimination could not be urged without altering the framework of the measure and recasting it on entirely different lines. What, however, is not so easy to understand is the failure of the Labour representative to ask for a beginning of responsibility in the Government of India. For Mr. Spoor did not move an amendment to this effect. That would certainly have had a better chance than his amendment for the completion of responsibility in the provinces in six years. For even Sir William Meyer had suggested in his evidence that consideration should be given after five or six years to the application of popular control to the central Government also.

WHEN Mr. Montagu found that the Government of India generally held to their retrograde proposals on reform, he asked in despair whether they would not give the Legislative Assembly something to do instead of leaving it merely to criticise. And Lord Meston replied on behalf of the Government of India: " The only suggestion is that which I ventured upon before—the determination either by some authoritative definition now or by the growth of practice in classes of cases such as you have enumerated, social legislation or matters of that sort, in regard to which the Assembly would certainly not be interfered with by either the official side of the Government or by the Secretary of State." In the case of legislation like that of Mr. Jinnah's Wakf Bill or Mr. Basu's Civil Marriage Bill, he explained, officials would be told to vote exactly as they thought right, without inquiring what was the policy of the executive Government; there would be no Government whip. He admitted that the Government " looked rather foolish in having to oppose it (the Civil Marriage Bill) when it was essentially a matter for decision by the popular voice." For the social reconstruction which we all desire a good deal of Indian legislation will be needed, and it is satisfactory to note that in this matter at least there will be no outside interference.

IT will cause surprise to no one that Mr. L. Curtis, whose one object in regard to the Government of India Bill was to emphasise bifurcation in provincial administration, should have favoured the Government of India's proposal that the official wing of the provincial Government be empowered to carry taxation measures against the wishes of the legislative council if their yield was required for the supply of reserved subjects. Mr. Curtis, advocating as he did the separate purse plan, naturally maintained that both branches of the Government must have the power to initiate taxation bills, and that, as in the case of other bills, the the Governor in Council must have the power to pass their measures over the heads of the legislative council. The Joint Committee, however, has adopted the common exchequer arrangement, and yet it endorses, in respect of taxation measures, at procedure which is appropriate only to the divided purse. It is hoped that this defect will be cured in the Governor's instrument of instructions, in which he will be given a specific direction not to call the exceptional procedure into activity in the matter of taxation proposals. We trust this will be done and thus a serious drawback in the Act removed. We are also hopeful that in the Government of India too a convention will be set up not to pass taxation measures against the wishes of the Indian legislature. It would be ridiculous if the Governor-General or the Governor-General in Council were to impose taxation upon the country by a mere ordinance.

THE NEW ERA.

BY SIR HORMASJI A. WADYA.

THE year that has just closed will be memorable in India's annals. The events in the Punjab, the Act for the better government of India and the King-Emperor's Proclamation will remain unforgettable and unforgotten.

The King-Emperor's Proclamation will be as enduring a monument for us and our posterity as Queen Victoria's Proclamation of 1858 was and has been for those who have passed away and for ourselves. To have had three such successive Sovereign Rulers as the GREAT AND GOOD QUEEN who held in her day the noblest office upon earth, her son the KING PEACE-MAKER EDWARD VII and her grandson KING GEORGE V, is a heritage which all the nations in the world may well envy. It is India's happy destiny to share in that heritage and when the King-Emperor's son and heir comes among us India will show to him with what deep, universal and undying gratitude her people—from prince to peasant—appreciate that heritage and the promise the PRINCE OF WALES will bear with him of its blessed continuance.

The events in the Punjab strike, alas! a different note. Those of us who have asked for and insisted upon an open, independent, impartial and exhaustive enquiry must not refuse to await its result in patience and in the further resolve to know the truth and the whole truth as to the causes of the disturbances and as to the measures taken to cope with them. We have the right to know it in order that we may adequately discharge the duty that lies upon us both towards the rulers and the ruled.

If it be true, as has been alleged, that there was conspiracy to wage war and that there was open rebellion instigated or influenced by the intrigues and machinations of German vengeance or Russian Bolshevism or Turkish fanaticism, we want to be in a position to be convinced of it without doubt or misgiving, so that we can stand by the side of Government unflinchingly and wholeheartedly till the evil is exorcised and our people remain free to mould their fortunes and their future, with unstained hand and upright heart, in the light of day and in the sight of Heaven.

At the same time we want and claim to know the truth and the whole truth about the measures taken to cope with the disturbances. We cannot honestly condemn the vicious violence of the mob without equally condemning the vicious vindictiveness which is charged against the authorities concerned. The obligations that lead us to denounce and bring to account the wrong-doers who incite to disloyalty and disorder will be incomplete and inadequate if they do not lead us equally to denounce and bring to account the wrong-doers who oppress or are guilty of excesses.

We cannot, must not and do not forget what has admittedly been done at Lahore, at Amritsar, at Gujranwala and at Kasur and other places in the Punjab. We have to bear in mind and we will

not fail to bear in mind the facts that point to a deliberate conspiracy of concealment on the part of those who strangled the Press and shut the door in the face of men like Mr. Andrews who could ascertain the truth and publish it without fear or favour. We have to remember and we will not fail to remember the attitude of the official members in the Imperial Legislature when Pandit Madan Mohan Malaviya formulated his heavy indictment in the series of questions which the spokesmen and representatives of the Punjab and the Imperial Governments were unable to deny or unwilling to admit. But we must not be impatient. We are bound to await the findings of Lord Hunter's Committee which will in due course be submitted to the Parliament and the people of Great Britain, and to His Majesty's Government and to His Majesty the King-Emperor. It is inconceivable that when the perpetrators of Prussian frightfulness are brought to trial for all they did in Flanders and in France, those guilty of the same misdeeds in India should escape because they are British. Let us make it our duty then that the facts, whatever they may be, are established and fully brought to light and impressed on the mind and conscience of the British Government and Parliament and people.

As regards the Act for the better government of India, the Moderates have happily nothing to retract; nothing to extenuate or attenuate; nothing to gloss over or explain away; and nothing to modify or alter. The spirit in which they confronted the Montagu-Chelmsford Report is the spirit which has animated them all along and will animate them henceforth. They have given what was best in them to the fulfilment of the task that was imposed on them by their antecedents, their convictions and their faith. They ask to do the same service in the future and their foremost task will be to help the country to accept and be prepared for the period of probation to which the period of agitation must give place.

An old Sanskrit precept says that for healthy living and hard work one must refrain from filling all the four corners of the stomach. This is true as well of human institutions as of human beings. Let us therefore not hanker for more and more food but seek to digest and assimilate what has been given, so that the body politic gets stronger in every limb and richer in blood in every vein. Thus when the appointed hour comes India can take a longer stride, a stronger stride, and a firmer stride towards the long cherished goal.

The period of probation will by no means be easy. To prepare and educate the electorate, to train the people in the management of their own local affairs and to stimulate the sense of responsibility in the citizen of every race and creed and sect will be no mean portion of the great task that lies before our country. Education, sanitation, industrial progress and social advancement will now depend on our people's wishes and wisdom and strenuous and sustained endeavour. The vil-

lage punchayats, the taluka and local boards and the district boards and councils will all need the attention and devotion of our public workers. These great questions do not exhaust all that the future will demand of every one of us—young and old, rich and poor, man and woman. To the young—to the women and men of to-day and to-morrow—the new Act opens a new era with its wide vista of greater usefulness. May they strive to be worthy of it and may success attend them! And to us also—the men of yesterday—the new Act and the new era give cause for thankfulness in this, that it will enable us to die in higher hope for the freedom and happiness of the land we have loved and sought to serve so long.

THE LIBERAL CONFERENCE.

THE address of Sir P. S. Sivaswamy Aiyer as President of the All-India Moderates' Conference was all that might be expected of a man of his patriotism, sobriety and culture. It was an outspoken and yet restrained utterance on the burning topics of the day and was characterised by statesmanship and dignity—qualities which are rather hard to find in the rough-and-tumble of present-day politics. "We have been deeply moved," said Sir Sivaswamy Aiyer at the outset, "by the gracious and soul-stirring Proclamation of His Majesty the King-Emperor whose abiding sympathy has ever been a source of encouragement to us and whose message of exhortation will be an inspiration to all to the fulfilment of his wishes. India is profoundly grateful to His Majesty for the exercise of his royal clemency and for his desire to inaugurate the reforms in an atmosphere of general goodwill and harmony." He then took a survey of the reforms embodied in the Government of India Act and showed by a searching analysis of its provisions what a solid advance in India's polity they constitute. Notwithstanding some drawbacks, the most notable among which is the omission to introduce dyarchy in the central Government, the measure now passed is, he said, a substantial fulfilment of the pledges contained in the declaration of the 20th August, 1917. This is a just valuation of our gains in the shape of the Reforms Act to which all fair-minded critics will subscribe. The reforms now enacted are calculated, Sir Sivaswamy Aiyer hopes, to develop into full provincial autonomy in ten years and into complete home rule in twenty years. The school of politicians who make little of the reforms are apparently influenced by the Punjab excesses, condemnation of which is really common ground to both the parties. But the Nationalists feel that reforms cannot have much value if they do not include a declaration of rights which, in the opinion of these politicians, will effectually prevent a repetition of a like tragedy. In the first place, the underlying assumption that a declaration of rights would avert martial law régime is quite unfounded. Martial law itself means a negation of law, and, under the British constitu-

tion, whatever constitutional safeguards may be provided for against the violation of elementary rights of citizenship, they cannot avail when, in the judgment of the authorities responsible for the preservation of order, circumstances have arisen when the military arm must assume control of the situation. The circumstances can later on be tested, and if the necessity for martial law cannot be proved the authorities responsible for putting it into force can be brought to book, but for the moment nothing that we can previously devise will make a declaration of martial law impossible. The proper remedy, not against the exercise of martial law but against its abuse, is the attainment of a higher form of self-government. Even as it is, the chances of a similar reign of terror being established are sensibly reduced, and with complete home rule they will practically disappear. As Sir Sivaswamy Aiyer observed, a declaration of rights is unknown to the British constitution, and, therefore, the enactment of a fundamental law by a superior authority restricting the powers of the Indian legislature is inconsistent with the true goal and bound to be embarrassing in practice. What we have to press for is not the abolition of martial law, but certain constitutional limitations upon its exercise, which limitations, the president of the Liberal Conference suggests, may be authoritatively set forth either in a statute or in a memorandum of instructions to be issued to the Governor-General. His specific suggestions are: "It should be made clear that martial law should not be introduced, unless it is impossible for the civil courts to sit and exercise their functions. It is further necessary that the power of creating new offences for breach of regulations and providing penalties therefore should be delegated to military officers, and that if courts-martial and civil courts are both sitting, any person not subject to the Naval Discipline Act or to military law who is alleged to be guilty of the contravention of any regulation should be allowed to claim to be tried by a civil court instead of by a court-martial."

With the enactment of the reforms, Indian politics will necessarily enter on a new phase, and the present party divisions will give place to new ones. The future parties will be based on the directions in which the power now obtained will be utilised and principally on the methods of social reconstruction, instead of, as heretofore, upon the most practicable ways in which political power can be wrested from the hands of a powerful bureaucracy. Yet, the existing differences between the two schools, in so far as they are not ephemeral, will not be altogether obliterated. So far as the attitude of mind to the new reforms is concerned, the divergent points of view were well set forth by Sir Sivaswamy Aiyer. He said:—"The next instalment of reform is, in our opinion, to be won by wholeheartedly working for the success of the new scheme and endeavouring to make the best of its merits and opportunities rather than by agitation. The practical demonstration of our fitness

by actual work will be a far more effective means of attaining the end than incessant agitation, which will have the effect of diverting the energies of the people from action to talking. Believing that the fullest co-operation between the two halves of the Government is necessary for the success of the principle of dyarchy, our policy is to co-operate with Government, and support them in all measures for the good of the people and to criticise them without flinching whenever their measures require to be opposed. While stoutly opposing all improper measures of repressive legislation, we shall not seek to fetter the powers of the Indian legislature. We recognise no antagonism between the interests of reserved and transferred departments and consider the maintenance of all these departments in efficiency as necessary for the well-being of the State. There is no subject of administration, whether reserved or transferred, in which the people are not interested, and our attitude towards the budget proposals will be determined by a comprehensive view of the requirements of all departments in the interests of the public and of orderly progress. While endeavouring to get rid of any defects in the reconstructed machinery, which experience may disclose, it will not be our aim to exploit the defects for the purpose of wrecking the scheme or creating a deadlock in the hope of Parliament coming to our rescue and granting us full autonomy. While the pursuit of ideals by the members of the other party seems little likely to be tempered by a perception of practical limitations and hard facts, ours will be a practical idealism based upon a knowledge of existing conditions, a sense of proportion and perspective and a comprehensive view of progress in all directions. It will be our aim to consolidate our gains so that our march to the final goal may be firm and sure, and we may not lose the ground we are about to occupy." These differences are real but other differences, even more vital, will come into view as the new polity is at work. These will not necessarily be common to all the provinces, and in some at least, as in the Deccan, many of the go-ahead politicians of the present day will rank among the Conservatives of the future.

The President dealt with the Punjab episode with a due reserve, in view of the fact that enquiry into it is still in progress, but the evidence of the European officers establishes certain conclusions beyond the possibility of dispute. They are: "that martial law was continued long after the necessity for it, if any, had ceased, that the means adopted by the military authorities to put them down were far in excess of the requirements of the situation and that the proceedings of the officers concerned were not guided by any considerations of common sense, humanity or decency." This is a terrible indictment, in all conscience, and pronounced as it is by Sir Sivaswamy Aiyer, who never speaks but weighs every word, the Government must prepare to meet it fairly and squarely. Right-thinking Europeans must be as anxious

as Indians to vindicate justice, and it is to be devoutly hoped that towards this end all will co-operate in such a way as to prevent racial ill-feeling which is otherwise likely to arise. Our demand must now be: "(1) for reparation of all serious hardship and suffering caused by unwarranted acts of severity, (2) for steps being taken to bring to justice any officials, high or low, civil and military, who may be found to have acted unreasonably and in excess of their powers or authorised such acts, (3) for the provision of safeguards against the recurrence of such things in the future, and (4) for the abolition of flogging in the Indian Army."

THE SPEECH OF THE CONGRESS PRESIDENT.

THE portion of Pandit Motilal Nehru's address as President of the National Congress, which deals with reforms, cannot be said to be characterised by sound judgment. He studiously refrains from using the words "unsatisfactory" and "disappointing" to describe the Reform Act, but his analysis of its various provisions and the comment he makes on them show clearly that his general opinion of the reforms is not far removed from the prevailing opinion in Nationalist circles. He too does not fail to add that the reforms such as they are must not be boycotted, but must be taken advantage of. No one for a moment doubted that the extremists, although they might violently denounce the reforms, would not go the length of staying away from the councils. The only question was whether they would value the reforms at their proper worth or continue to depreciate them. And Mr. Nehru, viewed in this regard, has signally failed to give the country a wise lead. To start with, he complained that the Joint Committee had repudiated the Congress demand for the application to India of the principle of self-determination. Now, what constitutes the failure on the Joint Committee's part to apply self-determination—is it the inadequacy of the reforms? Would the principle have been applied if the reforms were adequate and fully satisfactory? Aye, even if complete home rule had been conceded? If self-determination is to be understood aright, we must answer the question in the negative. The Joint Committee would have granted us the right to self-determination only if it had given us the right to decide our constitution. Did Mr. Nehru expect Parliament to surrender its right of settling India's future polity to Indians? Did the Congress ever make such a demand? Well did Mrs. Besant say in criticising the pessimistic attitude of the Congress representatives in England, that Parliament could not be blamed for denying what the Congress had never asked for. One may criticise the Joint Committee's recommendations as wanting in generosity, but to criticise them as not conceding the right of self-determination is to betray lack of practical spirit. Even Mr. Tilak, the Congress delegate commissioned to urge self-determination on the Peace Conference, has been

advising his party to utilise the Act on the sole ground that Parliament having passed it, Indians are under an obligation to accept it; else it would be a piece of disobedience on their part. With Mr. Tilak adopting this policy of a direct negation of self-determination, Mr. Nehru's criticism does not go very far. Commenting upon the periodical inquiry by a statutory commission, the President of the Congress dilates upon the injustice of submitting a nation's birthright to the jurisdiction and decision of an outside body. Here no doubt he is true to the principle of self-determination, but it is permissible to ask why the Congress at all sent its accredited representatives to England to plead India's cause before Parliament, instead of boldly denying Parliament's authority to settle the country's political destiny? A want of understanding of such an obvious implication of self-determination may be excusable in others, but certainly not in the Congress President.

Mr. Nehru, in speaking of the provision in the Reform Act for securing essential legislation in the provincial councils, referred, quite unnecessarily, to the grand committees, which have now been discarded, as being of a "positively retrogressive character." He would, to be sure, have been unable to substantiate this statement by a reference to the Joint Report. He, therefore, invoked the authority of Lord Meston in his support. "Lord Meston," he said, "had finally to acknowledge that the institution of grand committees would, in fact, reduce in certain respects some of the existing powers of the present provincial councils." This is, however, a sheer misrepresentation of what Lord Meston had meant to say. Inasmuch as certain measures would be withdrawn from the jurisdiction of the councils, under the scheme outlined in the Joint Report, Lord Meston said, quite justly, that in law the councils would suffer a diminution of their existing powers, but in so far as the measures thus withdrawn from the councils would be referred to grand committees, of which the composition was not less but slightly more favourable to non-official opinion than that of existing councils, what was apparently lost in councils was more than gained in the committees and there was in fact no set-back. If there was any doubt as to what Lord Meston had intended to say in his reply to Lord Sinha's question, it was dispelled later on by Mr. Montagu, as the following questions and answers clearly show:

You said yesterday that you agreed that the proposals as regards the legislature put the legislature in a worse position than they were to-day as regards legislation?—Yes.

And you said that was due to the fact of the grand committee procedure. That is all, is it not?—That is all.

That is so important a statement that I want to pursue it a little further. You would not wish to put the legislature from the point of view of legislation in a worse position than it is in to-day, would you?—No.

That would be clearly out of spirit with the whole enterprise?—Yes.

If that is your view, why did not the Government of India suggest an alternative?—I think my answer has

been read as though I had taken Lord Sinha's question in a somewhat artificial and narrow sense. What I understood Lord Sinha to ask was whether the legislature, apart from the grand committee, had the same powers under the Bill as the legislature has by law at present, and my reply was that it had not, inasmuch as certain measures of legislation can, under the proposed scheme, be withdrawn from the legislature, which is not the case at present. But if one develops the proposition one sees the essential difference between the two positions, inasmuch as at present the legislature has an official strength which secures its capacity for passing practically any laws that are put before it by the executive Government.

So that if instead of talking of the legislature you talk of the elected members of the legislature, they have enormously greater powers?—Infinitely greater. I never contested that point.

I only wanted to clear up the point?—Quite so; I am very grateful to you. (Questions 409-415.)

Mr. Nehru could not certainly have been unaware of these proceedings in the Joint Committee when he declared that Lord Meston had *finally* admitted that the powers of the legislative councils were being curtailed. His motive in making any reference at all to the supposedly retrograde character of the grand committee proposal is to be found in the next sentence: "The Moderate deputation had, however, expressed their willingness to support the original grand committee and the council of state scheme." But the fact that the Government of India later on proposed an increase in the proportion of the official element in the grand committees so as to bring it on a level with the proportion which now exists in the present councils is sufficient proof that the original grand committees were somewhat better, certainly not worse, than the existing councils.

The criticism levelled by Mr. Motilal Nehru against the separate purse arrangement which the Governor is given power to set up when the joint purse breaks down is altogether inconsistent with the Congress principles. He says that the joint purse was believed to have conceded control over the policy of the reserved departments. This is put in too emphatic a way. What was claimed on behalf of the united purse was that if the executive councillors made an excessive demand upon the provincial revenues, the power of proposing fresh taxation, which was vested solely in the ministry, would enable the ministers, if the point was pressed to a crisis, to reduce the supply for reserved subjects to a reasonable figure and thus to influence indirectly the policy of the executive council. This was not an excessive claim, but it was hotly denied by the extremists, and it is no use regretting now that the joint purse has not been established in full force, the main feature of which they denounced. Any measure of influence it would be possible to exert under the joint purse system is to be derived from the exclusive power given to the ministers to initiate taxation bills. But the Congress took the view that this provision cast upon the popular part of Government an odious duty which the official part of the Government must share with them; this proposal was in its effect little different from the Gov-

ernment of India's proposal that both sections of the Government should introduce their own taxation measures and that the executive council should be enabled to carry theirs in the legislature by the exceptional procedure which would be brought into force in case of essential reserved legislation. A body which deprecated the responsibility for fresh taxation being thrown upon the ministers has no right now to complain if the ministers are unable to influence the policy of the other section of the Government to the extent they would have been enabled to do if they had alone shouldered the responsibility for taxation.

Pandit Nehru utters a grave warning against the expression of satisfaction with the transfer of education and industries. He does not think much of the industries department being made over to the ministers, because railways and shipping, customs and currency are still reserved to official control. He does not realise that these subjects are central and that the whole of the department of industries which is at all provincial has been transferred. Does Mr. Nehru mean that subjects like customs and currency and railways should be made provincial subjects? Again, education is transferred to the exclusion of the control of the Benares University, &c. But in this matter also, such of the sphere of education as falls within the category of provincial subjects, with the single exception, of European and Anglo-Indian education, is transferred to popular administration. Mr. Nehru betrays the same want of appreciation in estimating the value of the provision for fiscal autonomy. It remains to him a mere pious hope—unlikely to materialise in any solid good to India. The great advance made over the Joint Report in the submission of the Indian budget to the vote of the Legislative Assembly does not even find mention in Mr. Nehru's address. Altogether it betrays utter lack of judgment in evaluating the progress which the Act makes on the existing constitution of the country.

A CRITIC.

THE GOVERNMENT OF INDIA BILL.

A SATISFACTORY DOCUMENT.

THE report of the Joint Select Committee on the Government of India Bill was published yesterday, the volumes containing the evidence and the appendices having been made available to the public a day earlier. It is generally recognized that the Bill has emerged greatly improved from the Select Committee. I have had opportunities of discussing the report with many prominent Indians, and they are unanimous in regarding it as a satisfactory document. It does not concede all our demands. It rejects proposals put forward by witnesses belonging to every political party. In particular it leaves the autocratic character of the central Government unchanged. It gives the Indian legislature no control over the legislative or financial policy of the Government of India. Nevertheless the modifications which it recommends, if

accepted by Parliament—as they are likely to be, for the Bill may be looked upon as an agreed measure now—will enable Indians to enjoy real power and to take a long stride towards responsible government.

CHANGES IN THE BILL.

The reactionary changes proposed by the Government of India in their despatch dated the 5th March, 1919, had given rise to great anxiety and alarm. Their acceptance would have destroyed the utility of the Reform Scheme. It is, therefore, a relief to find that the Joint Committee has attached no weight to the opinions of the Government of India. But the feeling of satisfaction with which the Report has been received is due, not merely to our having escaped a serious danger but also to the positive merits of the document. That it represents a considerable advance on the original Bill admits to my mind of no doubt. But what is more important is that it goes beyond the Reform Scheme itself in several respects. Unfortunately it is not possible to say that it takes away nothing that the Scheme had promised, for it recommends that no changes in the list of reserved and transferred subjects should be made for ten years. But in spite of this drawback it seems to me that on the whole the Joint Committee's report is more liberal than the 'Montford' Scheme.

It is impossible for me to deal with all the changes made in the Bill in the course of a brief letter. I shall, therefore, confine my attention to the more important modifications. Beginning with the Government of India, the first recommendation to be noticed is that which relates to the Viceroy's Executive Council. The 'Montford' Scheme proposed that the number of Indians should be increased from one to two. The Joint Committee recommends that 'not less than three members of the council should be Indians.'

It appears from the minutes of the Committee's deliberations that it rejected Mr. Spoor's proposal that not less than half the members of the Council should be chosen 'from Indians who are elected members of the Legislative Assembly.' The rejection of the proposal is not surprising. The selection of the councillors from the elected members can be a matter of importance only if they are chosen from the dominant party in the Assembly, and this can scarcely be done without introducing an element of responsibility into the Government of India. But one may hope that in practice half the members of the Council will be Indians. The statutory limit to the number of the councillors will be abolished, but in view of the reduction in the work of supervision which will be a necessary consequence of allowing the popular will to prevail in some departments, it will be surprising if, in spite of projected developments, the size of the Council were enlarged. It may be noted in passing that hitherto no man can be appointed to the post of Law Member of the Council unless he possesses legal qualifications obtained in the United Kingdom. The Committee proposes that in future there

should be no bar to the appointment of men with purely Indian qualifications.

SECRETARY OF STATE'S CONTROL.

The second recommendation, which is of much greater moment than the first, refers to the control to be exercised by the Secretary of State over the Government of India. To meet the first circumstances created by the introduction of responsibility into India and the enlargement of the Indian legislature, the Crewe Committee had suggested that in certain matters the Secretary of State should refrain normally from interfering with the Government of India when the executive and the legislature were in agreement. The Joint Committee approves of the growth of such a convention and emphasizes its importance in respect of India's fiscal policy. "Whatever," it says, "be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee, therefore, the Secretary of State should as far as possible avoid interference on this subject when the Government of India and its legislature are in agreement, and they think that his intervention when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangement within the Empire to which His Majesty's Government is a party.' The principle both in its wider and more limited application is fraught with great potentialities and a wise acceptance of it on the part of the Secretary of State should go a great way towards enabling the people of India to feel that the decisions of the Central Government are dictated by a regard for her interests.

PRESIDENT OF LEGISLATIVE ASSEMBLY.

Another point to which attention should be drawn is the selection of the president of the Legislative Assembly. In order that there may be an atmosphere of freedom in the Assembly and its standing orders enforced with strict impartiality, it is necessary that the choice of the president should rest with the Assembly. The Joint Committee proposes that the first president, who should be a man with parliamentary experience, should be appointed by the Governor-General for four years. At the end of four years the nominated president will be replaced by one elected by the Assembly. In addition to the president there is to be a deputy president who, however, is to be elected from the very commencement by the Assembly. There are similar provisions with regard to the provincial legislative councils.

DIVIDED PURSE.

Turning now to the provinces, the first thing that claims our attention is the refusal of the Joint Committee to accept the proposals of the Government of India for having a divided purse. The joint purse system is to be given effect to everywhere unless it is shown to be unworkable. Where it breaks down the Governor may allocate the re-

venue himself between the two halves of the executive Government or may ask the Governor-General to appoint some authority to do so.

The division of subjects into reserved and transferred recommended by the Functions Committee has been accepted with slight alterations. The departments of Education and Industries will therefore be provincial subjects and will be under the control of the ministers.

Taxation has not been made a transferred subject formally. But as the Joint Committee lays great stress on agreement between the official and popular sections of the executive Government when a measure for imposing fresh taxation is proposed and the elected element will be in an overwhelming majority in the Councils, the finances will still be regulated in accordance with the wishes of the elected representatives of the people.

The position of the ministers is to be the same as that of executive councillors. Their salary is to be determined by the Legislative Council, but they will enjoy the same status as members of the Executive Council. Ordinarily the Governor is to allow them to have their way even when he cannot see eye to eye with them, and after dissolution it is expected that he will accept the advice of his new ministers regarding the issues which forced the dissolution.

PRESIDENCY RANK FOR U. P.

It ought to be a matter of special satisfaction to the people of the United Provinces that their provinces will rank with the three presidencies. A proposal made by Lord Islington that the provinces of Agra and Oudh should be formed into a presidency was defeated in the Committee, but the second schedule to the Bill provides that the Governor of the U. P. shall receive the same salary as the Governors of Bombay, Bengal and Madras. The United Provinces ought to be grateful for this enhancement of their status to Mr. Chintamani to whose efforts principally this result is due.

GRAND COMMITTEE AND COUNCIL OF STATE.

The Committee has declared itself against the creation of the Gand Committee and the Council of State as agencies for enabling the executive to pass legislation which it considers necessary. The Grand Committee can be brought into being only by the Governor and can deal solely with measures which are certified by him to be essential to the maintenance of peace and order. They are to register the decrees of the Governor. Since the responsibility for securing essential legislation rests on the Governor, the Committee thinks that it will be better to entitle him to pass a law in respect of a reserved subject 'if he considers that the Act is necessary for the proper fulfilment of his responsibility to Parliament.' Except in case of a grave emergency, such Acts, passed on the sole responsibility of the Governor 'should be reserved by the Governor-General for His Majesty's pleasure and be laid before Parliament.' No Governor is likely to exercise with a light heart the power of passing a law by his fiat, but as a matter of constitutiona

form I prefer the plan of the Grand Committee to this expedient. Besides the composition of the Grand Committee did not make it certain that the executive would always be able to have things their own way. The method proposed by the Joint Committee ensures that the popular representatives shall not be able to thwart the wishes of the executive.

As for the Central Government, the Council of State is not abolished. On the contrary, it is proposed that the number of its members should be increased to sixty, of whom not more than twenty are to be officials. But it is to perform the functions of a second chamber only. In order to enable Government to pass laws that it regards as essential the Governor-General will enjoy powers in regard to Indian legislation similar to those conferred on the Governor in respect of provincial legislation and, except in a time of crisis, Acts passed by him shall not come into force until they have received His Majesty's assent.

BUDGET AND POPULAR CONTROL.

My survey of the proposals of the Committee is by no means exhaustive, but I have purposely dealt only with those recommendations which relate to the transfer of constitutional control into the hands of the people of India. They will serve to establish what I have asserted in an earlier part of this letter—that the Joint Committee's report marks a substantial advance not only on the Bill but also on the 'Montford' scheme. The proposals made in regard to the Legislative Assembly, the Viceroy's Executive Council, the election of presidents of the Indian and provincial legislatures and the position of ministers are all more liberal than the corresponding provisions in the Montagu-Chelmsford Scheme. If Mr. Montagu could have had his own way, the Government of India would have been made amenable to the popular will at least in one respect. It is recorded in the minutes of the Committee's proceedings (after the conclusion of the evidence) that on the 31st October he proposed that, with the exception of those items of expenditure which were declared to be a permanent charge on the Indian revenue, the budget should be submitted to the vote of the Assembly which should have the power of dealing with it as it thought proper, the Governor-General having the power to restore any item reduced or struck out by the Assembly by certifying that it was necessary to the discharge of his responsibilities. But on the 3rd November, he himself brought forward another proposal which enabled the Governor-General to treat any demand for expenditure as sanctioned, even if not assented to by the Assembly, without stating the reasons for setting aside the decision of the Legislature. We may be sure that he did all he could to persuade his colleagues to accept his first proposal and that it was only when his efforts proved unsuccessful that he found himself compelled to water it down.

MONTFORD SCHEME AND THE BILL.

The Bill can be passed this year only if it is

not opposed by the House of Lords. To secure the support of that body it must have been necessary for the more progressive members of the Committee to secure the good will and co-operation of the peers who were their colleagues and particularly of Lord Selborne whose lead the House of Lords is likely to follow in regard to the Bill. Otherwise one may feel pretty certain that it would have been more extensively modified to satisfy the legitimate demands of Indians.

The only respect in which the report falls short of the 'Montford' Scheme is in its opposition to any change in the list of reserved and transferred subjects five years after the establishment of the reformed councils. This detracts appreciably from its value; nevertheless I have no hesitation in saying that, taken all in all, the Report goes farther than the Montagu-Chelmsford scheme. It brings us nearer to the goal of responsible government than the scheme. It confers greater power on us in the provinces and enables us to exercise much greater influence in all-India affairs.

ENGLISH PRESS OPINIONS.

The English press on the whole welcomes the report. The *Times* calls it India's charter and pleads earnestly that its recommendations should be embodied into law before Christmas next. The *Westminster Gazette* and the *Daily News* also emphasise the necessity for passing the necessary legislation before Parliament adjourns. India has waited long, they say, and her patience is exhausted. Unless something unexpected happens the Bill as modified by the Committee ought to be passed by Parliament by the middle of December. If any delay takes place it will not be Mr. Montagu's fault.

H. N. KUNZRU.

London, November 20.

CORRESPONDENCE.

THE COMMON LANGUAGE FOR INDIA.

THE EDITOR OF THE SERVANT OF INDIA.

SIR,—The presidential address of Dewan Bahadur V. P. Madhava Rao, C. I. E., at the 3rd sessions of the All-India Common Language Conference will, no doubt, add to the difficulties of the builders of Modern India and would make their task the harder.

He says, "The idea of adopting a single language for all purposes is too antiquated to deserve serious consideration." He adds that Muhammadans may object to the adoption of Hindi as a common language and so objection may come from the Dravidian speaking quarters.

I care little for any objection in this matter, so long as I bear in mind that, in the interests of our common Mother, no sacrifice can be too great.

It is a common language that can draw together the people of India who are to-day speaking diverse tongues. It will make us clearly understand the aims and thoughts of one another. The exchange of words between two Indians through an interpreter or through the medium of a foreign language will never serve the purpose of one language.

I care not whether the common language in India is Hindi or Marathi, Bengali or Gujerati, Telugu or Tamil, so long as it is in the words of Mr. Tilak, "easy to write, elegant to the eye and capable of being written with fluency..." and "should be one letter of every sound and vice versa."

Every Indian, whether Hindu, Muhammadan, Sikh or Parsee, must cast away the garb of prejudice and join hands in the making of a common language based, no doubt, on the Aryan and Dravidian languages.

If we are unsuccessful in our quest for the key to the common language problem, then how was it possible for Dr. Zamenhof to have found the key to an international language, so far as Europe is concerned, Esperanto?

To eliminate any doubt as regards the success of Esperanto and to prove that progress can only be made by the use of a common language, I quote the following:—

"That a skilfully constructed language like Esperanto is easier to learn than any natural language can hardly be contested. All difficulties of accidence, syntax, pronunciation are cut down to a minimum. There are no exceptions and no idioms; the logic of language is reduced to very simple terms. It is only necessary to master a few principles, the rest is a question of vocabulary."—*From the report of the Modern Language Committee.* "There is a strong feeling that none of the national languages is acceptable as an international language, and that only a neutral language such as Esperanto can fill the role."
—*Daily Mail Year Book, 1919.*

I am an optimist to the letter and as such should curtail the number of years for India's uplift to less than forty, which sufficed for Japan.

Conferences and committees can help us very little if we do not find a Zamenhof amongst us. Cannot India, who gave birth to Sir J. C. Bose, Messrs. Rabindranath Tagore, G. K. Gokhale and others, give us a man for this immortal work? Well, time alone will shew, and in the meantime let us devote a part of our life to this problem.—Yours, etc,

SUPPIAH KATHIRASAN.

Kuala Lumpur,
(Federated Malay States,)
11th October, 1919.

SELECTION.

THE REFORM BILL.

MR. SASTRI'S VIEWS.

OUR special correspondent proceeding to the Amritsar Congress had an opportunity of calling on the Hon'ble Mr. V. S. Srinivasa Sastri at his residence in Bombay yesterday (Dec. 22) and obtained the following interview:—

"Intimation has just come of the Lords' amendments to the Government of India Bill," said Mr. Sastri. "I am relieved that they are really minor and do not affect the scope or the value of the Reforms. In a day or two we shall receive the glad news that the Bill has become law. Should the announcement of His Majesty's assent be coupled with the declaration of political amnesty, the heart of India, now so sore owing to the Punjab revelations, will receive the much-needed balm. I am not without hope that Mr. Montagu who has surmounted extraordinary difficulties will yet crown his achievements with an act of clemency, which will ensure for his high-hearted policy the joyous welcome to which it is entitled. His place amongst the benefactors of India is secure from the chances of time. Owing to the complexity of the measure and the large gaps to be filled up yet by the rules, the full extent of its beneficence will not be readily realised by the public. When it is in full operation the praise now bestowed upon it will be found to have been just.

"In many ways," continued Mr. Sastri, "public workers in India as well as their leaders will require to change their attitude to Government and their general outlook so completely that it can be neither quick nor easy. The fond wish of most young people and some people who are not young that there should be no parties in Indian politics will never be fulfilled, nor would it be a desirable consummation for the working of western democratic institutions. But the sphere of political activity in which the spirit of the new order will be mainly operative is the provincial sphere as distinguished from the national, and as the questions which engage the liveliest in-

terest will necessarily vary from province to province, parties hereafter will tend to be provincial and although the nomenclature may be common to all India, the lines of the division are not likely to be uniform. The distinction which now plays so prominent and so odious a part in current politics, viz., between moderates and extremists or liberals and radicals will be obliterated on the inauguration of the new constitution and the recasting of the personnel will astonish the observer. Those who have engaged their deepest feelings in the present-day divisions will do well to remember this, and, if possible, adjust themselves to the inevitable change. Especially in Madras it is much to be wished that Brahmans and non-Brahmans act on the suggestion of the Joint Committee and settle their differences so that the future lines of cleavage will not be those of caste or community, but those arising from genuine difference on live issues. A bright example is afforded by the Hindu-Muslim compact of Lucknow which has survived much defection and even an ill-judged attack from the Government of India. A concordat between communities reinforced by public opinion will not only stand unshaken but start them on a career of common aspirations and common struggles under happy omens. The reservation of seats is an expedient which was thought of very early during this bitter struggle and, if accepted, might have been adopted in the report of the Franchise Committee. I hope no more unnecessary ill-will will be created in the course of future negotiations and the Government of India will not be compelled to appoint an arbitrator who must take the decision out of the hands of the communities concerned. If the leaders at present in authority are unable to shake off the prejudices and antipathies engendered in the last few years let them leave the decision by consent in the hands of delegates on both sides whose minds still retain some detachment.

"I have been held to blame for the failure of an attempt made in London to effect a compromise. The fact is the notice given me was much too short and, after consulting my friends, I informed Mr. Ramarayanagar that we could not possibly accept his invitation that evening as we were all going to the House of Commons to listen to the Prime Minister's concluding speech of the session. We heard nothing further on the subject. No one who was at all earnest on a matter of first-rate consequence would call this a rupture of negotiations or consider it a sufficient ground for condemning others.

If we exclude Sir Alexander Cardew and include Mrs. Besant, the number of Madras witnesses before the Joint Committee is 17, which is much larger than that from any other province, and the ability and eloquence displayed by them were remarkable. I am proud of the public spirit and self-sacrifice displayed by our Province on this occasion; but I fear our claim to superiority on this account will be discounted by the circumstance that it was disfigured by internecine rancour. When this caste difference is composed let us hope that the stir and excitement it had caused will be all to the good and Madras will reap as fine a harvest from the ferment (?) as any province in India."—*The Madras Mail.*

MRS. BESANT AND MR. SASTRI.

THE London correspondent of the "Leader" writes:—

Mrs. Besant and Mr. Sastri leave for India to-morrow. In their various ways, they have rendered admirable service to the country. Mrs. Besant, by dint of tremendous effort, on platforms all over the country, and to all kinds of audiences, has aroused a great deal of substantial interest, as that word is understood here in matters Indian, in the Bill now before Parliament, and her close association with the Labour leaders has enabled her to help them to realize that it would be doing no good to India to oppose the Bill, but she has all along held the view that, in the not very distant future the Labour party would come into power here, and that then a broader measure of self-government could fairly be expected. I am not at all so sanguine on this point as Mrs. Besant appears to be. I think that the Labour party are considerably farther away from the realisation of their ambitions in this direction that

they have imagined themselves to be before the railway strike. Still, all this is matter of prophecy, which is better left to prophets. Mr. Ben Spoor, who, in this matter, appears to speak on behalf of his party, says, in a report published in today's *Daily Herald*, that when it does come into power, it will undoubtedly pass a measure going further in the direction of self-government.

Of Mr. Sastri it is more difficult to speak, for so much of his work has been of that quiet and unobtrusive kind that is not advertised and does not come under the direct observation of more than a dozen people. But it is no exaggeration to say that no member of any deputation has done as much as he to give the Bill its present shape. In so many respects, he has shown that he is a worthy successor to his great leader, Mr. Gokhale. In this matter, too, Mr. Gokhale's mantle seems to have fallen upon his shoulders, and he has worn that majestic garment with an ease that would have delighted his master. India has cause to feel very proud of Mr. Sastri, and it is a matter for astonishment and sorrow that such malicious attacks have been made upon him, not only in Madras where his enemies, by their very ferocity, render tribute to his great capacity and qualities, but also in Bombay, where, I hear, one of the oldest members of his party speaks of him as a 'black sheep.' May there be many more such, might well be the prayer of patriotic Indians.

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