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THE principal thing which has been agitating the mind of the educated Indians for some time past is the constitutional reform. In order to understand this it is necessary to trace in short the history of these so-called reforms.

The Legislative Councils were first constituted under an Act of Parliament, called the Indian Councils Act, 1861. They consisted mainly of officials and a few non-officials nominated by the Government. This Act of 1861 was amended by another Act in 1892, both being cited together as the Indian Councils Acts, 1861 and 1892.

In 1909, the Morley-Minto reform found place in an Act of that year, known as the Indian Councils Act, 1909. It is said that this was the first step towards a representative Council, because—"The additional members of the Councils for the purpose of making laws and regulations of the Governor-General and of the Governors of Fort St. George and Bombay, and the members of the Legislative Councils already constituted, or which may hereafter be constituted, of the several Lieutenant Governors of Provinces, instead of being all nominated by the Governor-General, Governor, or Lieutenant Governor in manner provided by the Indian Councils Acts, 1861 and 1892 shall include members so nominated and also members elected in accordance with regulations made under this Act, and references in those Acts to the members so nominated and their nomination shall be construed as including references to the members so elected and their election."

Then we had the famous declaration of 20th August, 1917. This was followed by the report, known as the

Montague-Chelmsford Report, published in 1918. Thereupon, the Government of India Act was passed in 1919 giving birth to the present reforms.

It purports to be the first great measure in pursuance of the new policy mapped out in the declaration of August 1917. It is said that it was the product of deep thought and the out-come of a genuine desire on the part of the British Parliament to give effect to the patriotic aspiration of Indian political leaders, and to initiate a system of self-governing institutions. But in reality it did not fulfil the intentions of its authors and, to use the words of His Excellency Lord Reading, "it met with determined opposition from certain sections of the community, directed at first from without the Councils and latterly also from within." Thereupon, after three years' experience of the new constitution, the Government of Lord Reading, with the approval of His Majesty's Government, decided that an enquiry should be made for the purpose of determining "whether any measures could be devised whereby the system might work more smoothly and efficiently." These problems were examined by the Reforms Enquiry Committee.

As might be expected, the members of the Committee, known as the 'Muddiman Committee', were unable to come to unanimous conclusions. The so-called Majority have made a series of recommendations, "which taken broadly, appeared to be acknowledged as suggesting improvements on the existing practice".

The Minority consisting of gentlemen "whose views are entitled to receive the most careful examination" of His Excellency Lord Reading and his Government and of Lord Birkenhead, and who are not "non-co-operators" at all, have

stated that no substantial results will be produced by the process of amendment of defects recommended by the Majority. They ask for a constitution which should be put on a permanent basis with provisions for automatic progress in the future and they favour a system of Provincial autonomy. The recommendations of the Minority, according to His Excellency Lord Reading, amount in effect to a demand for an early and authoritative enquiry with a view to a revision of the constitution.

It may be noted here that if Sir Mahomed Shafi's real views as expressed after his retirement from the Government service, be taken into consideration, the report of the Majority is really the Minority report and the Minority report is really the Majority report

However the reports of the 'Muddiman Committee', as they stood, were submitted to the Government of India in November, 1924. The Government of India waited and waited till it was decided that His Excellency Lord Reading should go to England and personally discuss the matter with the Secretary of State. So His Excellency Lord Reading sailed for England, and after a careful study of the problems and after full consideration of the views which His Excellency Lord Reading had presented in numerous conferences as a result of his experience in India, Lord Birkenhead delivered in the House of Lords a speech which purports to decide nothing, yet decides everything.

This speech formed the subject matter of numerous discussions both here and in England and His Excellency Lord Reading on his return to India took the earliest opportunity to present to the people of India, through the Legis-

Legislative Assembly, a Mullinath's edition of the speech of Lord Birkenhead. It has been very aptly styled to be an echo of the White-Hall Speech, softened in tone possibly by the sea breeze on his long way to India. But while telling us nothing which we had not already heard from Lord Birkenhead, His Excellency Lord Reading made clear what Lord Birkenhead had left in doubt. Both are however disappointing pronouncements, full of sound and fury, signifying nothing.

Lord Birkenhead said—"No decisions whatever have been reached, nor could they have been reached. Indeed, not even the cabinet which has naturally been kept closely aware of the discussions between myself and Lord Reading, has reached any decision."

Commenting on this, His Excellency Lord Reading noted—"You will have observed that His Lordship was careful to state that he was not announcing or purporting to announce decisions or conclusions. Nevertheless it cannot be doubted that his survey of the situation formed an important event in the history of political development in India."

But though no decisions whatever had been reached by Lord Birkenhead, he promised that before decisions of any kind were taken by him, he would have the consideration and advice of the Government of India and must at least elicit the opinion of the Legislative Assembly. His Excellency Lord Reading and his Government were however prepared to accept in substance the view of the Majority that the present constitution should be maintained, and amended where necessary, in order to remove defects in its

workings on the lines recommended by them. Pursuant to this, the Home Member—the author of the Majority Report—moved on the 7th instant a resolution in the Legislative Assembly which ran as follows:—

“This Assembly recommends to the Governor-General in Council that he do accept the principle underlying the Majority Report of the Reforms Enquiry Committee and that he do give early consideration to the detailed recommendations therein contained for improvements in the machinery of Government”.

Pundit Motilal Nehru moved a joint amendment on behalf of all the Indian non-official parties in the Assembly. The substance of his resolution in short is that Parliament should make a declaration vesting the control of the revenues and properties of India to the Governor-General in Council; that the Governor-General in Council shall be responsible to Indian Legislature and subject to such responsibility, shall have power to spend the revenues, extra-ordinary powers being vested in the Secretary of State for a limited period, to appropriate money up to a fixed limit for Military, Foreign and political expenditure and for payment of debts and liabilities hitherto lawfully incurred; that the Secretary of State's Council should be abolished; that the Indian Army shall be nationalised within a reasonably short and definite period; that the legislatures both central and provincial, should consist entirely of members elected by constituencies formed on the basis of a widened franchise; that the principle of responsibility to legislature be introduced in the Central Government subject to certain reservations in connection with the Military, Foreign and Political affairs for a fixed term of years; that on the expiration of such period,

the Indian Legislature should have full powers to make amendments in the constitution of India; and that Dyarchy should be abolished and unitary responsible government established in the provinces. The resolution further recommends that necessary steps be taken to constitute a convention, round table conference or other suitable representative agency for preparing a detailed scheme on the above principles, and to submit the same to British Parliament after approval of the Legislative Assembly.

This amendment of Punditji, as you know, has been carried by a majority of 27 votes, 72 voting for and 45 voting against his resolution.

In spite of this signal defeat of the Government, I have no doubt whatever that this joint resolution of the representatives of the people of India will be thrown into waste paper baskets by the Government, and His Excellency Lord Reading in his more-than-motherly affection for the infant people of political India and certainly "with a view to the realisation of responsible government," will show every consideration to the views of the majority before final conclusions are reached by his Government or by Lord Birkenhead.

This is our position what are we to do now?

Before I venture to answer this, I should like to place before you my reading of the speeches of the two noble lords, the present arbiters of our destiny.

I note first and foremost that the decision as to the question of the Services and the Indianisation of the Army, has not been left open or in doubt; probably this decision had become indispensably necessary in order to give effect to the declared policy of Parliament to provide for the

increasing association of Indians in every branch of Indian administration", these words appearing in the Preamble to the Government of India Act, 1919.

As regards Provincial autonomy, it has been said that the relations of the Central Government to a number of so-called autonomous Provincial Governments, have not yet been thought out.

"Dyarchy, whatever its defects may be, has proved most successful" and must be worked in future "with general good will and co-operation".

As to the revision of the scheme before the prescribed period of 1929, it has been pointed out "Wise men are not slaves of dates, rather are dates the servants of sagacious men". Consequently, the re-examination of the constitution may take place at any time not later than 1929 when the British Government are persuaded that there has been genuine co-operation of the responsible Indian political leaders in working the existing constitution and when sufficient experience of these new and still largely untried conditions has been gathered to form the basis of the considered judgment, and to enable proposals for the future to be made with some confidence.

Lord Reading emphatically adds that the moment for enquiry has not yet arrived and he reminds us of certain words of the Preamble to the Government of India Act, quoted by Lord Birkenhead in his speech,—"*And whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities of service be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility.*"

But His Excellency, without referring to a previous paragraph of the said Preamble wherein it is stated—"it is expedient that *substantial steps* in this direction should *now* be taken," and without caring to examine the complaint that no substantial step has really been taken in this direction, the Ex-Chief Justice of England, as a friend of India, decides that he cannot think that the statutory commission should commence its enquiry immediately.

To those of us who often contend that the British people are seeking to arrive at the final destination by imposing ideas which are alien to its genius, it is pointed out that they are not wedded to any particular methods of attaining that object. The British people working on their own experience, have set up institutions in India based on Western models. Responsible self-government based on Parliamentary institutions, is the product of Western thought and experience. Lord Birkenhead disclaimed on behalf of the British Parliament any monopoly in the art of framing constitutions and he invited the Indians, to quote his words, "to produce a constitution which carries behind it a fair measure of general agreement among the great peoples of India". Therefore, advises His Excellency Lord Reading, the time which may elapse before the re-examination of the constitution, whenever that may happen, could not be better occupied by public men in India than by devoting serious practical thought to those problems.

His Excellency adds—"Whatever may be proposed will be the subject of the most careful examination by the Government of India, and eventually by the Commission before it is submitted to the British Parliament. The Com-

missioner should know whether there is any general consensus of opinion among the various classes and communities of India as to the direction in which the development of self-government within the Empire should be sought. Should we persevere in our proposed course, or is there an alternative line of advance which would be more in accordance with Indian ideas and would receive the support of the numerous interests concerned? If any alternative methods are to be suggested, much hard thinking is required. Constitutional problems are not solved by a phrase. Account must be taken of unparalleled complexities, diversities of race, diversities of religion, striking diversities of intellectual development, and a social organisation which separates classes with a rigidity unknown in any other great country. It must be kept steadily in mind that it is a primary duty of the Government to provide security against external aggression and to preserve peace and order within its territories, and in India it is imperative that adequate means should be devised for the protection of minorities. No greater problem in self-government has ever been set before a people. No problem has ever more assuredly required accurate and practical thinking."

To those of us who assume that the path to self-government "lies along a broad metalled road", or believe that if they could only be freed from the impediments and restrictions from the present form of Government, they could run safely, rapidly and directly to their goal, it will of course be news that to His Excellency's mind "the problem presents itself under a different figure." His Lordship thinks rather of "a man picking his way through an unexplored region, towards his destination which glimmers faint but clear in the distance. He halts on firm ground

and seeks the next spot to which he can safely entrust himself. A rash step may engulf him or delay his progress indefinitely." So His Excellency in a spirit of warm affection for India and deep devotion to her interests, prays from the bottom of his heart that India "may avoid the pit-falls that beset her path and win through to the goal to which her face is set."

There is yet another passage in the speech of His Excellency Lord Reading to which, I think, I ought to draw your special attention "I have not abandoned the hope that as the days proceed, evidence of a spirit of co-operation may yet be forthcoming from that large section of political opinion which has hitherto stood aloof, and that it may be manifested that the political attitude of those who have hitherto declined to shoulder any responsibility may undergo a change. I know that there is a school of thought in India which preaches incessantly that nothing is to be won from England save by force or threats. Believe me, that is a profound mistake, and if persisted in, cannot but embitter the relation of the two countries. The reforms took their origin in England in a spirit of good will not of fear, of optimism not of opportunism. The history of the last few years has damped the hopes and dimmed the expectations of many of those in England who wish India well, but these hopes can be rekindled, these expectations can be recreated if India shows the mind of friendship instead of menace".

All shades of political opinion in India agree in their demand to put the constitution of India on a popular basis according to the pledge given in the declaration of August, 1917. The Liberals, Independents and Swarajists tell His Excellency in one voice what the people want. His Lord-

ship in a manner also admits that the so-called reforms are not working well; still His Excellency is not prepared to revise the scheme, but is kind enough only to accept the principle underlying the Majority Report of the Reform Enquiry Committee. And yet he wants co-operation from us! And yet his Home Member exclaims in the Legislative Assembly—"No wiser judge of political affairs and political potentialities, I venture to think, exists in the British Empire and when after his recent contact with the political life at home His Excellency gives you this advice, I think the House would do well to ponder over it not once but many times".

The Home Member however also tells us that this co-operation is not a mere phrase, but, after all, what does this co-operation mean? Surely, it does not mean a healthy or mutual co-operation; it means, if it means anything at all, a slavish co-operation on our part with everything that is to be done by the Government? Yes, it is this slavish co-operation, that is sought by the British people whose message His Excellency has carried to us.

So long as the Government will consider itself as the master of the people and so long as it will flout public opinion, so long as it will not take the public into its confidence, so long as it will consider the interest of the white people as supreme, so long as it will treat us as so many dumb-driven cattle, so long as it will turn its deaf ear to the words of our best men—men whom any country in world would be proud to honour,—it cannot expect co-operation from us. If it can change its angle of vision, if it can become responsible to the Indian people, or if its officials can ever consider themselves as servants of the people,

then and then only will the occasion arise for co-operation, then and then only will its call for co-operation be readily responded to. Let the atmosphere for healthy co-operation be created, and co-operation will come spontaneously.

There cannot be any doubt that the spirit of opposition has revolutionised our life, has brought in us consciousness and a spirit of devotion to the Mother land, and is leading us towards unity and nationalism. The time for crying halt in this march of ours has not yet arrived. We must either proceed or recede—there is no neutral zone where we can stay on. If we attempt to do so, we will have to retreat all along the line. It would be an ignoble retreat, not an honourable retreat at all. We have lost our individuality and become slaves to the West in every respect and if we are to prevent our complete denationalisation we must oppose in a body so long as our just dues are denied to us, so long as justice is not done to our nationality. If we can successfully oppose, we will sooner or later achieve the greatest victory, the greatest triumph of a nation.

Difficulties—great difficulties—there are indeed in our way. Of these, the greatest is the question of difference amongst ourselves. I am not much afraid of the differences which exist amongst us as to the points of view of this or that political party. All these parties aim at the common goal, the political salvation of India; and so long as they differ as to the mode and manner of their march or as to the path by which they are to march, in order to arrive at this goal, the difference will not materially affect the real issue in the long run. The less the number of such parties, however, the better it will be for the country; and if practicable, I would certainly wish to have one great political party in the country.

But I am seriously apprehensive of our communal differences. This really involves vital issues and unless we can substantially make up our differences in this direction, our fate is doomed for ever. It has been the worst pest in the history of our country and has always been a stumbling block to the solidarity of our nation as a great unit. If there were no such differences in our country, the fate of India would have been quite otherwise. I hope, however, that we shall rise superior to the occasion and yet do our best to put our house in order.

Remember, that if we want to organise India into one solid political unit, we must unite. Do not forget the common, but very noble, truth that union is strength while dissension is sin, or, in other words, united we stand, divided we fall.

To me it seems that the key-note to Swaraj, the basis on which it can stand, is unity, co-operation amongst ourselves

Co-operation amongst ourselves, rather than non-co-operation with the Government, is the real thing that is needed in the present circumstances of our people. If we have co-operation amongst ourselves, non-co-operation with the Government, whenever needed, will follow as a matter of course. In fact, if we have co-operation amongst ourselves, there will hardly be any occasion for non-co-operation with the Government

Let us honestly work for the unity and co-operation of our people; let us sincerely love our country and its people; let us forget our inter-communal dissensions; let us tolerate the ideas and feelings of others, when they differ from us; let us respect law and order, and detest violence in any form

or shape; let us change our mentality and learn self-reliance; let the country's cause dominate our personal or communal interest—forget our personal or communal existence when the supreme interest of the country requires it; above all, let us have reliance on God and love for humanity without reference to colour and creed, or latitude and longitude. Let us never forget that He is the Father of all people, black, brown or white, and we cannot expect justice from Him unless our claim is just.

For—

“Freedom comes from God's right hand
And needs a godly train,
And righteous men must make our land
A nation ever again”.

We have in our midst such a righteous man—
Mahtmaji, the greatest of the present generation. Let us
look to him for a godly train to carry us through.

“God give us men! A time like this demands
Strong minds, great hearts, true faith and ready hands,—
Men whom the lust of office does not kill;
Men whom the sports of office cannot buy; (S)
Men who have honour; men who will not lie;
Men who can stand before a demagogue,
And damn his treacherous flatterers without winking!
Tall men, sun crowned, who live above the fog
In public duty and in private thinking.”

If we are true men, if we can work our country's cause
with lofty ideals before us, if we can help ourselves, God
will help us. Remember what He said:—

“परितोषाय साधुना विनाशाय च दुष्टकृते ।

वन्द्योऽस्माकमर्थाय सत्सनाति ॥”

