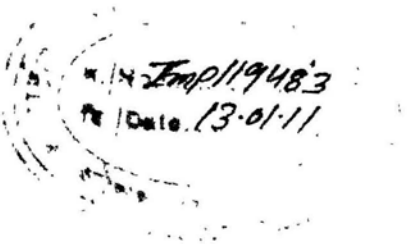
No originality is claimed for the following pages. An attempt has been made to collect together opinions and views that have appeared elsewhere and to present the problem of the electorates as it appears to a student of current happenings. If it succeeds in assisting an inquirer in obtaining a clearer view, its purpose will have been accomplished.

A. L. O I.



A NEW CONSTITUTION FOR INDIA.

Everyone is familiar now with the pronouncement of Policy made on the 20th of August, 1917, but it is necessary to recall the precise words:—

"The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible.....progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility."

No one connected with public life or who is acquainted with the history and the trend of thought of the British people has ever been in doubt that the ultimate goal of the British control of the Indian Empire must be the independence of India, but the above announcement is the first public declaration of this as a definite Policy.

It will be observed that the announcement naturally divides itself into five parts :—

1. The increasing association of Indians in every branch of the administration.

2. The gradual development of self-governing institutions with a view to the progressive realization of responsible Government.

3. Substantial steps in this direction should be taken as soon as possible.

4. Progress in this policy can only be achieved by successive stages.

5. The British Government and the Government of India must be judges of the time and measure of each advance.

The first item—the increasing association of Indians in the administration—has hitherto been the practice of the Government and needs no comment, but it is the second item which, coupled with the third, has called forth so much controversy, though its language seems at first glance unexceptionable. The gradual development of self-governing institutions, keeping in mind as a final object the complete realization of representative self-government so that the Government of India may eventually become as independent as the Governments of the Dominions, is a statement of policy that expresses the idea of the future of British rule which has been in the minds of all thoughtful students of Indian affairs for many years. It is found insufficient only by those who demand that India be given full autonomy at once, a demand that is generally believed to be dictated more by the personal hope of being able to snatch at some of the sweets of irresponsible power

that by any conviction that India would be benefitted thereby.

It may be doubted whether the writer of the announcement foresaw the interpretation that has been placed upon the expression "responsible government." All governments are responsible in some sense; and all democratic governments are responsible to the people, but the expression has come to have a very limited and almost technical signification, *viz.*, an executive responsible to a legislature which is responsible in its turn to an electorate representative of the whole people, and it has been widely assumed that the meaning of the words "responsible government" in this pronouncement of policy does not go beyond this limitation. It is of course possible that this is what was intended by those who drafted the pronouncement, but if so it is exceedingly unfortunate because it limits the line of progress to one particular form of representative self-government, the British. This type of government is not in operation successfully anywhere outside the United Kingdom, where its success is considered by many competent observers to have been achieved not in consequence, but in spite, of its form, and to be due to circumstances that are not duplicated elsewhere. In Europe other democratic countries have evolved representative governments which do not come within this meaning of the term responsible government, and it will certainly be a misfortune if, by too narrow and technical an interpretation of a phrase in the pronouncement of policy, the development of the

Government of India should be directed along a line which is perhaps not 'ideally' the best and may be entirely unsuited to this country.'

We apparently owe entirely to Mr. Lionel Curtis the assumption that His Majesty's Government intended that the future Government of India shall be of the same type of self-government as that of the United Kingdom, and his explanation of the meaning to be attached to the phrases employed in the pronouncement of policy has been accepted without comment in the reform proposals put forward by the Secretary of State and the Viceroy, but until we have from His Majesty's Government an authoritative explanation of the meaning to be attached to the words responsible government, we are justified in disregarding the academic definition adopted by Mr. Curtis and by those who have followed his lead.

It was further assumed by Mr. Curtis—and here again he has been followed by the Secretary of State and the Viceroy—that taking substantial steps in the direction of the gradual development of self-governing institutions must be understood to mean the immediate erection of provincial constitutions of a character which would conform to his definition of responsible government. There is no justification for this in the pronouncement of policy, which only requires at present the gradual development of self-governing institutions. The realization of responsible government is something to be kept in view as an ultimate goal, not something to be attempted at once.

At present there are practically no self-governing institutions. Provincial Legislative Councils consist of official members and non-official members; some of the latter are nominated by Government, some are elected by the District and Municipal Boards. Members of some District Boards are elected chiefly by voters who do not vote in respect of any fixed qualification, but are nominated. Members of Municipal Boards are elected by voters who have a definite qualification, this being generally property held or income-tax paid. With the exception of the municipal electors there is no electorate in the country which can be said to be representative of the people, and these only represent the urban population, a minute fraction of the total.

Probably the absence of any electorate was not a matter that was prominent in the consciousness of the members of His Majesty's Cabinet when it was decided to make the pronouncement of policy, but the creation of an electorate is an essential preliminary to the introduction of any system of representative government, and until there is an electorate with the capacity to express its desires through the medium of elected representatives there can be no representative government of any kind. The only basis for any conceivable system of representative government is the mass of the people, over nine-tenths of whom in India live in rural villages, and a complete scheme of responsible government must be founded on a broad base, as the Montagu-Chelmsford Report says, "Responsible institutions will not be stably rooted until

they become broad based." The condition of these 90 odd per cent. of the people is described on two pages, and the proposals for government applied to the village are contained in the following lines :—

"It is recognised that the prospect of successfully developing panchayats must depend very largely on local conditions, and that the functions and powers to be allotted to them must vary accordingly; but where the system proves a success it is contemplated that they might be endowed with civil and criminal jurisdiction in petty cases, some administrative powers as regards sanitation and education, and permissive powers of imposing a local rate. It is hoped that, wherever possible, an effective beginning will be made."[1]

That is how the Montagu-Chelmsford proposals dispose of village government, although it is in this field that there has always been some combination of the people for common purposes, and it is here, if anywhere, that the principle of corporate action through representatives responsible to a live electorate is likely to become a reality. Anything more foreign to the lives and habits of the masses of the people, to their inherited instincts, to their mental prepossessions, to the trend of their thoughts, than democratic ideas of elections and representation, for even the most homely purposes, can hardly be conceived. The Montagu-Chelmsford Report quite correctly describes the people when it says :—

"What concerns them is mainly the rainfall, the price of grain and cloth, the payment of rent to the landlord or revenue to the State, the re-payment of advances to the village banker, the observance of religious festivals, the education of their sons, the marriage of their daughters, their health and that of their cattle.

[1] Paragraph 196.

They are not concerned with district boards or municipal boards, many of them know of no executive power above the district officer, and of Parliament or even of the legislative councils they have never heard."[1]

And we know how accurate is this picture of the ryot :—

"One of his constant needs is protection against the exaction of petty official oppressors. Improvements in seed or stock, manures, ploughs, wells; the building of a new road or a new railway; facilities for grazing his cattle or getting wood for his implements; the protection of his crop from wild animals, his cattle from disease, and his brass vessels from burglars; co-operative banks to lend him money and co-operative societies to develop his market; the provision of schools and dispensaries within reasonable distance—these are the things that make all the difference to his life. They have all been dispensed for him by an official government in the past; and we must always bear in mind that he will not find it easy to learn to arrange them for himself in future. He has sat on caste panchayats; he has signed joint petitions to official authority. But he has never exercised a vote on public questions. His mind has been made up for him by his landlord or banker or his priest or his relatives or the nearest official. These facts make it an imperative duty to assist, and to protect him while he is learning to shoulder political responsibilities.[2].....When local bodies are developed some of his class will have a vote on local questions. He will thus begin to discover that if there is no school near his village, or no road to take him to the market, the right way to procure these benefits is, not as heretofore by asking the Collector for them, but by voting for the local board member who is most likely to get them for him. The process will be an uphill one; it will take time; and very probably advance can only come through previous failure. The rural voter will perhaps find himself cajoled, or bought, or coerced into voting in a way that does himself no good. But eventually it will dawn upon him, as it has done upon the agricultural classes elsewhere,

[1] Paragraph 133.

that because he has a vote he has the means of protecting himself, and that if those who claim to represent him neglect his interests he can discard them. As his political education proceeds, he will come to apply the lesson learned in local affairs to the affairs of Government also. It will occur to him eventually that if landlords are oppressive and usurers grasping and subordinate officials corrupt, he has at his command a better weapon than the lathi or the hatchet with which to redress his wrongs. He will gradually learn that though the Government is far off he can take a remote part in determining its action, and he will find that because the infinitesimal power which he wields is in the aggregate effective the Government becomes more sensitively alive and responsive to his needs. But his rate of progress will always depend upon the measure of assistance which he receives; and we look to both officials and candidates to feel a responsibility for helping him..... .....we feel no doubt that in learning to rise to his new responsibilities the Indian peasant voter will need all the help that other people, officials and non-officials alike, can give him."[1]

The condition of the rural population is here accurately portrayed, and we who know them well know that as they have been for untold ages subject to the personal despotism of autocratic rule, they have not only no experience, but also they have no understanding of any other description of control, and no amount of explanation would enable them to comprehend the meaning of representative government. Control through representatives elected by popular vote will only be understood by the peasant class if the work done by their representatives is done in their sight and under their observation. This condition can only be met by making the first experiments in responsible government in the field of village control. If this is done, and the peasants are

[1] Paragraph 146.

in a position to learn that their representatives are required to act in accordance with the desires of the electorate, and that if their work is unsatisfactorily done the electorate will not return them again, then, by slow degrees, by practice, by success, by failure, the peasants will learn to depend on the power of their own votes to compel their representatives to obey the behests of the electorate ; and having learned the lesson of self-reliance in the matter of village government, they will become able to apply this knowledge to the higher branches of local self-government. Gradually, and after some years of practical experience of the extent to which their selection of representatives can affect the rule of, first, their village, and later, their sub-division and their district, they will be able to understand how they can influence the making of the laws that bind them, if they are given the power of selecting the popular representatives to whom is entrusted the making of the laws and regulations. But until the mass of the people have some experience upon which they can base an attempt to understand responsible government, it would be as difficult and as unprofitable to try to explain to them the mysteries of democratic provincial rule as to try to make them understand that fourth dimensional abstraction known to modern metaphysicians as time-space. It would be not merely hopeless, it would be absurd to think of doing so. Until the people have had some training and have acquired some knowledge of the working of control by elected representatives, and have settled down, as

it were, to stable comprehension of the management of the affairs of their village, and then of their district, by the methods of responsible government, it would not only be unwise, it would be criminal folly to place upon them heavy political responsibilities of a wider range. The Montagu-Chelmsford Report is in no doubt on this point, for it says.....

"While we do everything that we can to encourage Indians to settle their own problems for themselves we must retain power to restrain them from seeking to do so in a way that would threaten the stability of the country. We have shown that the political education of the ryot cannot be a very rapid, and may be a very difficult process. Till it is complete he must be exposed to the risk of oppression by people who are stronger and cleverer than he is; and until it is clear that his interests can safely be left in his own hands, or that the legislative councils represent and consider his interests, we must retain power to protect him."

The evidence placed before the Secretary of State and the Viceroy in India was chiefly in connection with the witnesses' desires or fears regarding changes in the Government of India or the provincial governments, this being the most prominent and attractive field for the projects of amateur constitution-makers, just as great elevations dominate the landscape and call to the would-be mountaineer. For this reason, and because both the Secretary of State and the Viceroy deal only with the government of the country at the top, their Report is concerned mainly with provincial and imperial questions. They leave the details of the scheme of local self-government to the provincial governments, because, as they put it:—

"It would be highly inconsistent to insist on provincial autonomy, and simultaneously to leave no latitude of action to

great provincial governments in the field which is so peculiarly a matter for local development."

Not only did they leave details of a complete scheme of local government to the provincial governments, but they leave to the Government of India the consideration of the outlines of the policy to be recommended to the provincial governments and only refer very briefly to the proposals which the Government of India intended to put forward, with the curious remark that as this programme is still under consideration, it would not be suitable for them to comment on it. Surely if there is one thing more than another which it would have been proper for the Secretary of State and the Viceroy to deal with fully, it is the condition under which the peasants are to acquire a knowledge of western methods of representative government. The difficulties of their political education having been shown to be so great, we have the right to expect a full discussion of the circumstances under which that education might best be commenced. Since the Report of the Secretary of State and the Viceroy was written, the Government of India have published a Resolution dealing at length with their proposals regarding the formation and development of village committees and municipal and district boards.

Before the advent of the British each village in most parts of India was a self-governing community ruled by a committee or panchayet of elders, who were regarded as the leaders and administered justice, dealing with both civil and criminal cases.

This village self-government has been destroyed by all power and authority being concentrated in the hands of the executive officers of the Government. There is a considerable amount of evidence that the village self-government was quite satisfactory and efficient, and it had been gradually evolved to meet the requirements of the people who employed it, and although it may not be possible to return to the system of semi-independent local communities which existed in the time of the Moghul Emperors, there is no doubt that a reversion to the older type of village control would provide a responsible village self-government without being open to the difficulties necessarily surrounding an exotic transplantation of a western system to an eastern soil. In recent years there has been some realisation that the destruction of the village as a unit of governmental control was a blunder, and with this realisation has come the desire to undo the mischief and re-form the village panchayet, a desire that found expression in Bengal some time ago in an effort made by the Government to revive co-operative action in the village. Unfortunately the opportunity was thrown away by the new panchayet being made purely the agents of the district officers, instead of representing the village, and it is hardly a matter for surprise that panchayets of this kind should have been a conspicuous failure. With further knowledge and a clearer understanding of the need for a wide representative electorate, there has come an appreciation of the position of the village as an electoral unit, and a fuller comprehension of the

necessity for adequate provision for the training of the primary electorate if the people at large are to have any voice in the management of their affairs, whether these affairs are parochial, provincial, or imperial. Consequently there are proposals, some bearing the impress of more haste than intelligence, for village self-government. The general lines now laid down by the Government of India in connection with the formation of village committees are therefore of unusual interest. The Government of India at the outset enlarge upon the character which the village committees ought to have, and state that they are intended to develop the corporate life of the village and to give the villagers an interest in, and some control over, local village affairs.

The Decentralisation Commission were mainly obsessed by the need for caution in rehabilitating the different village panchayets, and considered that functions must be gradually and cautiously assigned to them and must vary with the locality and the manner in which the panchayet discharges the duties first placed upon it; and in 1915 the Government of India expressed its concordance with the general line of the Commission's proposals for the discharge of administrative and judicial functions by the panchayet, but now the Government is even more concerned with the need for emphasising the note of caution, although no institution is older than the panchayet chosen to represent their fellows, and its authority is widely recognised, although unwise legislation has done something to bring the title into disrepute. The

constitution of village panchayets is far less of an experiment than any of the committees of imported pattern which have been formed under the various local self-government laws, and the manner of their working can be predicted with certainty, and, provided that in the beginning they approach the type that was developed by the natural processes of evolution, their success is assured.

The Government is also much occupied with the fear lest the village panchayets may in some way become merged in a connected scheme of local corporate activities, so that whereas in 1915 they proposed that if panchayets were financed by district or sub-district boards there would be no objection to some supervision by such boards, and that the relations of panchayets on the administrative side with other administrative bodies should be clearly defined, they now wish to withdraw from this opinion altogether, and the reason they give for the change of attitude is that it is not desirable to make any rigid classification of the connection of panchayets with other administrative bodies, "from which indeed they should be kept apart as much as possible." The next sentence lays down the rule that the way in which the panchayets do their work should be tested by inspections by the administrative district staff. The resolution attaches the utmost importance to the association of the principal village officers with the panchayet, and proposes an 'informal election' of the other members of the panchayet by the villagers themselves. General control, in the shape

of replacing members of the panchayet whom they deem incompetent, is to be exercised by the local revenue officers. The 'informal election,' too, can scarcely be anything else than a veiled nomination by the revenue officer, or how could it be called 'informal'?

The Decentralisation Commission were responsible for the remarkable dictum that the power of taxation would be likely to lead to unpopularity, and so they recommended that a panchayet should have no power to levy taxes, but that they should receive part of the land cess and grants from sub-district boards and Collectors, and it is to be noted that the Government of India three years ago quoted this with apparent approval, but is now prepared to allow to the panchayets some voluntary powers of supplementary taxation for special purposes, the proceeds of which would be devoted to the purposes for which the tax was levied. The limitation proposed by the Decentralisation Commission could only have been suggested by ignoring or misunderstanding such facts as that in villages there is now so large a measure of corporate life as occasionally to exhibit the spectacle of voluntary taxation for special purposes. How the Commission could have supposed that a panchayet would be so unpopular as to endanger the development of panchayets if it levied taxes, in face of the fact that villagers without any legal status or sanction are known to voluntarily impose taxes on themselves at times, passes comprehension, but happily the Government now seems to understand that the first condition of corporate responsibility is

the power to adjust taxation to public service and that unless this is granted it would be impossible to so frame the powers of panchayets as to permit the natural growth of corporate feeling or corporate conscience, without which the beginnings of responsible efficiency cannot take root.

The preceding paragraphs describe the methods the Government of India propose should be followed in order to infuse into the masses the first germs of corporate activity and impart a knowledge of corporate action through selected representatives. It will be observed how necessary the Government of India believe it to be that in the period of tutelage the village electorate and their representatives shall be closely guarded and their every step minutely controlled. Plainly the Government of India recognises that the time needed for training the primary electorate will be long, that it will be difficult, and that unless the panchayets are firmly held in leading strings the teaching will be impracticable and the mistakes disastrous. It must not be thought that the old panchayets were a democratic elective institution, and that therefore deep down in the history of the people there is something which is akin to the elected bodies of to-day. This is by no means the case. The panchayets were not elected, they were the village elders, who by their age, wisdom, or prosperity were recognised as representative of the rest of the village and as embodying their ideas and views. So far from there being any historical justification for the belief that the elective institutions of the West can be

transplanted to Indian soil, and will become a healthy growth, the reverse is the case. Thirty-five years ago an experiment in the elective principle of control in rural affairs was made in this country, but one may search long before finding an instance of an elected representative being discarded for his incompetence or the laxity with which he cared for the interests of his constituents. The experience of thirty years ago is the experience to-day, elections are fought on every ground except that of competence. The progress in the training of the electorate for these elective Boards has been trifling, and we seem little nearer now than we were thirty years ago to the formation of an electorate capable of expressing its approval of competence, or disapproval of incompetence, in its representatives. Probably the reason is that the work of the representative has not been done in the sight of the voters, and the voters have had no ready means of judging of the character and efficiency of their representatives, and consequently votes have been given for every reason except that which ought to have guided them. But it shows how hopeless it is to expect within one generation to call into existence in Bengal a wide electorate with any capacity for expressing its desires through elected representatives in matters of provincial or imperial significance. It is only through practical experience of the use of a vote that an electorate learns to elect those who most accurately voice its desires and most efficiently meet its needs, and the failure of electorates to acquire the capacity to discard inefficient represent-

atives chosen to administer district affairs indicates the still greater length of training and practice that a wide electorate will require in order to be able to properly judge of the work of representatives chosen to deal with provincial affairs. The difficulty experienced by district electorates in observing and weighing the efficiency of their representatives will be increased very considerably when the electorate has to consider the wider field and more abstruse subjects that compose the fabric of provincial politics. What chance is there then of a wide provincial electorate of adequate capacity being formed in this generation? Those who know them best are able to estimate the correctness of the judgment of the Maharaja Sir Prodyot Coomar Tagore Bahadur, one of the most earnest men in Bengal, when he says "it will take many generations before the Bengal peasants will have been sufficiently educated to appreciate ..... self-government."

It had been thought that the question of communal electorates was settled long ago, and it is with some dismay that all minorities have viewed the manner in which it has been re-opened in the Montagu-Chelmsford Report, the writers of which object to a communal electorate on the ground of the theory that it is an admission on the part of the State of a divided allegiance, that it encourages electors to think of themselves primarily as citizens of a unit less than the State, that India has not yet the citizen spirit, and that if we are to lead her to self-government we must do all that we possibly can to call forth such a spirit

in her people. With the latter sentiment no one will disagree, but that the doctrines preached in the Montagu-Chelmsford Report would have anything like this result is very widely disbelieved. The chief result would be that considerable communities would be to all intents and purposes disfranchised. With a general electoral roll there is not the smallest chance of any community being ever able to elect a single representative to any council, unless it can command a majority of votes; and communities such as the European or the Anglo-Indian will never be represented except by nomination. It is noteworthy that the writers of the Report recognize that under the system they propose Europeans and Anglo-Indians could never hope for representation, but even so they are so enamoured of the theory which has induced them to pronounce against communal electorates that even for these communities they "prefer to rely upon nomination." And they frankly admit that their preference is based upon the fact that "Nomination has in our eyes the great advantage over the alternative of extending the class of communal system that it can be more easily abolished when the necessity for it ceases." It is not at present possible to foresee any time when the necessities for nomination under the Montagu-Chelmsford scheme would ever cease; but the possibility of continuing nomination would cease as soon as the Government became fully responsible to the people, there could then be no more nomination, and minority communities will then, if the Secretary of State and the Viceroy have their way, be

entirely unrepresented, just as the Muhammedan community has for years been unrepresented by an elected member on the Calcutta Corporation, although numbering half the total population of the city. The practical disfranchisement of the European and Anglo-Indian communities is viewed with strong approval by a certain section of Indians. This is due to a variety of causes, the principal being envy of the superior administrative and commercial capacity of Europeans, leading them to persuade themselves that it would be to their own benefit, and therefore in their opinion to the advantage of their country, if Europeans or Anglo-Indians could be prevented from holding an official position or even from making a living in India, and if these communities are to all intents and purposes disfranchised we should certainly see them driven from office and their trade penalised and confiscated.

Having decided, on purely theoretical grounds, that any system of communal electorates is a very serious hindrance to the development of the self-governing principle, the writers of the Montagu-Chelmsford Report proceed to make two exceptions. Considering the manner in which the Government of India have made concession after concession in response to clamour until it has become understood that if a demand is put forward in sufficiently vehement terms and expressed in threatening language it will receive attention, it is scarcely surprising to find the writers of the Report stating as the chief reason for giving a separate electorate to Muhammedans, that "the Muhammedans regard separate representation

and communal electorates as their only adequate safeguards, and any attempt to go back on the present separate electorates would rouse a storm of bitter protest and put a severe strain on the loyalty of a community which has behaved with conspicuous loyalty during a period of very great difficulty."

The special concession of communal electorates given to Muhammedans, and the phraseology employed in the Montagu-Chelmsford Report, would lead the unwary to believe that the Muhammedans had received full consideration and their position was well-secured, but this is not how thoughtful Muhammedans regard it. When they try to picture in their imagination the state of things that will hereafter prevail, their mental vision sees that "to the poor Muhammedan ryots of the country side, the prospect is that of a depressed and down-trodden people kept in subjugation by the weight and influence of a community of landlords and moneylenders alien to them in religion, sentiment, and interest. The middle-class Muhammedans, already fettered with the disadvantages of a late start and an unequal rivalry, will find all the avenues of preferment closed against them, and the old familiar placard 'no vacancy' will face them on every door. The well-to-do Mussalman, who now enjoys a certain importance in virtue of his position in his own community, will find his influence greatly reduced or altogether destroyed. The Muhammedans are fully aware of the difficulties of their present position. But they have now one great consolation. They believe that whatever may be the

feelings with which they are regarded by their more fortunate neighbours, they have in the British Government some protection and security. The Reform Scheme in its present shape will altogether change this, for it places the Muhammedans entirely at the mercy of their politically more powerful neighbours. Before they have gained experience in party politics they are to be left to compete with a section of the community which has already acquired considerable skill in party organisation. In fairs and festivals, on the platform, in the press and in public offices, the Muhammedans have repeatedly had sad experiences of their rivals' good-will, and it is but natural that their hearts should quail at the thought of what they may expect when the sanction of authority gives their rivals still stronger powers."[1]

Muhammedans are satisfied that they cannot be adequately and properly represented except through communal electorates, and they consider that they have had repeated assurances from the Government that this principle of representation will not be departed from, and the statement in the Reform Report that "we can see no reason to set up communal representation for Muhammedans in any province where they form a majority of voters" is to them a distinct effort to break what they looked upon as a pledge on whose sanctity they could with safety rely. No wonder they say that "there are factors in the Reform proposals which chill the hearts of the

[1] The Hon. Nawab Syed Nawab Aly Chaudhury, Khan Bahadur, C.I.E.

Muslims and raise in their minds many doubts and forebodings.'

The Montagu-Chelmsford Report would not give special representation to Muhammedans in Bengal and the Punjab. In Bengal Muhammedans are in the majority in a comparatively small number of constituencies, no matter how these may be arranged, and therefore will be unable to return members to the legislative council in proportion to their numbers. And even in the constituencies where Muhammedan voters are in the majority, Muhammedans have already had experience that there were influences from behind which often proved detrimental to their interests. Moreover, Muhammedans, generally speaking, have taken no part and little interest in the political machinations of the Hindus, they have not been to any considerable extent among the "politically minded," and if the provincial electorate be limited at the outset to those who can understand the franchise and intelligently apply their knowledge, there would be very few Muhammedans among them, and it would be impossible for the Muhammedans returned to be other than a negligible minority in the legislative council. On any franchise that can be framed, the majority of Muhammedans in Bengal and in the Punjab will have no chance of proportional representation.

The Montagu-Chelmsford Report proposes that minorities should be represented, if not by nomination, then "by reserving to a particular community a certain number of seats in plural constituencies, but with a

general electoral roll." The objections to such an arrangement have been many times stated, and they are fatal. No attempt has ever been made to publicly answer them or to justify the proposal. It is, indeed, incapable of justification, but it continues to appear just as if it contained a germ of wisdom. As far as Muhammedans are concerned they apprehend that even if seats are reserved for them in the general electoral roll, only such Muhammedans will be returned as will be popular with the majority of the voters and will naturally represent non-Muslim sentiments and ideals. Their experience of elections, moreover, causes them to feel that if there is a general electoral roll, "not only Muslims not truly representing the interests of their community will be returned, but people of non-Muslim communities having a hold upon the majority of the voters will be elected." The Montagu-Chelmsford scheme is consequently not at all acceptable to Muslims, in their opinion it ignores their political importance and will ere long lead to their political extinction.

In the case of one other community—and only one—the writers of the Report propose to extend the system of communal electorates already adopted for Muhammedans. They say that it is inexpedient to withhold communal electorates from the Sikhs for these three reasons :—

(1) They are a distinct and important people.

(2) They supply a valuable element to the Indian Army.

(3) They are everywhere in a minority and experience has shown that they go virtually unrepresented.

The authors of the Montagu-Chelmsford Report in their objection to communal electorates are theorists pure and simple, ignoring the hard facts of Indian conditions. Their views are not based on knowledge and considered judgment, but on their faith—they proclaim the compelling nature of "the faith which is in us." That faith unfortunately takes the shape of the great political superstition of the present day, a blind belief in the divine right of the majority as expressed in the ballot boxes. From adherents of this faith minorities have little to expect, their rights receive much verbal sympathy, but instead of being given any representation, they are commended to the "forbearance" of the majority for even the expression of their desires.

The recommendations with respect to the representation of the European community in India form perhaps the most amazing part of the Report. Remembering that the Government of India was erected by the labour of a trading Company, that the control of the Company ceased only 60 years ago, and that the high financial credit of India has been based upon the presence of the British trader, of whom it is even now by no means independent, we might have expected that the European community would have been given representation in accordance with its importance. But the faith of the authors of the Report is too strong to allow them to do justice to their own

people—perhaps it would be more correct to say that, holding their political faith, their own people would be among the very last to have justice done to them, the numerical inferiority of the British being the only consideration that seems to weigh with these Reformers. Consequently the proposal is that Europeans as a community should not be represented unless they can persuade the general electorate to return representatives for them. This means that they would not have any elected representative except such as might be approved by the Indian electorate, and therefore such as would not be in any sense representative Europeans, not in any way representative of the community they would nominally be elected to represent. Can a more grotesque travesty of representation be imagined?

The scheme admits special representatives for the European commercial bodies such as Chambers of Commerce, but desires "that the numbers of such electorates should be restricted as much as possible." It cannot be gainsaid that the European community represents interests that are gigantic; it is admitted in the Report that "their material interests in the country are out of all proportion to their numerical strength." The greater part of the foreign trade of India is conducted by Europeans, and most of the major industries in the country, with the exception of the cotton manufactures in the Bombay Presidency, are in the hands of Europeans The investment of European capital in India is estimated at 450 millions sterling. Prac-

tically all the mining, as well as special agriculture such as indigo and tea, owe their inception and development to European energy, enterprise and capital. These are the commercial interests whose electorates, and therefore whose representatives, the Montagu-Chelmsford scheme proposes should be restricted in number as much as possible.

Moreover it happens that of all the many nationalities in India it is the European, the British people, who alone are qualified by heredity, by early environment, by education, by practice, by experience, to understand the working of representative institutions. It is the European, and his father and grandfather before him, who has a practical working knowledge of responsible government, as no others in India have. In this respect the community is unique in India, and this is the community for the representation of which the writers of the Montagu-Chelmsford Report "prefer to rely upon nomination," for the stated reason that nomination can be easily withdrawn, and knowing that nominations would come to an end in the not very distant future when, according to their scheme, India would have complete responsible government. The proposal to disfranchise the European community and to prevent them from having any representation is surely one of the most curiously anomalous results of a modern political faith.

The non-Brahmins claim that they are not behind any other section of the population in cherishing the desire that India should become a self-

governing country, but the southern Indian organisation of non-Brahmins are very anxious that the popularisation of the government should not affect the British character of the administration. They point out that the present general electorates have brought to the surface men belonging to a certain class only, and one profession mainly, leaving other and larger classes practically unrepresented; and while popular leaders had only to criticise the actions and policies of the government they were able to get a united following composed of diverse elements. But now that popular leaders are to be invested with power in the administration, which may easily be used for the benefit of particular communities, political life has become too fully charged with the interests of different communities to allow of any community entrusting its interests to the seemingly patriotic advocacy of representatives belonging to other communities. Increased power bestowed on the people without communal demarcation will lead to greater concentration in the hands of a few and to greater disparity between the conditions of the few and the many.

"The non-Brahmins of southern India know from experience how by being grouped together with Brahmins, whose influence over them as priests, as school masters, as lawyers, as Government servants, as journalists, and in various other ways, is enormous and well-nigh irresistible, and such as no European, especially if his stay has been of only a few years or a few months' duration, can adequately

conceive, they are prevented from making their proper contribution to the well-being and the administration of the State..... they hope to work up their way to responsible government, but this they are convinced they cannot do as long as Government, under the influence of hereditary preceptors of caste distinctions interested in their perpetuation, refuse to give them a separate electorate..... No scheme of constitutional reform will therefore be acceptable to non-Brahmins which does not start with and is not founded on communal electorates. The question of communal electorates is not of such secondary importance as to justify its being reserved for later disposal. A decision on this subject is a necessary condition precedent to the proper valuation of any scheme of reform; and an authoritative pronouncement thereon is indispensable for a useful discussion of the Montagu-Chelmsford scheme..... In the absence of a clear pronouncement on the subject it is impossible to say whether the proposed reforms are an advance on the path of political evolution or a reversion to type. With communal representation they may constitute an effective training of the people at large in the practice of self-government; without it they are certain, while relaxing British control, to tighten the grip of the so-called higher classes upon the masses and thus create a British-guaranteed and lawfully-constituted Brahmin oligarchy pledged to give practical effect to the Brahminical doctrines of Varnashrama Dharma, against which the non-Brahmin classes,

when they awaken to a sense of their interests, will have no other alternative than to rise in revolt, holding the British Government responsible for creating the situation."[1]

It is seldom that the ascendency of Brahmins is brought home to Europeans in India, and however much they theoretically know of the authority of Brahmins, they are unable to realise it. Some years ago a joint stock company in Calcutta employing a large number of literates had occasion to prosecute one of its employees for dishonesty. There was not any question of the fact the offender was caught red-handed. But in court the witnesses prevaricated or denied all knowledge of what they had seen, afterwards asking to be forgiven as the thief was a Brahmin who had threatened to let loose the vengeance of heaven upon them, so that they and their children through many lives would wander the earth in repulsive forms. The Company avoided a repetition of the difficulty by dismissing every Brahmin in their service, but in more recent years, perhaps owing to a change of management, Brahmins have again been employed. The authority of Brahmins in country districts to-day, though it is undoubtedly waning, is scarcely less than it was then in Calcutta, and it is such that it is unfair to permit a Brahmin to be pitted against a non-Brahmin in an electoral contest. The only safeguard that has so far been suggested is separate electorates

[1] Representation of the South Indian Liberal Federation to the Government of Madras.

for Brahmins, and the total prohibition of Brahmin representatives for the general electorates.

Another community in a minority everywhere is the Anglo-Indian, which is comprised of persons of pure European descent domiciled in India and persons of mixed European and Indian descent. This community differs from the British in being greater in number and less in wealth. Commercially and socially they are overshadowed by the richer and more powerful European traders and merchants. The Indian Civil Service is almost closed to Anglo-Indians, who are handicapped by the absence of facilities for university education, and even the desire of the community for higher education has been stifled by a tendency, for political reasons, to exclude them from appointments previously open to them, while opening the door wider to Indians and to men recruited in Great Britain. The members of the community have not acquired the habit, and often have not the means, of sending their children to be educated in Europe. Educationally, and, in consequence, officially and commercially, the Anglo-Indians are being unfairly squeezed between the Indians and the imported European. Accustomed always to leave all political matters in the hands of the Government with a blind loyal faith in its impartiality and protection, they now find that they will in future have to struggle in the political maelstrom if they are to preserve political freedom. The only point which can be urged in favour of giving the British in India fuller representation than Anglo-Indians is the greater mag-

hitude of their commercial operations, but on the other hand Anglo-Indians labour and live and die in India, they have no other home. They form part of India and their interests and aims in life centre in the land of their birth and domicile, whereas the British are at the best but sojourners in India, and, beneficial though their presence has been, they are not of the land itself. While in India their thoughts are on their eventual departure to Europe with a competence or a pension, and they are, to India, more or less in the position of foreign traders and capitalists. But the vision of Anglo-Indians is limited by the boundaries of India, their fortunes, and the fortunes of their children's children, are bound up in this land, and on account of the smallness of their numbers, their loyalty to the King and the established government, and their readiness to take up arms against a military aggressor, they have claims to special consideration in the framing of a new constitution, and it would be reprehensible to the verge of wickedness to leave them without representation, to put them off with plausibly-worded phrases commending them to the forbearance of their political and economic antagonists.

'The Parsis are another community who, generally speaking, have held aloof from politics, not from apathy, but because of the confidence they reposed in the Government. They, also, now see that they will have to take an increasing part in political life if they would not be submerged. But if the Parsis have not a separate electorate, what chance will they have of representation? Their commercial capacity has gradually

won for them the premier position in the industry of the western side of India, but their enterprise and energy, their commercial success, will not prevent them from being outvoted everywhere if they are merely included in a general electorate, and in that case they will be to all intents and purposes disfranchised. Little wonder that they look at the future with troubled gaze, and speculate as to whether the peace and prosperity ensured by the presence of the British are going to be their lot under the "responsible" rule of elected bodies.

The Mahrattas also feel that no proposal "short of separate communal electorates formed in proportion to their numbers and interests can meet, even to the slightest degree, the aspirations of the politically important Mahratta community." So strongly did they feel that even the consideration of any alternative to communal electorates is improper and unfair, that they felt constrained to decline to give evidence before the Franchise Committee.

The Report bears evidence on every page of so much clearness of insight that speculation is invited as to the reason for avoiding the plain fact that there is no need to encourage people to think of themselves as electors as primarily belonging to a smaller unit than the State. It is a universal characteristic of electors, not only in India but also in Europe and elsewhere, that they think of themselves, when voting, primarily as Hindus or Muhammedans, as Liberals or Coalitionists, as Republicans or Democrats, as members of a faction or sect, and

not as citizens of the State. Their whole desire is to vindicate by their vote the principles of their political or religious faith and they have no consciousness of their national citizenship, the latter is for the moment entirely obscured by the prominence which the election has given to their allegiance to some party or sect on whose behalf they give their votes, not noticing, or even not caring, whether it will have any influence on a national question. In India as long as Bengalis are different from Maghs, as long as Santhalis are different from Sikhs, as long as Hindus are different from Muhammedans, so long will they think of themselves primarily as belonging to their own restricted nationality or religion, and only secondarily, when there is no party nor sectarian nor religious claim, will it be possible for them to think of themselves as citizens of the Indian nation. This is why it is not easy for us in India to see what object the writers of the report had in view in speaking of communal electorates as encouraging ideas of loyalty to a faction, because it is impossible to suppose that communal representation could do anything to accentuate the feeling of separate nationality on the part of each of these separate peoples. The feeling is already so vivid that it could hardly be increased, and, unless we can look forward to a time when there will be no religious, racial or caste distinction between these peoples, it will survive forever all attempts to destroy it by preventing them from having political representation. The principal effect of a general electoral roll where

different nationalities are mingled would be to strengthen racial antipathies and antagonisms where these exist, and to call them forth where they do not Elections would be fought on racial grounds, with all the inevitable accompaniments of racial vituperation, culminating in violent resentment on the part of the unrepresented minority, the expression of which the majority would seek to counter by whatever means their strength might suggest, and so racial dislike would deepen into hatred.

The teaching of history is by no means opposed to communal electorates. As the Montagu-Chelmsford Report says, Responsible Government in its origin rested "on an effective sense of the common interests, a bond compounded of a community of race, religion, and language." As responsible government developed, community of race was widened from tribal to national, and there was still the community of religion, and, generally, language. Between the different nations in India there are the widest differences of race, there are many entirely different languages, and several different religions—not as in Europe different sects of one religion—and we find that where responsible government has reached its fullest development, and the State has an unrivalled claim on a citizen's allegiance, there are no differences of race or religion and but few of language. Where there are differences of religion there is much to be said for the political view that the religious ideal is high and the territorial ideal is narrow, religion is a brotherhood based on moral

and spiritual principles, but occupation of the same territory produces a brotherhood based upon material interests in common. The ideals of India are essentially religious, and religion permeates every sphere of activity. It would be practically impossible to so transform the source of action as to replace the religious ideals by territorial or materialistic ideals, and even if it were possible it is to be feared that the transformation would do infinite harm; their religious ideals are far dearer to the Indian communities than territorial ideals, and it is to be hoped they will ever remain so. The enterprise which proposes to exalt the territorial ideal at the expense of the religious ideal is emphatically not in the interest of the well-being of the peoples of India.

Until lately the only important political organisation has been the Indian National Congress, composed of delegates from all over India. By party tactics of a character that have been described as unworthy, this organisation had been captured over a year ago by the Home Rule party, a party which demands immediate and complete autonomy. It might be supposed that a congress whose title is National, and which continually claims to speak in the name of the people of India, would have a broad democratic basis of wide membership, and that the delegates to the annual congress would be elected by votes of the membership in each locality. This would at least be a final demonstration of the acquaintance of the leaders with the practical application of the democratic principles they applaud and under cover of

which they press their views. But the constitution of the Congress is remarkably free from any taint of democracy; in each important centre there is a committee which elects its own members, and sends practically all who volunteer to attend the annual meeting of the Congress wherever it may happen to be held. In the Congress the most prominent members are the frankly or rabidly anti-British, men who affect to believe that every ill from which India suffers—from a drought to infant mortality—is due to the rule of the British, and who advocate the immediate removal of the British Government from India, not because the government of India would then be better or more efficient—this is usually not even pretended—but because the government would then be Indian, because they think that they themselves would then be the government.

The Moderate party, so called in contradistinction to the Extremists, have lately formed an organisation of their own which competes with the Indian National Congress for popular support. This party is composed of men who have no present desire for a separation from the British Empire and who see clearly that great as India is it yet is not strong enough to stand alone and meet the Great Powers of the west on equal terms; and they know that while Indians are acquiring the capacity for self-rule it is premature to talk of separation, and many of them think that India will always be greater and more powerful as a partner in the British Commonwealth than as an independent Power.

It is sometimes difficult to discern and define the lines of cleavage in Indian politics, partly because so much is hidden from the casual inquirer. In spite of the volume of oratorical output, it is nevertheless true that in no country does the spoken word count for less and the soundless action count for more. Very widely it is believed among the literate that a public speech is made only to mislead political enemies and that the real meaning of the orator is to be gathered from his semi-private statements in the hearing of his political friends, and from other covert indications of his views. Besides the comparatively few who openly state their anti-British views, there is a much larger class of the politically-minded who, while avowing their admiration of the British administration, at the same time insidiously work to discredit the British Government in India, and the British, and everyone who is suspected of any sympathy with the ideals and objects of the Government. By a number of newspapers this is done by protestations of loyalty and by an unvarying imputation of unworthy motives for every action of the Government or of the British officials. An example of divergence between the public statement and the suggested views was given when a daily journal disclaimed sympathy with the crime in its leading article but at the same time its readers understood that its real views were manifested by advertisement in another column of busts of the murderer as objects of admiration and respect, if not of veneration. And this man's sole claim to

public notice was that he had killed two English ladies.

In connection with the recent report that the Bolsheviks in Russia have decreed the nationalisation of women, a daily journal comments in this way:—

"And yet western civilisation is profuse in its expressions of so-called esteem and respect for women. 'When pain and anguish wring the brow, a ministering angel thou.' Such are the glib and eloquent words of apotheosis of women. But here is Bolshevism offering such an exasperating insult to the women of Europe..... bitter tears are wept in Europe for the Indian ladies who are liberally (*sic*) worshipped in the zenana.....yet such is western civilisation to-day, dragging women down ruthlessly from the pedestal of honour."

This is not a quotation, as might be supposed, from a paper whose extreme anti-European views are untempered by knowledge of the west; on the contrary, it appeared in a journal edited by one of the best informed and most cultured of the leaders of the Moderate party, one whose expressions of loyalty to the King-Emperor, and of belief in the permanent advantage of the British connection, are among the most fervent. Studied misrepresentation, carefully calculated insult, the assumption that sordid motives prompt every act, even the most altruistic, these are the weapons with which the British people and the British officials are daily attacked in the Indian press, notably in a section that camouflages its words by professions of loyalty to the British Raj, professions that mislead no Indians, and cause Europeans to wonder at the mentality of the writers.

Europeans, as a rule, are loath to believe in the *malâ fides* of public writers, and would be very willing to agree to placing far more power in the hands of Indians if the politically-minded Indians would only give evidence of more ability to comprehend facts and to present them in reasonably correct perspective.

The average European in India seems to be convinced that many Indian politicians, perhaps the majority, have but one aim, and that is to make government by the British as difficult as may be, and if they can achieve it, impossible. Sometimes this object is openly avowed, as when a President of the Indian National Congress admitted that an attractive feature of the Congress scheme of political reforms was the administrative deadlock that would ensue. More often the conviction is based upon an apparent desire to sprag the wheels of the Government machine whenever possible. For example the indigenous press with great unanimity denied the existence of anarchical or other conspiracy, and whenever conspirators or murderers of officials were brought before the courts the ablest legal talent and all the resources of a legal machinery that specially favors unscrupulous criminals were brought to support the accused. If the offender was convicted the Press stated that he was the victim of a false case got up by a corrupt police, and hailed him as a martyr; if he was acquitted his acquittal was pointed to as irrefragable proof that the case was a malicious concoction devoid of any foundation

in truth. The Press used every sophistical art to condone the crime, and to exalt the criminals whenever by so doing they could embarrass the Government. If a band of dacoits robbed and murdered defenceless people, they had only to assume a political object, to call it a political crime, to immediately become objects of solicitude to prominent politicians.

The conspicuous failure of the egregious legal machinery erected by the British, when the task before it was the bringing to justice of criminals supported by a powerful organisation and with unlimited means at their disposal, left the Government of India in a quandary. Then IDA, a cousin of DORA, came to their rescue and the special powers under the Defence Act, designed in the first place for alien enemies, were employed to intern dangerous persons. The success of this method of dealing with political offenders has been such that murders of officials and so-called political dacoities have practically ceased, but the politicians have carried on a continual campaign on behalf of the internees, now alleging that they were interned without cause, and now that they were ill-treated; no excuse was too flimsy to serve for an attack on the Government policy of internment. From each position they have been driven by the reports of committees of investigation, the last being the Rowlatt Commission which recommended that Government should take certain further powers of restraining offenders, for use when those under the Defence of India Act expire after

the conclusion of peace. Bills have been introduced in the Legislative Council, one making the possession of a seditious document for publication or circulation an offence under the penal code, and the other enacts that in any area in which the Governor-General is satisfied that movements likely to result in offences against the State are being promoted, or that offences against the State are being committed to such an extent as to endanger public safety, then after the Governor-General's notification with respect to such area, (1) any person who is believed to be actively concerned in such movement may be required to furnish a bond to be of good behaviour, or to notify his changes of residence to a specified official, or to reside in a specified area, his case being immediately inquired into by an investigating authority of three persons, one of whom is not in the service of the Crown, or (2) subject to his case being inquired into as above any person who is believed to be concerned in an offence against the State may be arrested by order of the Provincial Government, and may be confined in a specified place, and any place believed to be used by such person for a purpose prejudicial to the public safety may be searched, or (3) a person accused of an offence against the State may be tried by a special tribunal consisting of three judges whose decision would be final In such trial, an accused person would be allowed to give evidence on his own behalf, and recorded statements of persons not examined as witnesses would be admissible as evidence, the latter provision removing

the temptation to murder a prosecution witness whose statement has been written, a method of destroying prosecution evidence that has been adopted with success. The Bill, it will be noted, proposed to take powers which will be dormant unless the need for making use of them should arise, and then the Governor-General will be able to notify that in any specified area anarchical and revolutionary crime may be dealt with by the employment of these special measures, a separate notification being required for (1), (2) and (3).

When these Bills were introduced in the Legislative Council, the Indian members opposed them, although the existence of revolutionary conspiracy was admitted, as also was the checking of the activities of revolutionaries by the special powers of the Defence of India Act under which they were arrested and interned without trial. One member said that "if they supported the Bills it would be an admission that the country was seething with anarchical movements and therefore not fit for self-government." Others said :—"I consider this as a grave menace to public liberty." "If the bills became law many innocent people must suffer with the guilty." "It was against the fundamental principles of law and justice that any man should be deprived of his liberty without a judicial trial." "There is a fringe of our population who support revolutionary ideas. But they are to be counted by hundreds, they are a handful as compared to the myriad millions of our population, and are the

sins of the few to be visited upon the heads of the countless millions of the people of India." "The Bill is inopportune as it would stultify the feelings of cordial reception of the Reform Committee's Report." "If after the introduction of the Reforms they still found that the evil existed, and it was essential to pass the measure, the Government would find men amongst my countrymen who would stand side by side with the Government and be ready to give their assent to these laws." "The Home Member had said these bills intended the purification of politics, but they might prove the suppression of politics." "This measure will foster excitement, uneasiness and public discontent, and these are the impulses upon which the revolutionary instinct feeds and from which it derives its sustaining and vitalising influence." Just as the Indian members of the Legislative Council criticised adversely the use of the Defence of India Act to prevent revolutionary crime, and placed every obstacle in the way of anarchism being controlled, so now they employ every dialectical device to prevent the Government from having the powers that have proved so successful made available after the war. It is hardly surprising, then, if the British people in India feel sure that the motive underlying the attitude taken up by Indian politicians with respect to anarchists is to make their repression as difficult as possible and then to blame the Government for its failure to deal with anarchical crimes. They have not been slow to take

advantage of the opportunity presented to them by the Government in proposing an enactment regularising the internment or arrest by executive order The failure of the normal law in coping with revolutionary crime showed where the line of weakness was, and indicated that some amendment of the Evidence Act and of the Criminal Procedure Code is necessary, for application not merely to anarchists but to all who are accused of crime, and the proposal to make permanent the war-time powers of the executive to intern or imprison without judicial proceedings provides a chance of holding up the Government to obloquy by appealing to abstract principles of justice and representing the Government as taking away the liberty of the entire people, a chance which the Indian politician regards as too good to be missed. As usual, the politicians have no alternative to propose except to say:— "Trust the people," which astutely suggests that the Government do not trust the people, though there is no question of trusting or mistrusting anybody except anarchists and revolutionaries, and the policy of trusting them has already been tried with unfortunate results, unfortunate to the men they murdered, unfortunate to the men they robbed. The press opposition is illustrated by this characteristic quotation :—

> "India has already proved herself a valuable source of strength to the Empire. If she is converted into a greater Ireland, the responsibility for this will lie on the shoulders of those who hatch coercive laws like the Sedition Bills to crush her soul."

But the India which, as everybody knew, is a valuable source of strength to the Empire is not the India of the vocal politician who is using the willing sacrifice on the battlefield of the fighting races of North-Western India as a lever to obtain privileges for himself and his congeners, and who always omits to say that they and he are as different in race and temperament as, for example, are the Danes and the Spanish. Moreover a law which continues temporary methods that have proved successful in dealing with anarchistic crime, and have never interfered with the freedom of political speech when the latter has not outrageously outstepped constitutional limits, can by no stretch of the imagination be described with any regard for truth as a coercive law hatched to crush her soul. The statement has been repeated *ad nauseam* in the Indian press that a special coercive law aimed at anarchists is a stain on the fair fame of loyal India, instead of pointing out, as they might, that the only stain on the escutcheon so far has been the attempt of politicians to identify India with the anarchists by demanding the release of proved criminals, by representing criminals as martyrs, by helping in their defence, by endeavouring to prevent the improvement of legal machinery so as to make the restraint of anarchists practicable, an attempt that cannot succeed because anarchists are but few and would be far fewer if it were not for the assistance that the politicians, wittingly or unwittingly, have rendered them.

Mention has already been made of the gulf between the politically-minded and the people at large. It is very seldom that the politicians are identified with any movement for the benefit of the masses of the people, and even when they seem to be, as when they demand a large extension of primary education, this appears to be a move in political strategy rather than a proposal made with any desire for the advancement of the illiterate, for it is never accompanied by any practicable indication of how it can be done with that rapidity which is demanded. It is therefore a proposal made for the purpose of casting upon the Government the odium of pointing out the difficulties in the way of carrying the proposal into effect. Instances might be multiplied indefinitely showing the want of interest, or worse, of the politicians in the welfare and advancement of the people, but a couple will suffice. Not long ago that stormy petrel Mr. M. K. Gandhi conducted an agitation in a district of Bihar ostensibly to prevent certain British landowners from taking increased rents and other dues from their tenants. But the real purpose of the agitation was to injure the indigo industry, as that is in the hands of British agriculturists If Mr. Gandhi had been animated by a desire to improve the lot of the down-trodden and the oppressed, he would not have "mediated" (*Anglice*, fanned an agitation) against planters who had lived on amicable terms with their tenants. He would have gone to another district where there are no British landlords and where the tenantry are crushed under enhanced rents and imposts that

flagrantly break the law. He might have gone to a district in that Province where one-eighth of the population live in a condition which can only be described as serfdom, working for an inadequate dole of food in lieu of paying interest on a small debt, and having no remedy if their owners curtail the measure. He would have there found instances of increases of rent from a figure about equal to 16 per cent. of the value of the gross produce to a rental equivalent to 60 per cent. He would have found in that district that "the average peasant cultivator exists in a condition of extreme indigence. There is plenty of unoccupied land in the district which would repay cultivation, but the severity of the rents which are imposed and the modern tendency of the landlords to ride rough-shod over all rights of occupancy, have effectually throttled the pioneer instincts of the peasantry."[1] There are no British landlords in this district, and therefore neither Mr. Gandhi nor any other politician takes the slightest interest in the miserable condition of the oppressed peasantry, to say nothing of the *kamias*, as the serfs are called. Their wretchedness calls forth no sympathy from the politically-minded, there is no demand for their protection, no political *kudos* would be obtained by their champion from those who applauded Mr. Gandhi's campaign against the British landlords. The only advantage to be gained would be the mitigation of human misery,

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[1] Report on Settlement Operations, Bihar and Orissa.

but as this could only be obtained by a restriction of the privileges assumed by the Indian landlords, it offers no attractions to politicians.

In April 1918 the Government of Bengal introduced a Bill to extend the system of village self-government. It was a statesman-like measure, drafted with much skill and judgment so as to give the villagers a reasonable degree of control over their own affairs and a definite training in the working of representative self-government. The Bill was in due course referred to a select committee, and when the report of the select committee came before the Council for consideration Mr A. K. Fazlal Huq, while admitting that as far as the lessons in self-government were concerned it was in the villages that the elementary principles must be first learned, and it was by experience in the lower rung that they could assume a higher measure of self-government, proceeded to propose an amendment, which was carried by the non-official majority, that the Bill be referred back to the select committee, on the ground that 14 days was not a sufficient time in which to consider the report of the select committee. But the Bill had been before the Council for 10 months, and it concerned a subject which has been publicly discussed in all its aspects for a generation, it dealt with self-government in the smallest rural unit, the village, and if the members of the Council had not each made up his mind as to the precise provisions which he thought most desirable to insert in the Bill, it could only be due to the apathy of the member of

to his ignorance of village life, and the need for his education by a study of the alterations made by the select committee before he could feel himself competent to express an opinion on the provisions of the Bill. The net result of the motion was to postpone consideration of the Bill, giving the select committee an opportunity to report again, and delaying by that time the commencement of the training of the primary electorate of the province. Delaying the progress of village self-government, the training of the people in self-reliance, self-help and self-control, is exactly the line that the politicians might have been expected to take, besides which some felt their ignorance of the subject and some shirked dealing with the large number of amendments of which notice had been given, amendments aimed in certain cases at the emasculation of the Bill.

The Indian politicians have come to regard themselves as an official opposition, whose duty it is to oppose and discredit any action of the Government by all means which may chance to be available, in whose estimation it is not unfair to misrepresent every Government action as malevolently designed to injure the people, and who regard any approval on their part of a proposal emanating from the Government as an act of disloyalty to their own coterie. In a word, they have assimilated the worst characteristics of the discredited English party system, a system which is the foundation of the Montagu-Chelmsford proposals, the most undesirable features of which these proposals will accentuate and perpetuate.

The spread of English education in India has been such as to produce a certain number of extremely able and accomplished men whose intellectual attainments have qualified them for any administrative post, many of which they have already adorned. In a country where the people have always been accustomed to take their opinions from the Government of the time, it is natural that the views of the Government and of the Government officers with whom the people come most into contact should colour their ideas on all subjects, and on none more than education, as education is looked after by a special department of the Government, which maintains or subsidises schools, colleges and universities, and has a large professorial staff in its own service. It has been the view of the Government—a view not always definitely expressed, but always implied—that the only purpose of education worth serious consideration is the only work to which a gentleman should aspire, the service of the Government or the interpretation to the people of the legislative acts of the Government. With this definite lead by the Government, and the deliberate provision by the Government of the type of education fitted to produce those whom its service required, it is hardly surprising that the popular demand for the education that was so pressed upon their attention should be strong, especially as its successful followers have obtained emoluments which, compared with those obtainable without it, have been large. By providing a certain type of education, and providing for the remuneration of the educated, the Government

in fact created a demand for the product of their schools and colleges. Politically the result of the educational policy of the Government has been to call into existence a class whose literary education is equal to that of the corresponding class in other civilized countries. We have, therefore, side by side with primitive ignorance and mediæval habits of thought, a small band of intellectuals who have acquired a superior education, and with it the feeling of qualification for any calling where knowledge and ability are requisite. They have studied other systems of government and assimilated theories of Western democratic government, and naturally have the desire to apply to their own land the methods of rule adopted by the great civilized nations of the West. Along with the feeling of intellectual equality there has naturally arisen a revulsion from the position of political inferiority which dependence on the British government of India brings home to them at every turn. British people born and brought up in an atmosphere of, to say the least, equality with other people, can never enter into nor completely understand how galling to an Indian of the highest descent and educational attainments is the constant reminder of racial inferiority.

Indians who feel, and rightly, that they are intellectually competent to deal with affairs of greater importance than mere village or district significance, feel that it is not reasonable to expect them to be willing to wait until village responsible self-government shall have been reconstructed as a basis for

an elective system. It is true that this class is very small, to its outermost fringes it is an extremely small percentage of the population; but, as the Montagu-Chelmsford report says—"We cannot stay their progress entirely until education has been extended to the masses." No one acquainted with the conditions would wish to do so, and the real problem to solve is how to satisfy the legitimate aspirations of a small fraction, without at the same time jeopardising the interests of the rest of the people. It must be remembered that the educated class—those from whom the demand for representative government comes—belong mainly to the castes which have always been in the ascendant, castes always arrogant and intolerant of inferior castes, who have been raised by their English education still further out of communication, and therefore out of sympathy, with the masses of the people. The problem is therefore essentially different from that in countries where the intellectuals who take the lead are of the same stock as those whom they would represent; in India they are not, and the experience of recent years is that they are not likely to initiate or to approve of legislation having for its object, *e.g.*, the protection of the cultivators from the exactions of those who from time immemorial have been accustomed to prey upon them. The discussions of tenancy bills in the Legislative Councils of Bengal and of Bihar and Orissa did not indicate that the elected members regarded with any sympathy the possibility of benefit to the cultivators, whom, by the way, some of them were

supposed to represent, but on the contrary seemed to be more concerned with the curtailment of privileges which the landlords might be called upon to relinquish. For untold ages the peasantry have been exploited by those in immediate power over them—in these days it is chiefly the landlord and the money lender—and the future that is most to be feared for them is that this state of things will not be remedied, but will be intensified, if the people are given responsible government without the basis of responsibility, without a practical knowledge of the uses of a vote. Their pliability will be turned to account by the intelligent politician, and they will be induced, persuaded, cajoled or ordered to vote for the men who will only add more to the burdens the people already possess. For this there would be no remedy but the long-drawn out agony of an ignorant people, remorselessly exploited by those who would pose as their representatives and as voicing their difficulties, while the people slowly gain the power of combining their votes to prevent the return of representatives who are found wanting. But this political education by stress of pain, of a people who are historically without political experience and instinctively without political capacity, will be a slow process, rendered still slower by the opposing interests of the professional politician, inimical to the awakening of the masses, who may therefore be trusted to do his utmost to mislead them so as to secure his own ascendancy. To grant responsible government to a people in this stage of political ignorance would

be to place their necks firmly under the yoke of those who have never hesitated to use such power as they had had for their own aggrandisement and the exploitation of the cultivators, and it is therefore necessary to commence the practical training of the electorate so as to bring to them some consciousness of their capabilities and opportunities before they are called upon to exercise a vote in the arena of provincial politics. How long this may take, when an electorate wide enough to be really representative of the people at large will be ready to intelligently undertake the responsibilities of provincial politics, it is impossible to say,—the only thing that is sure is that no such wide electorate exists or is possible to-day. In the language of the Montagu-Chelmsford Report—

"There are everywhere people so ignorant and so depressed as necessarily to lie outside the limits of any franchise which can at the outset be framed.....And running through the whole body politic is a series of divisions of sect and race which still affects the mind of educated Indians[1].....have we laid stress upon the existence of silent depths through which the cry of the press and the platform never rings? In the first place of course we wish to insist on the importance of these factors in considering the time necessary for the complete attainment of responsible government in a country where in spite of rapid processes of growth so great a majority of the people do not ask for it, and are not yet fitted for it."[2]

The position is one of extreme delicacy. On the one hand there must be a substantial step in the direction of self-governing institutions, some

[1] Paragraph 142.
[2] Paragraph 143.

clear advance towards the realisation of responsible government in India, some real power must therefore be given to the literate; on the other hand the power which is given must be carefully screened and limited so as to prevent its being used to the disadvantage of the masses during the years that will elapse before the masses can be trained to protect themselves. This is the difficulty faced by the writers of the Montagu-Chelmsford Report, and the fact that they have produced a scheme which commends itself to any section of the community is eloquent of the ability which they have brought to bear upon it. In no point is this ability and resource more conspicuous than in the manner in which they have dealt with the question of the electorate. A wide provincial electorate being now, and in the immediate future, an impossibility, the only apparent alternative before the writers of the Report was to decide upon a narrow electorate for the present, but this would be unconformable with their postulated platform as to breadth of the electorate, so they avoided this undesirable proposal by the artifice of evading any decision as to the electorate and referring the whole question of the electorate to a committee to hear evidence, consider, and report. This had the advantage of preventing any criticism of their proposal from the point of view of inadequacy of electorate, and also made it more difficult to discuss proposals regarding the legislative councils, as these must depend upon the recommendation of the electorate and councils committees. Opinions differ somewhat widely as

to the present possible limits of a provincial electorate: there are many who think that in rural areas the electorate should be limited to membership of the district boards or of local boards, while others consider that the provincial electorate should be the electorate of the district boards. The membership of the district boards is composed of men who may be expected to take an intelligent interest in provincial politics and to understand the working of responsible government, but this limitation of the electorate would accentuate the present large proportion of members of the legal profession who are returned at elections. The Montagu-Chelmsford report points out that in rural constituencies in 1916 nearly three-quarters of the members elected to provincial legislatures were lawyers, and as the writers of the Report say—

"So great a political predominance of men of one calling is clearly not in the interest of the general community."[1]

But the membership of district boards is dominated by lawyers. Even where they are not actually in a majority, their dialectical training gives them an advantage over simpler folk and assures their predominance. There is no need to ascribe all the ills of India to the devices of members of the legal profession, but on the other hand nothing is to be gained by shutting our eyes to the plain fact that there are 330,000 lawyers in India, that most of these live in great comfort—very many in affluence—while the average dweller in the land is poor. It

[1] Paragraph 84.

must also be remembered that the lawyer's existence is essentially parasitic, living not on what he produces, but on and by the difficulties of others, whose troubles it is ever his interest to promote.

The large average income enjoyed by lawyers is due to the facilities which the legal processes elaborated by the British have given them. Court procedure everywhere, if not designed for the express purpose of the inordinate protraction of all suits to the prejudice of justice, so as to enable lawyers to pile up interminable bills of costs, certainly achieves this result as efficiently as though it were the sole object with which all legal procedure has been devised. That lawyers, under these circumstances, are not uniformly engaged in stirring up strife and employing their talents in dishonestly and treacherously leading their clients into legal enterprises, speaks volumes for the uprightness of members of the legal profession. But, nevertheless, it would be not only unwise, it would be unfair, to practically confine the making of laws to those whose living depends on the manner of interpretation of the statutes. The masses will some day require the simplification of procedure and the cheapening of justice, and it would not be reasonable that the control of procedure should be in the hands of those whose interest it is that procedure should be as intricate, as uncertain, and as costly as it can be made. This, however, is inevitably what would result if the provincial rural electorate is the membership of the district boards.

On the other hand if the provincial electorate is widened to the electorate of the district board, this could not be described as a wide electorate, which the Montagu-Chelmsford Report states is essential, for it only amounts to about a sixteen-hundredth of the population. Although the electorate of the district boards is more numerous than the membership of the boards, it would be an exceedingly narrow electorate, so narrow that the fraction of the population represented is so negligibly small that the elected representatives could not by any stretch of the imagination be considered as representative of the entire population. And yet many of those most competent to judge believe that even this electorate is too wide to be competent to intelligently and effectively express its opinions on provincial questions by means of votes cast for representatives in the provincial legislative council. It appears from the Montagu-Chelmsford Report that the writers contemplated setting up a wide electorate entirely incompetent to elect provincial representatives, for they say that :—

"The much larger electorates that will now be set up, though still a mere fraction of the population, will be devoid of political experience."

"Political ideas may be expected only to spread slowly and the progress of political education to be impeded." [1]

"The work of calling into existence an electorate capable of bearing the weight of responsible government is still to be done, and it is likely to be a work of time." [2]

"The task of educating them will be particularly difficult, especially for men who will have to undertake a work of which they themselves have so little experience." [1]

[1] Paragraph 263
[2] Paragraph 83

To which they might have added that the sudden placing of so much political responsibility upon an electorate of the kind here contemplated is to offer a congenial field to the disaffected demagogue for the exercise of his peculiar talents.

There are indeed but two alternative solutions of the general problem of the electorates. One is to have an electorate approximately as narrow as the membership of district boards and capable of expressing its views on provincial questions but consisting chiefly of lawyers and returning probably only lawyers to the legislative council. The other alternative is to have a much wider electorate, though perhaps even still so narrow as to be in no sense representative, but quite incompetent to express efficiently any views on provincial politics, or indeed on any other subject, through the medium of the ballot box, being "devoid of political experience" or understanding. In this case it may be predicted with the utmost confidence that the enthusiasm of extreme fanaticism would find the largest following, and the majority of elected representatives would, necessarily, be the least scrupulous of the extremist among politicians.

The pronouncement of the 20th August, 1917, has been called the Magna Charta of India, and, remembering the character of that historic document, which wrung from a weak king additional privileges for the classes in power, placing their feet more firmly on the necks of the rest of the people, it is to be feared that if the Montagu-Chelmsford Report

embodies the only interpretation of the pronouncement, and limits the method of progress under it, the description may be more true than was intended.

It will be remarked that the foregoing discussion of the electorates and representatives does not dispose of the question as to whether the development of representative Government in India ought to follow the British model or whether another type would be more in keeping with the traditions and the natural evolution of institutions of the country, neither does it deal with any other of the many aspects of the Reform proposals.