

Volume 2 Book-2

Voices of Indian Freedom Movement



J. C. JOHARI

**VOICES OF INDIAN
FREEDOM MOVEMENT**

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FREEDOM MOVEMENT**
(VOICE OF 'LOYAL' AND MODERATE NATIONALISM)

VOLUME II
(Book 2)

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SYED AHMED KHAN

[If Raja Ram Mohun Roy is regarded as the 'father of modern Indian renaissance' and M.G. Ranade as the 'pioneer of renaissance in Maharashtra', Syed Ahmed Khan (1817-1898), respectfully known as 'Sir Syed', is rightly regarded as the 'father of modern Indian Muslim renaissance'. He was mainly concerned with social, economic and political regeneration of his coreligionists and, for this, he laid stress on three main points—liberal education of the Muslims on Western pattern, loyalty of the Indian Muslims to the British raj, and some system of reservations and safeguards for the Muslims in election to the Imperial (Central) and Local (Provincial) Legislative Councils. In order to refute the allegation of Muslim disloyalty to the British rule, he wrote *Risala-i-Asbab-i-Baghawat-i-Hind* in Urdu that was translated into English with the name of *Causes of the Indian Revolt*. A little after, he brought out a monograph on loyalty of the Indian Mohammedans to the British raj. His line was adently followed by others and that came to be known as the 'Aligarh Movement'. Maulana Muhammed Ali could call Syed Ahmed as 'a loyalist of all loyalists'. As a result of his efforts, in 1875 came into being the Mohammedan Anglo-Oriental School that became MAO College in 1878 and later Aligarh Muslim University. From 1878 to 1882 he served as a member of the Viceroy's Executive Council. In many speeches and writings he refuted the idea of introducing Parliamentary democracy on the British pattern as it would go to the exclusive advantage of the majority community of the Hindus. This fear haund his mind and he obdurately refused to join the Indian National Congress formed in 1885. He exhorted his followers to do

the same. In this way, he launched the movement of separatism and exclusivism of the Muslim community that culminated in the partition of India in 1947. The historians of Pakistan take pride in calling Syed Ahmed Khan as the 'first Pakistani'.]

REAL CAUSES OF MUTINY*

The primary causes of rebellion are, I fancy, everywhere the same. It invariably results from the existence of a policy obnoxious to the dispositions, aims, habits, and views of those by whom the rebellion is brought about...

As regards the Rebellion of 1857, the fact is, that for a long period many grievances had been rankling in the hearts of the people. In course of time, a vast store of explosive material had been collected. It wanted but the application of a match to light it, and that match was applied by the mutinous army...

The manner in which the rebellion spread, first here, then there, now breaking out in this place and now in that, is alone good proof that there existed no widespread conspiracy.

Nor is there the slightest reason for thinking that the rebels in Hindustan received any aid from Russia or from Persia. The Hindustanees have no conception of the views of Russia, and it is not probable that they would league themselves with her. Nor can I think that they would ever be likely to receive any help from Persia. As between Roman Catholics and Protestants, so between the Mussulmans of Persia and of Hindustan, cordial co-operation is impossible. To me it seems just as credible that night and day should be merged in one, as that these men should ever act in concert. Surely, if such were the case, it is very strange that during the Russian and Persian wars, Hindustan should have remained completely tranquil. Nor, on the other hand, is it less strange that while Hindustan was in flames, there should have been in those countries no visible stir whatever. The notion of an understanding existing between these countries must be set aside as preposterous....

*Excerpts from Syed Ahmed Khan's *Causes of the Indian Revolt* (written in 1858 in Urdu and translated into English by Sir Auckland Colvin and Col. Graham).

I see nothing strange in the fact, if fact it were, of the ex-king of Delhi having written a Farman (Royal Decree) to the Persians. Such an imbecile was the ex-king, that had once assured him that the angels of heaven were his slaves, he would have welcomed the assurance, and would have caused half-a-dozen Farmans to be prepared immediately. The ex king had a fixed idea that he could transform himself into a fly or gnat, and that he could in this guise convey himself to other countries, and learn what was going on there. Seriously, he firmly believed that he possessed the power of transformation. He was in the habit of asking his courtiers in Durbar if it were not so, and his courtiers were not the men to undeceive him. Is there anything wonderful in the fact of such a dotard writing a Farman to any person, or at any man's instigation? Surely not. But it is perfectly incredible that such a Farman should have formed the basis of any league. Strange that such wide conspiracies should have been for so long hatching, and that none of our rulers should have been aware of them! After the revolt had broken out, no volunteer, whether soldier or civilian, ever alluded to such a thing; and yet had any league existed, there could then have no longer been any reason for concealing it.

Nor do I believe that the annexation of Oudh was the cause of this rebellion. No doubt men of all classes were irritated at its annexation; all agreed in thinking that the Honourable East India Company had acted in defiance of its treaties, and in contempt of the word which it had pledged. The people of Oudh felt on this occasion much as other men have felt whose countries have been annexed by the East India Company. Of this, however, more hereafter. But what I mean here is, that the men who would be the most irritated and dismayed at such a step, were the noblemen and independent princes of Hindustan. These all saw that sooner or later such a policy must lead to the overthrow of their own independence, and confiscation of their own lands. Nevertheless we find that there was not one of the great landed princes who espoused the rebel cause. The mutineers were for the most part men who had nothing to lose—the governed, not the governing class. To cite in contradiction of what I say the cases of the Nawab of

Jhujjar and the Rajah of Bulubgarh, and other such petty feudatories, would show little else than ignorance of the status of the various Hindustanee chiefs....

There are, again, no grounds for supposing that the Mohammedans had for a long time been conspiring or plotting a simultaneous rise or a religious crusade against the professors of a different faith. The English Government does not interfere with the Mohammedans in the practice of their religion. For this sole reason it is impossible that the idea of religious crusade should have been entertained. Thirty-five years ago a celebrated Mouvie, Mohammad Ismael by name, preached a religious crusade in Hindustan, and called upon all men to aid him in carrying it out. But on that occasion he distinctly stated that natives of Hindustan, subject to the British Government, could not conscientiously take part in a religious war within the limits of Hindustan. Accordingly, while thousands of Jehadees (crusaders) congregated in every district of Hindustan, there was no sort of disturbance raised within British territory. Going northwards, these men crossed the Punjab frontier, and waged war in those parts of the country. And even if we should imitate the know-nothings in the various districts and call the late disturbance a religious war, it is very certain that no preparations were made for it before the 10th of May 1857...

I do not found my belief on any speculative grounds or any favourite theory of my own. For centuries, many able and thoughtful men have concurred in the views I am about*to express. All treaties and works on the principles of government bear me out. All histories either of the one or the other hemisphere are witnesses to the soundness of my opinions.

Most men, I believe, agree in thinking that it is highly conducive to the welfare and prosperity of Government—indeed is essential to its stability—that the people should have a voice in its councils. It is from the voice of the people only that Government can learn whether its projects are likely to be well received. The voice of the people can alone check errors in the bud, and warn us of dangers before they burst upon and destroy us.

A needle may dam the gushing rivulet : an elephant must turn aside from the swollen torrent. This voice, however, can never be heard, and this security never acquired, unless the people are allowed a share in the consultations of Government. The men who have ruled India should never have forgotten that they were here in the position of foreigners—that they differed from its natives in religion, in customs, in habits of life and of thought. The security of a Government, it will be remembered, is founded on its knowledge of the character of the governed, as well as on its careful observance of their rights and privileges. Look back at the pages of history, the record of the experience of the past, and you will not fail to be struck with the differences and distinctions that have existed between the manners, the opinions, and the customs of the various races of men—differences which have been acquired by no written rule, or prescribed by any printed form. They are in every instance the inheritance of the peculiar race. It is to these differences of thought and of custom that the laws must be adapted, for they cannot be adapted to the laws. In their due observance lies the welfare and security of government. From the beginning of things, to disregard these has been to disregard the nature of man, and the neglected of them has ever been the cause of universal discontent.

The evils which resulted to India from the non-admission of natives into the Legislative Council of India were various. Government could never know the inadvisability of the laws and regulations which it passed. It could never hear as it ought to have heard the voice of the people on such a subject. The people had no means of protesting against what they might feel to be a foolish measure, or of giving public expression to their own wishes. But the greatest mischief lay in this, that the people misunderstood the views and the intentions of Government. They misapprehended every act, and whatever law was passed was misconstrued by men who had no share in the framing of it, and hence no means of judging of its spirit. At length the Hindustanees fell into the habit of thinking that all the laws were passed with a view to degrade and ruin them, and to deprive them and their fellows of their religion. Such acts as were repugnant to native customs and character, whether

in themselves good or bad, increased this suspicion. At last came the time when all men looked upon the English Government as slow poison, a rope of sand, a treacherous flame of fire. They learned to think that if to-day they escaped from the hands of Government, tomorrow they would fall into them; or that even if they escaped the morrow, the third day would see their ruin. There was no man to reason with them, no one to point out to them the absurdity of such ideas. When the governors and the governed occupy relatively such a position as this, what hope is there of loyalty or of goodwill? Granted that the intentions of Government were excellent, there was no man who could convince the people of it; no one was at hand to correct the errors which they had adopted. And why? Because there was not one of their own number among the members of the Legislative Council. Had there been, these evils that have happened to us would have been averted. The more one thinks the matter over, the more one is convinced that here we have the one great cause which was the origin of all smaller causes of dissatisfaction...

I do not wish to enter here into the question as to how the ignorant and uneducated natives of Hindustan could be allowed a share in the deliberations of the Legislative Council, or as to how they should be selected to form an assembly like the English Parliament. These are knotty points. All I wish to prove here is, that such a step is not only advisable, but absolutely necessary, and that the disturbances are due to the neglect of such a measure. As regards the details of the question I have elsewhere discussed them, and those who wish to enter into it can read what I have said.

This mistake of the Government, then, made itself felt in every matter connected with Hindustan. All causes of rebellion, however various, can be traced to this one. And if we look at these various causes separately and distinctly, we shall, I think, find that they may be classed under five heads :

1. Ignorance on the part of the people; by which I mean misapprehension of the intentions of Government.

2. The passing of such laws and regulations and forms of procedure as jarred with the established customs and practice of Hindustan, and the introduction of such as were in themselves objectionable.

3. Ignorance on the part of the Government of the condition of the people, of their modes of thought and of life, and of the grievances through which their hearts were becoming estranged.

4. The neglect on the part of our rulers of such points as were essential to the good government of Hindustan.

5. The bad management and disaffection of the army...

I would here say that I do not wish it to be understood that the views of Government were in reality such as have been imputed to them. I only wish to say that they were misconstrued by the people, and that this misconception hurried on the rebellion. Had there been a native of Hindustan in the Legislative Council, the people would never have fallen into such errors.

Interference in Matters of Religion. There is not the smallest doubt that all men, whether ignorant or well-informed, whether high or low, felt a firm conviction that the English Government was bent on interfering with their religion, and with their old-established customs. They believed that Government intended to force the Christian religion and foreign customs upon Hindus and Mussulmans alike. This was the chief among the secondary causes of the rebellion. It was believed by everyone that Government was slowly but surely developing its plans. Every step, it was thought, was being taken with the most extreme caution. Hence, it is that men said that Government does not speak of proselytising Mohammedans summarily and by force ; but it will throw off the veil as it feels itself stronger, and will act with greater decision. Events, as I shall presently show, increased and strengthened this conviction. Men never thought that our Government would openly compel them to change their religion. The idea was, that indirect steps would be taken, such as doing away with the study of Arabic and Sanskrit, and reducing the people to ignorance and poverty. In

this way, it was supposed, the people would be deprived of a knowledge of the principles of their own faith, and their attention turned to books containing the principles of the Christian creed. It was supposed that Government would then work on the cupidity and poverty of its subjects and, on condition of their abjuring their faith, offer them employment in its own service.

In the year 1837, the year of the great drought, the step which was taken of rearing orphans in the principles of the Christian faith, was looked upon throughout the North-West Provinces as an example of the schemes of Government. It was supposed that when Government had similarly brought all Hindustanees to a pitch of ignorance and poverty, it would convert them to its own creed. The Hindustanees used, as I have said, to feel an increasing dismay at the annexation of each successive country by the Honourable East India Company. But I assert without fear of contradiction that this feeling arose solely from the belief in their minds, that as the power of Government increased, and there no longer remained foreign enemies to fight against, or internal troubles to quell, it would turn its attention inwards, and carry out a more systematic interference with their creed and religious observances.

In the first days of British rule in Hindustan, there used to be less talk than at present on the subject of religion. Discussion on this point has been increasing day by day, and has now reached its climax. I do not say that Government has interfered in these matters ; but it has been the general opinion that all that was done was according to the instructions and hints of Government, and was by no means displeasing to it. It has been commonly believed that Government appointed missionaries and maintained them at its own cost. It has been supposed that Government, and the officers of Government throughout the country, were in the habit of giving large sums of money to these missionaries, with the intention of covering their expenses, enabling them to distribute books, and in every way aiding them. Many covenanted officers and many military men have been in the habit of talking to their subordinates

about religion ; some of them would bid their servants come to their houses and listen to the preaching of missionaries, and thus it happened that in the course of time no man felt sure that his creed would last even his own lifetime.

The missionaries, moreover, introduced a new system of preaching. They took to printing and circulating controversial tracts, in the shape of questions and answers. Men of a different faith were spoken of in those tracts in a most offensive and irritating way. In Hindustan these things have always been managed very differently. Every man in this country preaches and explains his views in his own mosque or his own house. If anyone wishes to listen to him, he can go to the mosque or house and hear what he has to say. But the missionaries plan was exactly the opposite. They used to attend places of public resort—markets, for instance, and fairs, where men of different creeds were collected together—and used to begin preaching there. It was only from fear of the authorities that no one had them be off about their business. In some districts the missionaries were actually attended by policemen from the station. And then the missionaries did not confine themselves to explaining the doctrines of their own books. In violent and unmeasured language they attacked the followers and the holy places of other creeds, annoying and insulting beyond expression the feelings of those who listened to them. In this way, too, the seeds of discontent were sown deep in the hearts of the people.

Then missionary schools were started in which the principles of the Christian faith were taught. Men said it was by the order of Government. In some districts covenanted officers of high position and of great influence used to visit the schools and encourage the people to attend them ; examinations were held in books which taught the tenets of the Christian religion. Lads who attended the schools used to be asked such questions as the following. 'Who is your God ?' 'Who is your Redeemer,' and these questions they were obliged to answer agreeably to the Christian belief—prizes being given accordingly. This again added to the prevailing ill-will. But it may be said with some justice. 'If the people were not

satisfied with this course of education, why did they let their children go to the schools ?' The fact is, that we have here no question of like or dislike. On the contrary, we must account for this by the painfully degraded and ignorant state of the people. They believed that if their children were entered at the schools, they might have employment given them by Government, and be enabled to find some means of subsistence. Hence they put up with a state of affairs in reality disagreeable enough to them. But it must not be thought that they ever liked those schools.

When the village schools were established, the general belief was that they were instituted solely with the view of teaching the doctrines of Jesus. The pergunnah visitors and deputy inspectors who used to go from village to village and town to town advising the people to enter their children at these schools, got the nickname of native clergymen. When the pergunnah visitor or deputy inspector entered any village, the people used to say that the native clergyman had come. Their sole idea was, that these were Christian schools, established with the view of converting them. Well-informed men, although they did not credit this, saw nevertheless that in these schools nothing but Urdu was taught. They were afraid that boys while reading only Urdu would forget the tenets of their own faith, and that they would thus drift into Christianity. They believed, also, that Government wished such books as bore upon the doctrines of the former religions of Hindustan to fall into entire disuse. This was to be done with the view of ensuring the spread of Christianity. In many of the eastern districts of Hindustan where these schools were established, boys were entered at them by compulsion, and by compulsion only. It was currently reported that all this was in pursuance of the orders of Government.

There was at the same time a great deal of talk in Hindustan about female education. Men believed it to be the wish of Government that girls should attend and be taught at these schools, and leave off the habit of sitting veiled. Anything more obnoxious than this to the feelings of the Hindustanees cannot be conceived. In some districts the

practice was actually introduced. The pergunnah visitors and deputy inspectors hoped, by enforcing the attendance of girls, to gain credit with their superior. In every way, therefore, right or wrong, they tried to carry out their object. Here, then, was another cause of discontent among the people, through which they became confirmed in error.

The large colleges established in the towns were from the first a source of suspicion. At the time of their establishment Shah Abdulazeez, a celebrated Moulvie of Hindustan, was alive. The Mohammedans asked him for a Fatwa on the subject. His answer was distinct. 'Go', he said, 'read in the English colleges, and learn the English tongue. The laws of Islam admit it.' Acting on this opinion the Mohammedans did not hesitate to enter these colleges. At that time, however, the colleges were conducted on a principle widely different from that which is at present adopted. Arabic, Persian, Sanskrit, and English were equally taught. The 'Fickah, (Mohammedan law) 'Hadees', (saying of prophet Mohammed) and other such books were read. Examinations were held in the 'Fickah,' for which certificates of proficiency were given. Religion was not in any way thrust forward. The professors were men of worth and weight—all scholars of great reputation, wide knowledge, and sound moral character. But all this had been changed. The study of Arabic is little thought of. The 'Fickah' and 'Hadees' were suddenly dropped. Persian is almost entirely neglected. Books and methods of teaching have been changed. But the study of Urdu and of English has greatly increased. All this has tended to strengthen the idea that Government wished to wipe out the religions which it found in Hindustan. The professors are no longer men of weight or acquirements. Students at the college, in whom people have not gained confidence, have for some time past been appointed professors. And hence it is that throughout the country these colleges have fallen into disrepute.

Such was the state of the village schools and the colleges, such the general feeling of distrust throughout the country as to the views of Government about conversion, when a proclamation was issued by Government to the following effect :

Whoever had studied and passed an examination in certain sciences and in the English language, and had received a certificate to that effect, was to be considered as having prior claims for employment in the public service. Petty appointments were granted on the production of certificates from the deputy inspectors—the very men who had hitherto been nicknamed native clergymen. This came as a blow to every one. Suspicion increased tenfold. The rumour again arose that Government wished to deprive the Hindustanees of all means of subsistence and by impoverishing them gradually, to substitute its own religion in the place of theirs... In 1855 E. Edward, a missionary, issued a circular and sent it to all Government offices that all people should embrace one faith as there is unity everywhere.

The laws providing for the resumption of revenue free lands, the last of which was Regulation 6 of 1819, were most obnoxious. Nothing disgusted the natives of this country more with the English Government than this resumption of revenue free lands. Sir T. Munro and the Duke of Wellington said truly enough that to resume lands granted revenue free, was to set the whole people against us, and to make beggars of the masses. I cannot describe the odium and the hatred which this act brought on Government, or the extent to which it beggared the people. Many lands which had been held revenue free for centuries were suddenly resumed on the flimsiest pretexts. The people said that Government not only did nothing for them itself, but undid what former Government had done. This measure altogether lost for the Government the confidence of its subjects. It may be said that, if revenue free lands were not resumed, some other source of income would have to be sought, or some new tax imposed to meet the charges of Government; so that the people would have still to bear the burden. This may be so; but the people do not see it. It is a remarkable fact that wherever the rebels have issued proclamations to deceive and reduce the people, they have only mentioned two things; the one, interference in matters of religion; the other, the resumption of revenue free lands. It seems fair to infer that these were the two chief causes of the public discontent. More especially was it the case with the Mohammed-

dans, on whom this grievance fell far more heavily than on the Hindus.

Under former rules and in old times, the system of buying and selling rights in landed property, of mortgage, and of transfer by gift, undoubtedly prevailed. But there was little of it, and what little there was, was due to the consent and wishes of the parties concerned. To arbitrarily compel the sale of these rights in satisfaction of arrears of revenue, or of debt, was a practice in those days unknown. Hindustanee landlords are particularly attached to this kind of property. The loss of their estates has been to them a source of the deepest annoyance. A landed estate in Hindustan is very like a little kingdom. It has always been the practice to elect one man as the head over all. By him matters requiring discussion are brought forward, and every shareholder in proportion to his holding has the power of speaking out his mind on the point. The cultivators and the Chowdries of the villages attend on such an occasion, and say whatever they have to say. Any matter of unusual importance is settled by the headmen of some of the larger villages. You have here, in fact, in great perfection, a miniature kingdom and parliament. These landlords were indignant at the loss of their estate, as a king at the loss of his empire. But the Government acted in utter disregard of the state of things formerly existing. Dating from the commencement of English rule to the present time, there is probably not a single village in which there have not been more or less transfers. In the first days of British rule, sales of landed property were so numerous that the whole country was turned upside down. To remedy this, Government passed the law which is called Regulation 1 of 1821, and appointed a Commission of Inquiry. This Commission, however, gave rise to a thousand other evils. Finally, the affair was not brought to a satisfactory conclusion, and at last the Commission was abolished. I shall not here enter into the question as to how Government could ensure the payment of the land revenue, if it gave up the practice of sales or its right to enforce sales arising from the fact of the land being pledged for the payment of revenue. All that I now say is, that whether this system of sales was the result of necessity or of ignorance, it has at all

events had a hand in bringing on the rebellion.... It will only mention here that it is open to grave doubt whether the land is pledged for the payment of revenue. The claim of the Government lies, I take it, upon the produce of the land, not upon the land itself.

So, too, the practice of sale in satisfaction of debt has been most objectionable. Bankers and money-lenders have availed themselves of it to advance money to landlords, resorting to every kind of trickery and roguery to rob them of their property. They have instituted suits without end in the civil courts—some fraudulent, some correct enough. The consequence has been, that they have very generally ousted the old landlords, and insinuated themselves into their properties. Troubles of this kind have ruined landlords throughout the length and breadth of the land...

There is no doubt that Government were but slightly acquainted with the unhappy state of the people. How could it well be otherwise? There was no real communication between the governors and the governed, no living together or near one another, as has always been the custom of the Mohammedans in countries which they subjected to their rule. Government and its officials have never adopted this course, without which no real knowledge of the people can be gained. It is, however, not easy to see how this can be done by the English, as they almost all look forward to retirement in their native land, and seldom settle for good amongst the natives of India.

The people again, having no voice in the government of the country, could not well better their condition; and if they did try to make themselves heard by means of petitions, these same petitions were seldom if ever attended to, and sometimes never even heard.

Government, it is true, received reports from its subordinate officials; but even these officials themselves were ignorant of the real thoughts and opinions of the people, because they had no means of getting at them. The behaviour of these sub-

ordinates as a rule, their pride, and their treatment of natives, is well known. In their presence native gentlemen were afraid, and if they had told these officials of their want of knowledge of the people of their districts, they would only have been summarily ejected for their pains. All the Amlah (readers and clerks) and the civil functionaries, as well as wealthy native gentlemen, were afraid, and consequently did nothing but flatter.

Now Government, although in name only a Government subordinate to a higher Government, was in reality the real Government of this country, and as such it ought to have received the complaints and petitions of its people direct, and not, as it did, invariably by reports from its district officers. There are some of the reasons why the real feelings and ways of its people, why the action of new laws passed for that people, their working for good or for bad, for the prosperity or otherwise of the countrymen, were unknown, or only slightly known, to Government. The people were isolated, they had no champion to stand up for their rights and to see justice done to them, and they were constrained to weep in silence.

I feel it most necessary to say that which is in my heart, and which I believe to be true, even at the risk of its being distasteful to many of the ruling race. What I am now going to treat of is that which, if only done in a right way, will attract even wild animals, causing them to love instead of to dread, and which, therefore, will, in a much greater degree, attract men. I cannot here state at length what the benefits of friendship, intercourse, and sympathy are ; but I maintain that the maintenance of friendly relations between the governors and the governed is far more necessary than between individuals ; private friendships only affect a few, friendship and good feeling between a Government and its subjects affect a nation. As in private friendships two persons are united by the bond of a common friendship, so also should a Government and its people be knit together in like manner. The people and the Government I may liken to a tree, the latter being the root, and the former the growth of that root. As the root is, so will the tree be. What ! Was such intimacy

impossible under this Government ? Most certainly not. We have numerous instances in which foreigners and natives of countries have been brought in contact with each other, and of their becoming friends, even when their religions and countries were different and widely separated. And why was this ? Just because they wished, and did their utmost, to become so. How often do we not see strifes and enmities between people of the same race, religion, and customs ! Friendship, intercourse, and sympathy are therefore not wholly dependent for their existence merely on the givers and recipients being of the same religion, race, or country.

One great source of the stability of a Government is undoubtedly the treating of its subjects with honour, and thus gaining their affections. Though a man's income be but small, treat him with honour, and he is far more gratified than if he were presented with three or four times the amount and be treated with contempt. Contempt is an ineradicable wrong. Being treated contemptuously sinks deep into a man's heart, and although uninjured by the same as to his worldly goods, he still becomes an enemy. The wound rankles deep, and cannot be healed ; that given by a sword can be healed, but that inflicted by a contemptuous word cannot. The result of kindness are different : an enemy even, if treated courteously, becomes a friend ; friends by friendly intercourse become greater friends, and strangers if treated in a friendly manner are no longer strangers. By kindness we make the brute creatures our willing slaves ; how much more then would such treatment cement the bonds between a Government and its people ? Now in the first years of the British rule in India the people were heartily in favour of it. This good feeling the Government has now forfeited, and the natives very generally say that they are treated with contempt. A native gentleman is, in the eyes of any petty official, as much lower than that official as that same official esteems himself lower than a duke. The opinion of many of these officials is that no native can be a gentleman.

Owing to the paucity of the European element, the people of India only stood in awe of the sepoy, who thus became puffed up with pride, and thought there were none like them in the

world. They looked upon the European portion of the army as a myth, and thought that the many victories which the English had gained were gained entirely by their own prowess. A common saying of theirs was, that they had enabled the English to conquer Hindustan from Burmah to Cabul. This pride of the sepoys was most marked after the Punjab was conquered. So far had it gone, that they made objections to anything which they did not like, and, I believe even remonstrated when ordered to march consequent on the yearly reliefs. It was precisely at this time, when the army was imbued with this feeling of pride, and the knowledge or rather conjecture that Government would grant anything they stood out for, that the new cartridges were issued—cartridges which they really believed were made up with fat, and the using of which would destroy their caste. They refused to bite them. When the regiment at Barrackpore was disbanded, and the general order announcing the same was read out to each regiment, the deepest grief was felt throughout the army. They thought that the refusal to bite the cartridges, the biting of which would have destroyed their caste, was no crime at all; that the men of the disbanded regiment were not in the least to blame, and that their disbandment was an act utterly devoid of justice on the part of Government. The whole army deeply regretted ever having had anything to do with Government. They felt that they had shed their blood in its cause, and conquered many countries for it; that in return it wished to take away their caste, and had dismissed those who had justly stood out for their rights. There was, however, no open rebellion just then, as they had only been disbanded and had not been treated with greater severity; but, partly from feeling certain that the cartridges were mixed with fat, partly from grief at seeing their comrades disbanded at Barrackpore, and still more by reason of their pride, arrogance, and vanity, the whole army was determined, come what might, not to bite the cartridges.

Correspondence was undoubtedly actively carried on in the army after the events at Barrackpore, and messages were sent telling the men not to bite the cartridges. Up to this time there was a strong feeling of indignation and irritation in the army, but, in my opinion, there was no intention of rebelling.

The fatal month of May 1857 was now at hand, in which the army was punished in a manner which thinking men know to have been most wrong and most inopportune. The anger which the news of this punishment created in the minds of the sepoys was intense. The prisoners, on seeing their hands and feet manacled, looked at their medals and wept. They remembered their services, and thought how they had been recompensed; and their pride, which, as I have before said, was the feeling of the whole army, caused them to feel the degradation all the more keenly. Then the rest of the troops at Meerut were fully persuaded that they would either be compelled to bite the cartridges or undergo the same punishment. This rage and grief led to the fearful events of the 10th of May, which events are unparalleled in the annals of history. After committing themselves thus, the mutineers had no choice left but to continue in their career of rebellion.

LOYALTY OF THE MUSLIMS*

Part I

Verily it is an incontrovertible truth, that in the revolutions of Time a general calamity arises sometimes, of a nature so mightily overwhelming, that Man is completely prostrated and unhinged thereby, and rendered utterly helpless in his extremity. There is then as it were a powerful weight upon his soul, bearing it down into the gulf of despair, for at that season of crushing trial neither virtue nor learning, nor skill nor talent is of any avail. His nature is thoroughly changed in the estimation of his fellowmen; none has a good opinion of him, and nothing that he does, claims from others any respect. Assuredly, when a man is guilty of a really culpable act, there can be no extenuation for that; but when he is enveloped by the sombre mantle of Misfortune, even his good deeds are obnoxious to suspicion and misconstruction, and are either condemned in toto, or said to proceed from a latent sinister motive. Certainly, good and bad are to be found in every class and creed, but the

*Excerpts from Syed Ahmed Khan's *The Loyal Mohammedans of India* published in 1860 to remind the British rulers of great services rendered by the Muslims during the revolt of 1857.

proverb that "a fish pollutes all water," has reference specially to a season of distress, for it is a peculiarity of the time, that if even one man has done ill, the entire class to which he belongs is held up to execration ; and albeit a large number of that class may have done right well, yet nobody thinks of their good deeds, and they get no credit for them !

The adverse of this axiom is equally true, for as much as those men who are not under the influence of the blighting shadow of misfortune, succeed in maintaining a fair reputation; and notwithstanding that their hands may be sullied by crime, yet they escape reprobation !

Now the season of dire extremity to which I allude is that which befell the Mohammedans in 1859-58. There was no atrocity committed then of which the blame was not imputed to Mohammedans, although the parties really guilty may have been Ramdeen and Matadeen !

An oriental Poet has well said—There was no misfortune sent from Heaven, which ere it descended to earth, did not seek for its resting place the dwellings of Mohammedans !

Long and anxiously have I pondered upon the events which marked the terrible crisis that has passed over this country ; and I am free to confess, that the facts which have come to my knowledge, and which I firmly believe to be true, have been a source of genuine comfort to my soul, including as they do the proud conviction, that the rumours defamatory of the Mohammedans that have got abroad from the four quarters of the world, are utterly without foundation. Some of the acts of the horrible Drama have already been exposed, but as day by day all the particulars are gradually brought to light, then, when the naked truth stands revealed,—then will this one glorious fact stand out in prominent relief, and become patent to the universe that if in Hindoostan there was one class of people above another, who, from the principles of their religion, from habits and associations, and from kindred disposition, were fast bound with Christians, in their dread hour of trial and danger, in the bonds of amity and friendship,

those people were the *Mohammedans*, and they alone—and then will be effectually silenced the tongue of slander now so loud in their condemnation !

I am an attentive reader of the newspapers, and I have also read the various works that have been written upon the Mutiny and Rebellion, and in all do I find the most bitter denunciations against the Mohammedans, who are freely represented as being everything that is vile, treacherous, and contemptible. There was no prickly thorn in those awful times, respecting which it was not said that it was planted by a Mohammedan : there was no fiery whirlwind that was not raised by a Mohammedan !

And yet what are the facts ? The very opposite indeed of what the mistaken popular opinion would show them to be ; for I really do not see that any class besides the Mohammedans displayed so much single-minded and earnest devotion to the interests of Government, or so willingly sacrificed reputation and status, life and property, in their cause. It is an easy thing to make empty professions of loyalty and service, and to write an occasional bulletin of news, false or true, but it is to the Mohammedans alone that the credit belongs of having stood the staunch and unshaken friends of the Government amidst that fearful tornado that devastated the country, and shok the empire to its centre ;—and who were ever ready heart and hand, to render their aid to the ntmost extremity, or cheerfully to perish in the attempt, regardless of home and kindred, of life and its enjoyments !

Be it known however that I am no advocate of those Mohammedans who behaved undutifully, and joined in the Rebellion: on the contrary I hold their conduct in utter abhorrence, as being in the highest degree criminal, and wholly inexcusable ; because at that momentous crisis it was imperatively their duty, a duty enjoined by the precepts of our religion, to identify themselves heartily with the Christians and to espouse their cause ; seeing that they have,—like ourselves,—been favoured with a revelation from Heaven, and believe in the Prophets,

and hold sacred the word of God in his holy book, which is also an object of faith with us. It was therefore needful and proper, that where the blood of Christians was spilt, there should also have mingled with it that of Mohammedans ; and those who shrunk from manifesting such devotedness, and sided with the rebels wilfully disobeyed the injunctions, of religion, besides proving themselves ungrateful to their salt, and thereby incurring the severe displeasure of Government, a fact that is patent to every peasant.

Verily, such unworthy Mohammedans have well deserved the righteous indignation of all right thinking men ; but at the same time, I must deprecate that wholesale denunciation against the entire class of Mohammedans, in which the newspapers are wont to indulge, and which stains the pages of those who have written upon the events of 1857. Besides, I have no hesitation in stating, that I differ from them in toto as regards the conclusions at which they have arrived respecting the origin of the mutiny ; and I would claim credit for acting from purely conscientious motives.

Yet notwithstanding, that the shafts of scorn and contumely are from every side directed against the Mohammedans as a class, they have really no reason to be aggrieved, inasmuch as a just and paternal Government inclines in their favour.

The actuating and promoting influences of the Rebellion have been deeply probed by the Authorities, and the result of the most careful and searching enquiries has noted our enlightened and benevolent Rulers to endorse the hastily formed opinions put forth by our detractors. When therefore the Government are on the side of the Mohammedans, wherefore should they feel any concern at the reports that have been circulated to their prejudice, by the newspapers, and the authors of the works above alluded to ?

The Poet has said—I do not call mine the beautiful flowers or sweet fragrance in this garden in which I walk, for they belong to my friend,—but I call him mine !

When I say that Government are on the side of the Mohammedans, I do not say so unadvisedly, for the most conclusive evidence of the fact may be seen in the rewards which, with a liberal hand, have been bestowed upon all loyal Mohammedans, in the shape of titles, endowments of land, pensions and promotions. This being the case it cannot be said that Mohammedans have nothing to be proud of, or no reason to be grateful. And yet the loyalty and good services of Mohammedans are rarely alluded to in the newspapers, while the writers on the Mutiny seem to have ignored them altogether.

Under these circumstances it has appeared to me advisable to publish a series of narratives, setting forth the loyal acts done by this class of people, more especially by those in the service of Government, so far as they have come to my knowledge ; and to each case will be appended a notice of the mode in which a gracious Government have been pleased to testify their recognition of those services in order that the fame of the discriminating justice and princely munificence of our paternal Government may be spread among all classes of their subjects, and that the gratitude of Mohammedans may be thereby excited, and that they may be led to emulate each other in the performance of all good and just actions, being fully assured that it is their happy fortune to live beneath the shadow of a great and righteous Government, ever ready to be gracious unto their obedient and dutiful subjects, by extending to them protection and patronage.

Inasmuch, however, as the number of loyal Mohammedans is legion, it would be a tedious and difficult task to bring under review the good services of all within the limited compass assigned to this publication ; and it has therefore been determined to make a selection of only a few individuals, who have shown in a conspicuous degree that eminent loyalty and devotion which has earned for them their high rewards, and established their fair reputation in the sight of the governing Power. This is the first section of the Work.

Those who are obstinately wedded to their own opinions, albeit founded upon imperfect or erroneous information, and

profound ignorance of the manners and customs of the people, and the condition of the country, may possibly charge me with being a partisan, and therefore an untrustworthy historian. I cannot deny that I am a native of Hindoostan and a Mohammedan, and that I am writing in praise of my countrymen and co-religionists, and if any person, arguing upon these premises, should choose to accuse me unjustly of being a biased witness, he is at perfect liberty to do so ; but I feel persuaded that all rational men and friends of justice will acknowledge that, in recording the facts herein collected, I have in no instance been blinded by prejudice or shown a wilful disregard of the claims of strict impartiality, since my statements will invariably be found to be supported by unimpeachable documentary evidence, consisting of official reports and private testimonials, in addition to a notice of the honours and distinctions with which Mohammedan loyalty has been rewarded by the Government, and this will, I trust, put to silence all who may feel inclined to cavil at my facts.

Part II

In the first part of this work I have given narratives of several Mohammedans who, by their good conduct and devoted loyalty, have obtained approbation and reward. In this second part I propose to chronicle the eminent services of another loyal and faithful Mohammedan ; but, as in the official report respecting him, mention has been made of certain men—illiterate and worthless,—who have been styled Juhadees, I deem it desirable in this place to offer a few observations upon this subject.

In the years 1857 and 1858, which have rolled over us, the affairs of Hindoostan fell into such a condition of disorder and confusion, that every idle rumour was eagerly accepted,—groundless aspersions were taken for granted, and false and distorted views of passing events found a ready soil for their reception in the minds of men. It was a consequence of this state of things, that people who talked or wrote about the mutiny and rebellion, gave currency to various statements

discreditable and injurious to Mohammedans as a class, which were wholly destitute of truth.

Among such unfounded reports was this : that the Mohammedans are, by the tenets of their religion, necessarily hostile to the professors of the Gospel of Christ ; whereas indeed the very reverse of this is the fact, for Mohammedanism admits, that there is no sect upon earth but the Christians, with whom its people may maintain amity and friendship....

A convincing proof of the amity existing between Mohammedans and Christians is found in the fact, that when the Persians overcame and subdued the Greeks, who had espoused Christianity, the Mohammedans were much grieved thereat, in-somuch that God in order to comfort them, sent down the inspired promise that he would soon make their hearts rejoice by giving victory to the Christians. See the following quotation :

“The Greeks have been overcome by the Persians in the nearest part of the land, but after their defeat they shall overcome the others in their turn within a few years. Unto God belongeth disposal of this matter, both for what is past and for what is to come, and on that day shall the believers rejoice in the success granted by God, for he granteth success unto whom he pleaseth, and he is mighty, the merciful.”—*Alkoran Soorut-ul-Rom*, Sale’s Trans., Ch. XXX.

“History informs us that the success of Khosru Parviz, King of Persia, who carried on a terrible war against the Greek Empire, to revenge the death of Maurice, his Father-in-law, slain by Phocas, was very great and continued in an uninterrupted course for two and twenty years. Particularly in the year of Christ 615, about the beginning of the sixth year before the Hejra, the Persians, having the preceding year conquered Syria, made themselves masters of Palestine, and took Jerusalem, which seems to be that signal advantage gained over the Greeks mentioned in this passage, as agreeing best with the terms here used, and most likely to alarm the Arabs by reason of their vicinity to the scene of action, and there was so little probability, at that time, of the Greeks being able to retrieve

their losses, much less to distress the Persians that in the following years the arms of the latter made still further and more considerable progresses and at length they laid siege to Constantinople itself. But in the year 625, in which the fourth year of the Hajra began, about ten years after the taking of Jerusalem, the Greeks, when it was least expected, gained a remarkable victory over the Persians, and not only obliged them to quit the territories of the Empire, by carrying the war into their own country, but drove them to the last extremity and soiled the capital city Abl Madayen : Heraclecis enjoying thenceforward a continued series of good fortune to the deposition and death of Khosru. For more exact information on these matters, and more nicely fixing the dates, either so as to correspond with or to overturn this pretended prophecy, neither of which is my business here the reader may have recourse to the historians and chronologers".—Sale's Trans., Ch. XXX.

It will, I trust, be very evident from the foregoing extracts, that those who have spread the report that Mohammedans are by their religion the enemies of Christians, have raised their blatant voice in vain, and have simply betrayed their profound ignorance of the principles of the Faith we profess to follow.

Another calumny against Mohammedans refers to their alleged eager belief in the prophecy of some Fageer (Saint) who is said to have foretold the dissolution of the Christian Empire ; and with such industry has this report been propagated, that people began to look upon the supposed acceptance of this absurd prediction by the Mohammedans, as a part of their Religious Faith, sanctioned by their Creed !

Now, God forbid that Mohammedans should attach one iota of faith to the prophecies of any but the inspired writers ! On the contrary, it is held by us to be a grievous sin to ascribe to any mortal man the Divine attribute of a knowledge of the future.,—or to place the slightest confidence in the predictions of astrologers,—or indulge in the superstitious observances of auspicious times and seasons. This being the case, how could

any sensible man give credence to the fantasies of some unknown individual who may have chosen to amuse the credulous of a past age by playing the Prophet....

Another unjustifiable imputation levelled against Mohammedans is that of the Juhad, albeit there is a wide difference between Juhad and Rebellion ! As a Poet hath said, Look at the immense distance that separates the road from one point to the other.

Among the scum of the people who were upheaved to the surface amidst the convulsions into which the country was thrown, it is remarkable how many there were who were styled Moulvies ; and yet they were merely ignorant and besotted scoundrels, who had no just claim to the appellation, which may have been given to them by courtesy only, because some of their ancestors may have been Moulvies. The fellows were alluded to in the public prints as really what they professed to be, and having assumed high-sounding and inflated names to give themselves the prestige of learned Moulvies and holy Fuqeers, it was natural that the authorities should be misled into the belief that men of note and influence were implicated in the rebellion, as its promoters and leaders. The fact is, however, that not one of these individuals was looked up to as a Pastor or spiritual guide ; on the contrary, they were of no repute whatever, and were heartily despised by all good Mohammedans, who had penetrated the character of these low-bred pseudo Moulvies. Those who were really learned and pious Moulvies and Durveshes kept aloof, and did not pollute themselves by the smallest degree of complicity in the rebellion, which they utterly denounced and condemned as infamous and criminal in the extreme. . . .

Be it known that the object of a Juhad among Mohammedans is not to practise treachery and cruelty ; and no sane man can, with the most distant approach to truth, apply that term to an insurrection characterised by violence, crime, and bloodshed, in defiance of, and utter disregard to, the Divine commands. And, further a Juhad, according to the principles of Mohammedan faith, really cannot take place under the pre-

sent regime ! The reason is, that the Mohammedans and living under the protection of their European rulers, and the protected cannot make a crusade against their protectors.

The British have obtained domination in Hindoostan by two modes *viz.*, by conquest and by cession. In either case, the Mohammedans have, as a natural consequence, become their subjects, and enjoy peace and protection under their administration, while the Government reposes confidence in their loyalty and submission. How then could the Mohammedans rise against the Government in a Juhad, when the very first condition of a religious war is, that there should not subsist the relations of protected and protectors between the crusaders, and those against whom the crusade is undertaken. This point is distinctly laid down and enforced in the book of Alungeeree, in which the author says, that there are two indispensable requisites to a Juhad,—first, that there be no *ummun* or protection,—and secondly, that there be no treaty or engagement between the parties.

There are besides various other conditions of a Juhad, not a single one of which was fulfilled in the rebellion ! A saying of Sultan Jullalodeen Feroze Khiljie is remarkable, and may be appropriately quoted here. When he was urged by Qazee Fukhroodeen Nakla, to allow himself to be styled Ghazee or champion of the Faith, because he had so frequently waged war against the infidels, the King wept and said—When did I fight for the cause of God to deserve that lofty title ! Such was the forbearance and self-denial of a great monarch, who declined to arrogate a merit which he was conscious of not possessing ; for he knew full well, that his campaigns were undertaken, not for the glory of God, but for his own secular aggrandizement ! Verily, it is a sad misnomer, and a matter of extreme amazement, that any person should give the name of Juhad to a sanguinary rebellion ! . . .

Now, although it is well known that the Government has not hitherto opposed any obstacle to the free use and observance of the ordinances of their religions by their subjects, and also, that it will not do so in the time to come, for the Queen

in her Proclamation has graciously given a guarantee to that effect ; yet, allowing for the sake of argument, that this neutrality were violated, still even then the Mohammedans would not be justified in rebelling against the Government. All that they could do under such circumstances would be to expatriate themselves.

In one of the commentaries on the Alkoran, called Tufseer Ahmudee, it is written, that if any person is debarred the privilege of worshipping God in conformity with his education and belief, by reason of the arbitrary edicts of tyrants or Kaffirs, he is perfectly justified in withdrawing into another country, under the Government of which he may be permitted that liberty of conscience, which was despotically denied to him in the land of his birth or adoption.

These things considered, it will be acknowledged, that the rebellion did not really present a single feature which might favour the imputation that it was instigated by Mohammedans under the specious pretext of a holy war. It is not then a matter of unbounded astonishment, that our detractors should so doggedly persist in ascribing its origin to Mohammedans, and that too under the impulse of religious motives ?

Another point for consideration is this, that the Government treasuries and arsenals were entrusted to the safe keeping of Hindoostanees, and confidence was reposed in their fidelity ; yet they plundered or destroyed these things deliberately and wantonly. Can it then be seriously pretended, that such outrages are sanctioned by the Mohammedan religion ? It was an oft and solemnly repeated exhortation of our Prophet to the sainted Elias, and by him communicated to Beg Huckee, the author of the book entitled *Showbool Eman*, that that man who betrays a trust or breaks a promise, is destitute of religion !...

By the dogmas of their faith, Mohammedans are imperatively required to abide strictly by whatever stipulations they may make with their foes ; and if it should so happen, that a treaty must inevitably be broken, they must be careful that no deceit or treachery is practised, and no undue advantage taken

of the unpreparedness of the enemy. On the contrary, they are commanded to give him ample warning of their intentions, and sufficient time to mature his arrangements accordingly. Now the rebellion in Hindoostan was characterised by continual breach of faith, for the Sepoys proved faithless after swearing fidelity to their standards—and Budmashes treacherously violated the most solemn promises they made to those unfortunates who fell into their hands ; yet our worthy historians of the rebellion will persist in representing such abominable proceedings as authorised by the Monammedan religion, when in truth, the pages of our sacred laws are filled with the strongest denunciations against them ! May God protect us from our calumniators !...

Now it is pretty generally known and acknowledged, that the greased cartridges were the origin and cause of the mutinies ;—it may therefore be pertinently asked, what harm could rest to the religion of Mohammedans by biting those cartridges ? It is written in our Scriptures that we may eat food with the children of the book, and we cannot lawfully reject any animal food provided by them. It may be that hog's lard was used in the cartridges. What then ? Could that have excluded us from the pale of salvation ! It is written, that what things are not obviously unclean or vile, may be accepted as clean and pure ; and it is absurd to say, that by the mere act of biting a cartridge, in the composition of which the fat of an unclean animal had been used, a Mohammedan must necessarily become an outcast from his faith ! It would be a sin certainly, but one of a venial complexion when compared with those atrocities which have rendered infamous the memory of the events of the rebellion....

To defame and vilify an entire class and creed is monstrous, and palpably unjust, for there is no class of people upon earth in which there is not an admixture of both good and evil. Our detractors have had their fling at us and there has been no lack of vituperation ; yet there are hundreds of thousands of Mohammedans who in the sight of the All-seeing God are innocent in heart and deed of the foul enormities, so flagrantly laid to our charge, while others again, who may be reckoned by

hundreds, have in their devoted loyalty to the State, sacrificed life and property, honour and reputation, and have endured hardships and trials grievous to be borne. Is it fair and honest than to hurr contumely and reproach indiscriminately against Mohammedans in general as a class, and grieve the hearts of the well affected as well as the disaffected? The summary of the whole argument is simply this; the rebellion was a popular outbreak and not confined to one class or creed. Assuredly it was a decree of fate, and many of those who in the frenzy of the moment cast in their lot with the rebels, have paid the penalty of their insensate folly, while the remnant of the days of such as still survive must be marked by grief, and remorse and shame. But it is idle and wicked to connect the revolt with the principles of our religion, for how can religion foster cruelty, tumult, and disorder?...

It behoves us therefore to repent of our sins in dust and ashes, and humbly to implore forgiveness from the fountain of Divine Mercy.

ON ANGLO-MUSLIM RELATIONS*

Gentlemen—I am to propose a toast which will be warmly and zealously drunk by the Europeans as well as by the Natives, that is, I have to propose the toast of Mr. William Seaven Blunt. Mr. Blunt having as he has at heart the prosperity of the British Rule, and in politics eager as he is to increase the popularity of that rule, has a sympathy with the Mohammedans as well. He has already spent a great portion of his life in the Mohammedan country and among the Mohammedans themselves. If a European gentleman can be acquainted with the feelings of the Mohammedans, or can be versed in their customs and habits, he cannot be more so than Mr. Blunt himself.

Gentlemen—Our desire that there should exist sympathy between the Mohammedans and the English nation is by no means an odd one. There never has been a time when there

*Welcome address delivered by Syed Ahmed Khan on the occasion of the visit of Mr. Blunt, M.P. to the M.A.O. College, Aligarh

might have happened any occurrence between the Mohammedans and the English nation which could lead to any ground for unpleasant feeling or enmity between ourselves and the English people, or, which could inspire them with a revengeful feeling, or which could make us feel any way jealous of their increasing prosperity. The English people mostly held aloof even the crusades which happened at a time which was productive of all sorts of ill-feeling.

It is quite true that we have enjoyed the sovereignty of India for centuries, and it is also quite true that we can on no account forget the glories of our forefathers, but at the same time if any one is inclined to think that we Mohammedans are any way jealous of the English nation or the English Government, because of their having secured for themselves the sovereignty of India which was once enjoyed by our forefathers, then he is far from the fact and this thought of his is utterly groundless and unreasonable. The time when the British Rule established itself in India was a time when India was already left a poor widow and she stood in need of another husband, which husband she herself chose in the English nation in order to fulfil the commandment of the Gospel that "the twain shall be one flesh." But at this time, it would be almost needless to point out, how far the English nation has fulfilled that sacred promise. We contributed to the establishment of the British Rule in India for the sake of our own prosperity. In the matter of the establishment of the British sovereignty in India we and the English nation are joined together like the two blades of a pair of scissors; no one could say which of the two blades contributed most towards it. Thus to entertain any idea that we Mohammedans look at the English Rule with an eye of disgust and disagreeableness would be utterly unsound and far from the truth. The English nation came into this conquered country of ours like a friend, not like a foe. It is our earnest desire that the English Rule in India should last not only for a long, long time but that it should be everlasting and eternal. This desire of ours is not for the sake of the English nation itself, but for the sake of our own country; it is not for the sake of flattering the English people but it is for the prosperity and welfare of our own country. Thus there is no reason to

suppose that there should be no sympathy between them and ourselves. Gentlemen—by sympathy I do not mean political sympathy ; political sympathy has no intrinsic value in itself just as the plated ware can boast of none over the copper one. The political sympathy produces no real effect on the minds of either party ; one party knows it to be a copper ware while the other takes it for a plated one. What I mean by sympathy is true brotherly and friendly sympathy which we can clearly see in Mr. Blunt.

We are very much gratified that Mr. Blunt saw our country, met the various sects of our community, and we sincerely hope that he has found us loyal at our heart to the British Crown and to Queen Victoria, the Empress of India. If he could be aware with any desire of ours it would be nothing more than that for the sympathy of the English people on their part with us, with reference to which desire of ours, I may venture to say that it has not been fulfilled as yet.

European Friends—you will drink the health of Mr. Blunt with a feeling of pleasure because here is a gentleman of high position of your own nature, and who has at his heart to make the British Rule more popular, and we shall drink it with a feeling of pleasure because he has a brotherly sympathy with us, Mohammedans.

ON HINDU-MUSLIM RELATIONS*

Friends, in India there live two prominent nations which are distinguished by the names of Hindus and Mussulmans. Just as a man has some principal organs, similarly these two nations are like the principal limbs of India. To be a Hindu or a Muslim is a matter of internal faith which has nothing to do with mutual relationship and external conditions. How good is the saying, whoever may be its author, that a human being is composed of two elements—his faith which he owes to God and his moral sympathy which he owes to his fellow-beings. Hence leave God's share to God and concern yourself with the share that is yours.

*Speech at a public meeting in Patna on 27 January, 1883.

Gentlemen, just as many reputed people professing Hindu faith came to this country, so we also came here. The Hindus forgot the country from which they had come ; they could not remember their migration from one land to another and came to consider India as their homeland, believing that their country lies between the Himalayas and the Vindhya-chal. Hundreds of years have lapsed since we, in our turn, left the lands of our origin. We remember neither the climate nor the natural beauty of those lands, neither the freshness of the harvests nor the deliciousness of the fruits, nor even do we remember the blessings of the holy deserts. We also come to consider India as our homeland and we settled down here like the earlier immigrants. Thus India is the home of both of us. We both breathe the air of India and take the water of the holy Ganges and the Jamuna. We both consume the products of the Indian soil. We are living and dying together. By living so long in India, the blood of both have changed. The colour of both have become similar. The faces of both, having changed, have become similar. The Muslims have acquired hundreds of customs from the Hindus and the Hindus have also learned hundreds of things from the Mussulmans. We mixed with each other so much that we produced a new language—Urdu, which was neither our language nor theirs. Thus if we ignore that aspect of ours which we owe to God, both of us, on the basis of being common inhabitants of India, actually constitute one nation ; and the progress of this country and that of both of us is possible through mutual cooperation, sympathy and love. We shall only destroy ourselves by mutual disunity and animosity and ill-will to each other. It is pitiable to see those who do not understand this point and create feeling of disunity among these two nations and fail to see that they themselves will be the victims of such a situation, and inflict injury to themselves. My friends, I have repeatedly said and say it again that India is like a bride which has got two beautiful and lustrous eyes—Hindus and Mussulmans. If they quarrel against each other that beautiful bride will become ugly and if one destroys the other, she will lose one eye. Therefore, people of Hindustan you have now the right to make this bride either squint eyed or one-eyed.

Undoubtedly, what to say of Hindus and Mussulmans, a quarrel among human beings is a natural phenomenon. Within the ranks of the Hindus or Mussulmans themselves, or even between brothers as also between fathers and sons, mothers and daughters there are dissensions. But to make it perennial is a symptom of decay of the family, the country, and of the nation. How blessed are those who repent, and step forward to unite the knot which has by chance, marred their mutual relations and do not allow it to get disrupted. O! God, let the people of India change to this way of thinking.

REPLY TO AN ADDRESS*

Mr. President and Members of the Indian Association, I am thankful to you for the honour you have conferred upon me by presenting the address in this hall. I am glad to know that people of all communities are the members of your Association. This is not only the matter of joy for me but there is a right in it which reveals that our Hindustan is still capable of progress. My friends, I cannot refrain from expressing the sense of honour which the presentation of the address by the Indian Association has created in me. If my memory does not fail me I think this Association was founded by a man who shall be honoured by all the communities irrespective of caste or creed, *i.e.*, Sir Surendra Nath Bannerjea* I think that the address presented to me by an Association founded by a man of such eminence had done my humble self an honour which I shall remember so long as I live.

My friends, forgive me if I am wrong that in this Association which is composed of the people of all communities and religions, the number of Bengalis is larger. (On this one of the members of the Association pointed out that in this Association the people of Punjab are in a dominant majority. The speaker, having apologised continued, yes, if there is a majority of the people of Punjab, even then I can say that the lead is taken by those whom I call Bengalis.) I confess that in

*Reply of Syed Ahmed Khan to an address of welcome presented to him by the Indian Patriotic Association, Lahore, in 1883.

our country only Bengalis are such a nation of whom we can be proud and the enlightenment we have had in the field of education, liberty and patriotism has been due to them. I can honestly say that they occupy the topmost position among all the people of India.

Friends, in your address you have referred to Mohammedan Anglo-Oriental College. I shall feel sorry if any one thinks that this College is founded to discriminate between Hindus and Mussulmans. The chief reason that induced me to found this college was, as I believe you know, that the Mohammedans were becoming more and more degraded and poor day by day. Their religious prejudices had prevented them from taking advantages of the education offered by the Government and Schools, and consequently it was deemed necessary that some special arrangement should be made for them. It can be illustrated like this. Suppose there are two brothers, one of them is quite healthy while the other is ill and in delicate health. It will be the duty of the other brother to help him towards his recovery. This was the idea which led me to the foundation of the Mohammedan Anglo-Oriental College. But I am glad to say that in this Institution both the brothers get the same education. All the privileges in the college which a student gets because of his being a Mussulman, are without any restriction, provided to him who calls himself Hindu. There is no distinction between Hindus and Muslims. Only that man can claim a prize who deserves it by virtue of his own labour. Both Hindus and Mussulmans are entitled to get scholarships and are accorded the same treatment. I consider Hindus and Mussulmans as my two eyes. I don't even like to say this because people will generally differentiate one as the right eye and the other as the left. I consider Hindus and Mussulmans both as one and the same eye. If I had only one eye, I could have compared them both with it.

In your address you have dwelt upon the services that I rendered when I had the honour of being a member of the Legislative Council. I cannot abstain from saying that I am confident that a man like me was not worthy of the member-

ship and the responsibilities that were entrusted to me. I was aware of those difficulties which came in my way. But in spite of that I had the hearty desire that I might serve my country and nation loyally. By the word *Qaum* I mean Hindu and Mussulman both, and this is the meaning I attach to the word nation, (*Qaum*). To me it is a matter of least significance what the religious faith of any people may be, because it is hardly visible to us. But the thing we do see is that all of us, whether Hindus or Mussulmans, live in the same land and are subjects of the same rulers. The sources of benefit for all of us are one, and we suffer the pangs of famine equally. These are some of the reasons why I call these two nations which inhabit India as Hindu i.e., the people of Hindustan and during the period. I was a member of the Legislative Council, I was anxious specially for promoting the welfare of this nation. I am extremely glad that you appreciate so much my insignificant services. In the end I pray to God that He may give intellectual advancement to our nation, the definition of which I have just given and through which may spread enlightenment in our nation and country. May your Association be successful. In all your works and efforts I am your supporter.*

ON QAUM (NATION)**

By the grace of God, two nations live in India at the moment and they are so placed that the house of the one adjoins that of the other. The shadow of one's wall falls in the house of the other. They share the same climate, take water from the same river or well. In death and life as also in joys

*Replying to the address presented to him by Anjuman-e-Lahore, Punjab, he expressed the same feeling and said: "I have used the word nation several times in this Anjuman. By this I do not mean Muslims only. In my opinion all men are one and I do not like religion, community or group to be identified with a nation...I wish that all men irrespective of their religion and community may unite together for commonweal. Our religions are undoubtedly different but there is no reason for enmity among us on this account."

**Speech at Gurdaspur dated 27 January, 1884.

and griefs of others every one is a participant. One cannot live without the cooperation of the other. If united, we can sustain each other, if we are disunited, it would lead to the destruction and downfall of both (Cheers). You might have seen and heard in the old history books, and we see it today also, that the word nation (Qaum) applied to the people who live in the same country. All the people living in Afghanistan are called one nation. The diverse people of Iran are called Iranis. Europeans hold different religious beliefs and ideas but they are considered as one nation. In short, from times immemorial the word nation is used for the inhabitants of a country though they may have their separate characteristics. Oh Hindus and Mussalmans, do you inhabit any country other than India? Do you not both live here on the same land and are you not buried in this land or cremated on the ghats of this land? You live here and die here. Therefore, remember that Hindu and Mussalman are words of religious significance otherwise Hindus, Mussalmans and Christians who live in this country constitute one nation. When all these groups are called one nation, then they should be one in the service of the country, which is the country of all. I need not dilate on the advantages of co-operation and amity. One who does not cooperate also knows that he is behaving badly. Those people who are hostile to each other, whenever they think for themselves they realise that it is a bad thing. What is best and most desirable is co-operation. Whatever will be done by co-operation will be good. Thus we should co-operate with each other as by co-operating thus we can develop national education and discipline.

ON HINDU-MUSLIM CO-OPERATION*

I am extremely glad that I have the opportunity to be here for the second time. In the first trip as well as in this I am heartily thankful to the gentlemen of Jallundhar for their generosity shown to me here. Formerly when I came here I was to deliver a lecture along with a series of other lectures

****Speech delivered at Jullundur on 4 February 1884.**

but it was cancelled. I consider it unnecessary now to dilate and concentrate on those very subjects. I intend that whatever is useful and advantageous to Indians and on which Indians should concentrate and which is in fact more useful for the whole country, I may speak something about it. The thing I have so much emphasised is education along with discipline. I am happy that when I came to the Punjab this time after ten years and visited the people of different districts, I found that this region has made much progress in all walks of life. I congratulate the rich people of the Punjab on this. If one does not see with his eye, he will hardly believe that within this short period such a progress has been made in this country. In the realm of education also the progress has not been small. If the districts of North-West, where there is British rule for the past eighty years, is compared with the Punjab, it becomes quite evident as to how slow has been the progress in those areas and how fast is the progress of the Punjab, and also how the Punjab has become dominant on those portions of the country. But I do not say that Punjab has nothing to do now; on the contrary it has to do much. The Punjab has been granted a university on whose Charter there had been much differences of opinion and there arose many conflicts at the time of its establishment. This hostility was of a strange type. Those who were opposed to it were the well wishers of the nation and the country and those who were its supporters and founders, they also desired its betterment and the betterment of the country. There is no doubt that in the beginning, the establishment of this university had taken an ugly turn. But the present Nawab, Lieut. Governor Bahadur improved the situation and set the matter right. Now the Punjab university is like a tree which bears two kinds of fruits : one sweet and the other sour ; or upon which two types of flowers bloom : one beautiful and fragrant and the other without it. Now the thing worth considering is as to which of the fruits and flowers would result in the progress of the country. Now it is for the people of the Punjab to think over it and adopt whatever they like. Gentlemen, I am also the inhabitant of India. My father and grand father received education in oriental fields of knowledge and were greatly benefitted by it. My Hindu brethren had also progressed

in their own fields of knowledge. In their sacred language Sanskrit, many sciences exist on which they have the right to take pride as their fore-fathers popularised such systems of knowledge and wrote such good books on them ; and they were all oriental sciences. The attachment which I have with the oriental subjects because of my being the inhabitant of Hindustan or because of their being my ancestral heritage I should have pleaded for the adoption of those very branches of knowledge and that only they should be revived and developed. But the march of time has shown me and have taught me to tell our young students and beloved children that they should learn English literature and European Sciences....

When the Punjab University Bill was introduced I was also a member of the Council. I was deeply pained to think that if that bill was passed as it was, the future of the Punjab will be doomed. But Sir Charles Aitchison is to be congratulated who got it passed with alterations and modifications. Now it is upto the people of the Punjab to sink or sail. We should close our eyes to the policy of the government. But we should adopt that very policy which may be beneficial to our nation and country. But we should be thankful to the government which has given us liberty and have established such peace which we, the Hindus and the Mussalmans, had never enjoyed before. We should remain loyal to the government and should not refrain from loyalty and obedience, which is our duty as loyal subjects. But the thing which is useful to our country and nation and in which the government also does not lay obstacles, we should adopt it by ourselves....

Gentlemen, centuries have passed when God willed that Hindus and Mussalmans might consume the products of this country, breathe the air of this country, they may live and die on this land. From this phenomenon it appears to be the will of God that both these groups may live together in India as friends but more particularly as two brothers. They may form two eyes on the beautiful face of India. These two nations (communities) which have mixed like rice and pulse may live in co-operation. As long as this amity is not achieved

undoubtedly national education would not be properly organised. If Hindus and Mussalmans build their buildings of two bricks and one-and-a-half bricks separately, nothing would be achieved. They should first of all complete one work unitedly and when it is complete they should start the other. I am pleased to mention that the Hindu brethren have also assisted in our college and have met the requirements of their needy brethren as God-fearing men. The Trustees of the college have also not forgotten this. They have arranged for their lodging in the same campus, education on the same benches, movement in the same compound and playing on the same fields for members of both the nations (Communities) so that mutual friendship may develop. In my opinion there is no other way better than this. But I do not mean that the people of our country may not think of the development of their nations. They should think over whatever I say and if there is anything else they should do it. But it not advisable that one work should be left unfinished and the other is started.

ON MUSLIM ATTITUDE TO THE INDIAN NATIONAL CONGRESS AND THE BRITISH GOVERNMENT*

Gentlemen,—I am not given to speaking on politics, and I do not recollect having ever previously given a political lecture.

*Speech at a meeting in Lucknow on 28 December, 1887.

Theodore Beck, Hon. Editor, United Indian Patriotic Association (formed by Syed Ahmad Khan in 1888) in his book : "The Seditious Character of the Indian National Congress" wrote: "The worst sufferers by the Mutiny would be Muhammadans. As far as savagery goes, both sides would have a good fling. At such a period men become friend, and the innocent and guilty, the strong and the defenceless, share the same fate. The English nation, on whose benevolence at home the Congress-wallas lay stress, would forget all about constitutions and elective councils, and cry only for vengeance. But England would not lose her national existence, while the Muhammedans would be irretrievably ruined. This is why the Muhammedan leaders wish to keep their people from the whirlpool of political agitation. My revered chief, Sir Syed Ahmed, whose humble disciple in matters political I boast myself, has pointed out clearly. No one has even grappled with his arguments, but in place of reason a shower of mud and abuse has been hurled at him ever since. He has been called selfish, foolish, childish, and a flatterer.

My attention has always been directed towards the education of my brother Mohammedans, for from education I anticipate much benefit for my people, for Hindustan, and for the Government. But at the present time circumstances have arisen which make it necessary for me, I think, to tell my brother Mussalmans clearly what my opinions are. The object, gentlemen, of this lecture is to explain the attitude which the Mohammedan community ought to adopt with regard to the political movements of the time. I am not going to give a philosophical discourse, nor to speak of those abstract questions in political economy which would require many lectures fully to deal with; but I am simply going to express my opinions in a plain and straight forward manner, leaving it to every one who hears me to agree with me or differ from me. The reason why I stand here to address you to day is because there has grown up in India a political agitation and it is necessary to determine what action should be taken by the Mohammedan community with regard to it. Although my

But the fact is, people in other Provinces and other nations can in no way understand the circumstances and feelings of the people here. The Bengali has made enormous progress under British Rule, his political star is in ascendent: how can he put himself in the position of the Muhammedan whose greatness is in the past, and who sees ruin staring at him in the face? If, in spite of this, he will disseminate his poisonous literature among Muhammedans, have not Muhammedan patriots a right to be angry? In Bengal, Madras and Bombay there was no Mutiny, though if report be right, materials exist for one in the last of these Provinces. To people there it seems an unreality, a chimera. But it is far otherwise here. Our old men were middle aged in 1857. The *Bombay Gazette* urged the Muhammedans of the N.W.P., to indulge in a little "wholesome grumbling, if they could find any thing to grumble about. Pray how, if we start grumbling, are we to be sure that it will remain "wholesome"? There is plenty for Muhammedans to grumble at. This "so called self-Government of the municipalities in which Muhammedans have been bound hand and foot and handed over to their rivals to be governed by them, is a case in point. An order just issued by the Bengal Government that all minor appointments are to be given by competitive examinations—an order which will almost destroy the Muhammedan middle class which cannot for one generation at least acquire English education sufficient to compete with others—is another. But rather than bring these things forward and create a popular agitation, we will submit to them as lesser evil."

own thoughts and desires are towards my own community, yet I shall discuss whether or not this agitation is useful for the country and for the other nations who live in it. If it be useful, we must follow it, but if dangerous for the country or our nation, we must hold aloof.

Before I enter on this subject, let me briefly describe the methods of rule adopted by our Government, which has now been here for nearly a hundred years. Its method is this : to keep in its own hands all questions of foreign policy and all matters affecting the army. I hope that we, who are subjects of the Empire, will not seek to interfere in those matters which Government has set apart as its own. If Government fights Afghanistan or conquers Burma, it is no business of ours to criticise its policy. Our interests will not suffer from these matters being left in the hands of Government. But we are concerned with matters affecting internal policy, and we have to observe what method Government has adopted for dealing with them. Government has made a Council for making laws affecting the lives, property, and comfort of the people. For this Council she selects all Provinces those officials who are best acquainted with the administration and the condition of the people, and also some Rases who, on account of their high social position, are worthy of a seat in that assembly. Some people may ask—Why should they be chosen on account of social position instead of ability ? On this, gentlemen, I will say a few words. It is a great misfortune—and I ask your pardon for saying it—that the landed gentry of India have not the trained ability which makes them worthy of occupying those seats. But you must not neglect those circumstances which compel Government to adopt this policy. It is very necessary that for the Viceroy's Council the members should be of high social position. I ask you—Would our aristocracy like that a man of low caste or insignificant origin, though he be a B.A. or M.A., and have the requisite ability, should be in a position of authority above them and have power in making the laws affect their lives and property ? Never! Nobody would like it (Cheers). A seat in the Council of the Viceroy is a position of great honour and prestige. None but a man of good breeding can the Viceroy

take as his colleague, treat as his brother, and invite to entertainments at which he may have to dine with Dukes and Earls. Hence no blame can be attached to Government for making these great Raises members of the Council. It is our great misfortune that our Raises are such that they are unable to devise laws useful for the country. The method of procedure in the Council is this. If any member introduces a subject of importance and difficulty, a commission is appointed which collects evidence and digests it. The matter is discussed in every newspaper, and memorials are invited from Associations. The Council then discuss the matter, every member speaking his views with great vigour and earnestness, more even than was displayed in the discussion on the third resolution in the Mohammedan Educational Congress, advocating what he thinks necessary for the welfare of the country, and as regardless of the Viceroy's presence as if he were a figure of white stone. I have had the honour of being in this Council. I do not recollect any matter of importance concerning which ten or twenty memorials were not sent in. A Select Committee was then appointed, which read through these memorials and discussed them at length, many of which on consideration turned out to be thorough nonsense. Extracts from Urdu papers were also considered. Although not in my presence, yet often amendments suggested by these memorials have been adopted. This is the method of our Government. After this the law is passed and sent to the Secretary of State, who is assisted by the Council of State, which consists of men of the highest ability, who have lived for a long time in India and have often held all offices from that of Assistant Collector to Lieutenant-Governor. If they think it expedient it is passed, otherwise a short note of four lines cancels it. Often people make objections to the laws so passed, and in some cases they are perhaps right ; but in the majority of cases, as far as my experience goes, those very people who sit in their houses and make objections would, if they had been on the Viceroy's Council, have supported them. Many details appear wrong on superficial consideration, but when all the circumstances and difficulties are taken into account, they are seen to be right. In conclusion, whether the laws be good or bad, no one can say that Government acts independently of the wishes and opinion.

of its subjects. Often it adopts some of the views expressed in newspapers and memorials, Can we say that Government, in the method it has adopted for legislation, acts without regard to the opinions of the people? Can we say that we have no share in the making of the laws? Most certainly not.

There is now another great duty of Government. That is, that in whatever country Government establishes its dominions that dominion should be made strong, firm, and secure. believe that if any of my friends were made Viceroy, he would be as loyal to Her Majesty the Queen-Empress of India as is our present Viceroy, Lord Dufferin. And his first duty would be to see that the Empire of Her Majesty were made so firm that no enemy, external, or internal, could shake it. If it were my good fortune to be Viceroy, I speak from my heart when I say I would not be equally but more anxious to see the rule of the Queen placed on a firm basis (Cheers). It is a first principle of Empire that it is the supreme duty of every one, whether Hindustani or Englishman, in whose power it rests, to do what he can to strengthen the Government of Her Majesty the Queen. The second duty of Government is to preserve peace, to give personal freedom, to protect life and property, to punish criminals and to decide civil disputes. Now, every one will admit that Government completely fulfils its duty in this respect. Many people think that the laws have become too numerous and consequently that law-suits have become more complicated, and thus lead to disputes between the zemindar and kashtkar (cultivator) But this is the opinion of the critics who sit in their houses, who if they sat on the Viceroy's Council, would change their views. The multiplicity of laws depends upon the condition of the country and of its people. New companies and new industries are springing into existence. New and unforeseen legal rights have arisen which are not provided for in the Mohammedan law. Hence, when the country is changing at such a rate, it is absolutely necessary that new laws should be brought forward to deal with the new circumstances. Government does not want to increase the number of laws, but when the conditions of the country change, it becomes unavoidable. Taking all these things into account I cannot but think that there is no requirement of the

country that cannot be brought to the notice of Government. And nothing can prevent us from expressing our views on the subject and being heard by Government. So that whatever comfort we can experience under any Government, we have under the British Government.

I come now to the main subject on which I wish to address you. That is The National Congress and the demands which that body makes of Government. I cannot allude to its proposals in detail because, as far as I am aware, there are forty-nine of them, and the time at my disposal is short. I must, therefore, select the most important. That about which the greatest agitation has taken place is the following. When the Government of India passed out of the hands of the East India Company into those of the Queen, a law was passed, saying that all subjects of Her Majesty, whether white or black, European or Indian, should be equally eligible for appointments. This was confirmed by the Queen's Proclamation. We have to see whether, in the rules made for admission to civil appointments, any exception has been made to this or not; whether we have been excluded from any appointments for which we are fitted. Nobody can point out a case in which for any appointment a distinction of race has been made. It is true that for the Covenanted Civil Service a special set of rules has been made, namely, that candidates have to pass a competitive examination in England. Perhaps it will occur to every one that this examination ought not to be held in England, and the proposal about which the greatest agitation has taken place is that it should be held in India. And to this is added another proposal that all posts in the subordinate service, from that of Tahsildar to subordinate Judge, should also be given by competitive examination.

I do not think it necessary for me on this occasion to discuss the question why the competitive examination is held in England, and what would be the evils arising from its transference to India. But I am going to speak of the evils likely to follow the introduction into India of the competitive principle. I do not wish to speak in the interests of my own co-

religionists, but to express faithfully whether I think the country is prepared for competitive examination or not. What is the result of competitive examination in England? You know that men of all social positions, sons of Dukes and Earls, of darzies and people of low rank, are equally allowed to pass this examinations. Men both of high and low family come to India in the Civil Service. And it is the universal belief that it is not expedient for Government to bring the men of low rank; and that the men of good social position treat Indian gentlemen with becoming politeness, maintain the prestige of the British race, and impress on the hearts of the people a sense of British justice; and are useful both to Government and to the country. But those who come from England, come from a country so far removed from our eyes that we do not know whether they are sons of Lords and Dukes or of darzies, and, therefore, if those who govern us are of humble rank, we cannot perceive the fact. But as regards Indians, the case is different. Men of good family would never like to entrust their lives and property to people of low rank with whose humble origin they are well acquainted. Leave this a moment, and consider what are the conditions which make the introduction into a country of competitive examinations expedient, and then see whether our own country is ready for it or not. This is no difficult question of political economy. Every one can understand that the first condition for the introduction of competitive examination into a country is that all people in that country, from the highest to the lowest, should belong to one nation. In such a country no particular difficulties are likely to arise. The second case is that of a country in which there are two nationalities which have become so united as to be practically one nation. England and Scotland are a case in point. In the past many wars were waged between those countries and many acts of bravery were done on both sides, but those times have gone, and they are now like one nation. But this is not the case with our country, which is peopled with different nations. Consider the Hindus alone. The Hindus of our Province, the Bengalis of the East, and the Mahrattas of the Deccan, do not form one nation. If, in your opinion, the peoples of India do form one nation, then no doubt competitive examination may be introduced; but if this be not so, then competitive examina-

tion is not suited to the country. The third case is that of a country in which there are different nationalities which are on an equal footing as regards the competition, whether they take advantage of it or not. Now, I ask you, have Mohammedans attained to such a position as regards higher English education, which is necessary for higher appointments, as to put them on a level with Hindus or not? Most certainly not. Now, I take Mohammedans and the Hindus of our Province together, and ask whether they are able to compete with the Bengalis or not? Most certainly not. When this is the case, how can competitive examination be introduced into our country. Think for a moment what would be the result if all appointments were given by competitive examination. Over all races, not only over Mohammedans but over Rajas of high position and the brave Rajputs who have not forgotten the swords of their ancestors, would be placed as ruler a Bengali who at the sight of a table knife would crawl under his chair. There would remain no part of the country in which we should see at the tables of justice and authority any face except those of Bengalis. I am delighted to see the Bengalis making progress, but the question is—What would be the result on the administration of the country? Do you think that the Rajput and the fiery Pathan, who are not afraid of being hanged or of encountering the swords of the police or the bayonets of the army, could remain in peace under the Bengalis? This would be the outcome of the proposal if accepted. Therefore if any of you—men of good position, Raizes, men of the middle classes, men of noble family to whom God has given sentiments of honour—if you accept that the country should groan under the yoke of Bengali rule and its people lick the Bengali shoes, then, in the name of God jump into the train, sit down, and be off to Madras, be off to Madras! But if you think that the prosperity and honour of the country would be ruined, then, brothers, sit in your houses, inform Government of your circumstances, and bring your wants to its notice in a calm and courteous manner.

The second demand of the National Congress is that the people should elect a section of the Viceroy's Council. They want to copy the English House of Lords and the House of

Commons. The elected members are to be like members of the House of Commons ; the appointed members like the House of Lords. Now, let us suppose the Viceroy's Council made in this manner. And let us suppose first of all that we have universal suffrage, as in America, and that everybody, chamars (shoemakers or cobblers) and all, have votes. And first suppose that all the Mohammedan electors vote for a Mohammedan member and all Hindu electors for a Hindu member, and now count how many votes the Mohammedan members have and how many the Hindu. It is certain the Hindu members will have four times as many because their population is four times as numerous. Therefore, we can prove by mathematics that there will be four votes for the Hindu to every one vote for the Mohammedan. And now how can the Mohammedan guard his interests ? It would be like a game of dice, in which one man had four dice and the other only one. In the second place, suppose that the electorate be limited. Some method of qualification must be made ; for example, that people with a certain income shall be electors. Now, I ask you, O Mohammedans ! Weep at your condition ! Have you such wealth that you can compete with the Hindus ? Most certainly not. Suppose, for example, that an income of Rs. 5,000 a year be fixed on, how many Mohammedans will there be ? Which party will have the larger number of votes ? I put aside the case that by a rare stroke of luck of blessing comes through the roof and some Mohammedan is elected. In the normal case no single Mohammedan will secure a seat in the Viceroy's Council. The whole Council will consist of Babu so-and-so Chuckerbutty. Again, what will be the result for the Hindus of our Province, though their condition be better than that of the Mohammedans ? What will be the result for those Rajputs the swords of whose ancestors are still wet with blood ? And what will be the result for the peace of the country ? Is there any hope that we and our brave brothers the Rajputs can endure it in silence ? Now, we will suppose a third kind of election. Suppose a rule to be made that a suitable number of Mohammedans and a suitable number of Hindus are to be chosen. I am aghast when I think on what grounds this number is likely to be determined. Of necessity proportion to total population will be taken. So there will be one member for us to every

four for the Hindus. No other condition can be laid down. Then they will have four votes and we shall have one. Now, I will make a fourth supposition. Leaving aside the question as to the suitability of members with regard to population, let us suppose that a rule is laid down that half the members are to be Mohammedan and half Hindu, and that the Mohammedans and Hindus are each to elect their own men. Now, I ask you to pardon me for saying something which I say with a sore heart. In the whole nation there is no person who is equal to the Hindus in fitness for the work. I have worked in the Council for four years, and I have always known well that there can be no man more incompetent or worse fitted for the post than myself (No, No !). And show me the man who, when elected, will leave his business and undertake the expense of living in Calcutta and Simla, leaving alone the trouble of the journeys. Tell me who there is of our nation in the Punjab, Oudh, and North-Western Provinces, who will leave his business, incur these expenses, and attend the Viceroy's Council for the sake of his countrymen. When this is the condition of your nation, is it expedient for you to take part in this business on the absurd supposition that the demands of the Congress would, if granted, be beneficial for the country ? Spurn such foolish notions. It is certainly not expedient to adopt this cry—Chalo Madras ! Chalo Madras without thinking of the consequences.

Besides this there is another important consideration, which is this. Suppose that a man of our own nationality were made Viceroy of India, that is, the deputy of Her Most Gracious Majesty the Queen-Empress. Could such a person grant demands like these, keeping in view the duty of preserving the Empire on a firm and secure basis ? Never ! Then how absurd to suppose that the British Government can grant these requests ! The result of these unrealisable and impossible proposals can be only this, that for a piece of sheer nonsense the hearts of everybody will be discontented with Government, and everybody will believe that Government exerts over us a tyrannical rule, and turns a deaf ear to our requests. And thus anger and excitement will spread throughout the people, and the peace of the country will be destroyed.

Everybody knows well that the agitation of the Bengalis is not the agitation of the whole of India. But suppose it were the agitation of the whole of India, and that every nation had taken part in it, do you suppose the Government is so weak that it would not suppress it, but must needs be itself overwhelmed? Have you not seen what took place in the Mutiny? It was a time of great difficulty. The army had revolted; some budmashes had joined it; and Government wrongly believed that the people at large were taking part in the rebellion. I am the man who attacked this wrong notion, and while Government was hanging its officials, I printed a pamphlet, and told Government that it was entirely false to suppose that the people at large were rebellious. But in spite of all these difficulties, what harm could this great rebellion do to Government? Before the English troops had landed she had regained her authority from shore to shore. Hence, what benefit is expected from all this for the country, and what revolution in the Government can we produce? The only results can be to produce a useless uproar, to raise suspicions in Government and to bring back again that time which we experienced thirty or thirty-one years ago. That is on the supposition that by all of us coming together we could do something; but if you take the agitation as it is, what could it accomplish? The case of Ireland is held up as an example. I will not discuss the question whether that agitation is right or wrong. I will only point out that there are at this moment in Ireland thousands of men ready to give up their lives at the point of the sword. Men of high position who sympathise with that movement fear neither the prison nor the bayonets of the police. Will you kindly point out to me ten men among our agitators who will consent to stand face to face with the bayonets? When this is the case, then what sort of an uproar is this, and is it of such a nature that we ought to join it? We ought to consider carefully our own circumstances and the circumstances of Government. If Government entertains unfavourable sentiments towards our community, then I say with the utmost force that these sentiments are entirely wrong. At the same time if we are just, we must admit that such sentiments would be by no means unnatural. I repeat it. If Government entertains these bad sentiments it is a sign of incompetence and

folly. But I say this, we ought to consider whether Government can entertain such thoughts or not. Has she any excuse for such suspicions or not? I reply that she certainly has. Think for a moment who you are. What is this nation of ours? We are those who ruled India for six or seven hundred years (Cheers). From our hands the country was taken by Government into its own. Is it not natural then for Government to entertain such thoughts? Is Government so foolish as to suppose that in seventy years we have forgotten all our grandeur and our empire? Although, should Government entertain such notions, she is certainly wrong, yet we must remember she has ample excuse. We do not live on fish; nor are we afraid of using a knife and fork lest we should cut our fingers. Our nation is of the blood of those who made not only Arabia, but Asia and Europe, to tremble. It is our nation which conquered with its sword the whole of India, although its peoples were all of one religion (Cheers). I say again that if Government entertains suspicions of us it is wrong. But do her the justice to admit that there is a reasonable ground for such suspicions. Can a wise ruler forget what the state of things was so short a time ago? He can never forget it. If then the Mohammedans also join in these monstrous and unreasonable schemes, which are impossible of fulfilment, and which are disastrous for the country and for our nation, what will be the result? If Government be wise and Lord Dufferin be a capable Viceroy, then he will realise that a Mohammedan agitation is not the same as a Bengali agitation, and he will be bound to apply an adequate remedy. If I were Viceroy, and my nation took part in this affair, I would first of all drop down on them, and make them feel their mistake. Our course of action should be such as to convince Government of the wrongness of her suspicions regarding us, if she entertains any. We should cultivate mutual affection. What we want we should ask for as friends. And if any ill-will exists it should be cleansed away. I am glad that some Pathans of the N.W.P. and Oudh are here to-day, and I hope some Hindu Rajputs are also present. My friend Yusuf Shah of the Punjab sits here, and he knows well the mood and mind of the people of the Punjab, of the Sikhs and Mussalmans. Suppose that this agitation that has arisen in Bengal—and I imagine that no danger can spring

from it there—suppose that this agitation extends to these Provinces, to the Rajputs and Pathans of Peshawar, do you think it will confine itself to writing with the pen—giz, giz, giz, giz, giz, —and to mere talking—buk, buk, buk, buk? It will then be necessary for Government to send its army and show by bayonets what the proper remedy for this agitation is. I believe that when Government sees the Mohammedans and other brave races taking part in this stupid agitation, it will be necessary for Government to pass a new law and to fill the jails. O my brothers! children of my heart! This is your relationship to Government. You should conduct yourselves in a straightforward and calm manner; not come together to make a noise and a hubbub like a flock of crows.

I come now to some other proposals of the Congress. We have now a very charming suggestion. These people wish to have the Budget of India submitted to them for sanction. Leave aside political expenses; but ask our opinion about the expenses of the army. Why on earth has Government made so big an army? Why have you put Governors in Bombay and Madras? Pack them off at once. I am also of the opinion that their ideas should certainly be carried out. I only ask them to say who, not only of them but of the whole people of India, can tell me about the new kinds of cannon which have been invented—which is the mouth and which the butt end. Can any one tell me the expense of firing a shot? Does any one understand the condition of the army? One who has seen the battle-field, the hail-shower of shots, the falling of the brave soldiers one over another, may know what equipments are needed for an army. If then, under these circumstances, a Mohammedan were on this Council, or a Bengali—one of that nation which in learning is the crown of all Indian nations, which has raised itself by the might of learning from a low to a high position—how could he give any advice? How ridiculous then for those who have never seen a battle-field, or even the mouth of a cannon, to want to prepare the Budget for the army?

A still more charming proposal is the following. When some people wrote articles in newspapers, showing that it was

impossible to establish representative government in India, and bringing forward cogent reasons, then they came down a little from their high flight and said : "Let us sit in the Council, let us chatter ; but take votes or not, as you please ;" can you tell me the meaning of this, or the use of this folly ?

Another very laughable idea is this. Stress is laid on these suggestions : that the Arms Act be repealed, that Indian Volunteers be enlisted, and that army schools be established in India. But do you know what nation is proposing them ? If such proposals had come from Mohammedans or from our Rajput brothers, whose ancestors always wore the sword, which although it is taken from their belts, yet still remains in their hearts, if they had made such proposals there would have been some sense in it. But what nation makes these demands ? I agree with them in this and consider that Government has committed two very great mistakes. One is not to trust the Hindustanis and to allow them to become volunteers. A second error of Government of the greatest magnitude is this, that it does not give appointments in the army to those brave people whose ancestors did not use the pen to write with ; no, but a different kind of pen—nor did they use black ink, but the ink they dipped their pens in was the red, red ink which flows from the bodies of men. O brothers ! I have fought the Government in the harshest language about these points. The time is, however, coming when my brothers, Pathans, Syeds, Hashimi and Koreishi, whose blood smells of the blood of Abraham, will appear in glittering uniform as Colonels and Majors in the army. But we must wait for that time. Government will most certainly attend to it ; provided you do not give rise to suspicions of disloyalty. O brothers ! Government, too, is under some difficulties as regards this last charge I have brought against her. Until she can trust us as she can her white soldiers she cannot do it. But we ought to give proof that, whatever we were in former days, that time has gone, and that now we are as well-disposed to her as the Highlanders of Scotland. And then we should claim this from Government. I will suppose for a moment that you have conquered a part of Europe and have become its rulers. I ask whether you would equally trust the men of that country. This was a mere supposi-

tion. I come now to a real example. When you conquered India, what did you yourselves do? For how many centuries was there no Hindu in the army list? But when the time of the Moghal family came and mutual trust was established, the Hindus were given very high appointments. Think how many years old is the British rule? How long ago was the Mutiny? And tell me how many years ago Government suffered such grievous troubles, though they arose from the ignorant and not from the gentlemen? Also call to mind that in the Madras Presidency, Government has given permission to the people to enlist as volunteers. I say, too, that this concession was premature, but it is a proof that when trust is established, Government will have no objection to make you also volunteers. And when we shall be qualified, we shall acquire those positions with which our forefathers were honoured. Government has advanced one step. She has also shown a desire to admit us to the civil appointments in the Empire. In the time of Lord Ripon I happened to be a member of the Council. Lord Ripon had a very good heart and kind disposition and every qualification for a Governor. But, unfortunately, his hand was weak. His ideas were radical. At that time the Local Board and Municipality Bills were brought forward, and the intention of them was that everybody should be appointed by election. Gentlemen, I am not a Conservative, I am a great Liberal. But to forget the prosperity of one's nation is not a sign of wisdom. The only person who was opposed to the system of election was myself. If I am not bragging too much, I may, I think, say that it was on account of my speech that Lord Ripon changed his opinion and made one-third of the members appointed and two-thirds elected. Now just consider the result of election. In no town are Hindus and Mohammedans equal. Can the Mohammedans suppress the Hindus and become the masters of our "Self-Government?" In Calcutta an old, bearded Mohammedan of noble family met me and said that a terrible calamity had befallen them. In his town there were eighteen elected members, not one of whom was a Mohammedan; all were Hindus. Now, he wanted Government to appoint some Mohammedans; and he hoped Government would appoint him. This is the state of things in all cities. In Aligarh also, were there not a special rule, it would be impossible for any

Mohammedan, except my friend Maulvi Mahomed Yusuf, to be elected ; and at last he, too, would have to rely on being appointed by Government. Then how can we walk along a road for which neither we nor the country is prepared ?

I am now tired and have no further strength left. I can say no more. But, in conclusion, I have one thing to say, lest my friends should say that I have not told them what is of advantage for our nation and for the country, and by what thing we may attain prosperity. My age is above seventy. Although I cannot live to see my nation attain to such a position as my heart longs for it, yet my friends who are present in this meeting will certainly see the nation attain such honour, prosperity and high rank, if they attend to my advice. But, my friends, do not liken me to that dyer who, only possessing mango-coloured dye, said mango coloured dye was the only one he liked. I assure you that the only thing which can raise you to a high rank is high education. Until our nation can give birth to highly-educated people it will remain degraded ; it will be below others, and will not attain such honour as I desire for it. These precepts I have given you from the bottom of my heart. I do not care if any one calls me a mad man or anything else. It was my duty to tell those things which, in my opinion, are necessary for the welfare of my nation, and to cleanse my hands before God the Omnipotent, the Merciful, and the Forgive of sins.

A CLARIFICATION*

It was both unavoidable and natural that my Bengali brothers and some of my Hindu fellow-country men should be angry with my Lucknow lecture, but to deduce from that lecture the conclusion that I have changed my former opinions and abandoned my desire for agreement and friendship between Hindus and Mohammedans, is wrong. There is no person who desires more than I that friendship and union should exist between the two peoples of India, and that one should help the other. I

*Syed Ahmed Khan's clarification of an earlier speech delivered at Lucknow sent to the editors of newspapers.

have often said that India is like a bride whose two eyes are the Hindus and the Mohammedans. Her beauty consists in this-- that her two eyes be of equal lustre. I always honour the Bengalis for the progress and the high position they have attained in learning. I have always said that in the matter of learning the Bengalis are the crown of all the nations of India; and I say it again now. Than myself there is also no person more desirous that in religious matters too, that agreement and friendship should exist. I have often given my nation to understand that slaughtering cows for the purpose of annoying Hindus is the height of cantankerous folly. If friendship may exist between us and them, that friendship is far to be preferred to the sacrifice of cows. My advice about all the religious ceremonies of the Hindus is that though they be forbidden by my religion, yet it is necessary both for us to respect their ceremonies and for them to respect ours. In those matters which my Hindu brothers are doing for their prosperity, honour and glory, I am always ready to give my best advice with the utmost sincerity of heart. These are all things which one friend may do for another. But when my Hindu brothers and Bengali friends devise such a course of action as will bring us loss and heap disgrace on our nation, then indeed we can no longer remain friends. Without doubt it is our duty to protect our nation from those attacks of the Hindus and Bengalis by which we believe that she will be injured. I will not at this time discuss the evils that would arise for the country if the proposals of the National Congress met with success. But no one can deny that in case of this success the Mohammedans would suffer grievous injury.

Of a truth our nation has fallen into the pit of disgrace, but if my Bengali friends wish to trample this prostrate nation under their feet, then let them not cherish the hope that we can endure it. Let them well remember that we are like a rope that has indeed been burnt, but the twist of whose fibres still remains, nor is it yet cold. Some heat yet remains in it. Take care how you put your hands on it, lest it burn you. Can any Bengali honestly say that the schemes which they have advocated in the Congress would benefit anybody except themselves, and next to them the Mahrattas and Brahmans? They are

trotting about flattering all Mohammedans to induce them to join them. But in doing this they are actuated only by selfish motives. For they very well know that after succeeding in their schemes, Mohammedans could under no condition derive any advantage from them. So we are not such fools as to put boys in our laps and let them pull out our beards. Our respected master Badruddin Tyabji's beard must be a strong one which cannot be pulled out ; but my beard is not so strong.

I understand that the first duty of everybody is to work for the improvement and progress of his nation. My friends the Bengalis are very able ; they can make every kind of progress. I honour them very much because they try to raise their nation to that position which they believe it capable of attaining. But I do not think my people so well-trained, and therefore I do not wish to run a race with them. The Congress is in reality a civil war without arms. The object of a civil war is to determine in whose hands the rule of the country shall rest. The object of the promoters of the National Congress is that the Government of India should be English in name only, and that the internal rule of the country should be entirely in their own hands. They do not publicly avow that they wish it for themselves ; they speak in the name of the whole people of India ; but they very well know that the Mohammedans will be unable to do anything, and so the rule of the country will be monopolised by them.

We also like a civil war. But not a civil war without arms ; we like it with arms. If Government wants to give over the internal rule of the country from its own hands into those of the people of India, then we will present a petition that, before doing so, she pass a law of competitive examination, namely, that that nation which passes first in this competition be given the rule of the country ; but that in this competition we be allowed to use the pen of our ancestors, which is in truth the true pen for writing the decrees of sovereignty. Then he who passes first in this shall rule the country. If my friends the Bengalis pass first, then indeed we will pick up their shoes and put them on our heads ; but without such a civil war we do not

want to subject our nation to be trodden under their feet. Let my Hindu fellow-countrymen and Bengali brothers understand well that my chief wish is that all the nations of India should live in peace and friendship with one another ; but that friendship can last so long only as one does not try to put another in subjection. The Bengali and also the educated Hindus of this Province have tried on this game, and hope that we Mohammedans will join them : “ ’tis imagination, ’tis impossible, ’tis madness.”

ON EDUCATION*

My Brother Mussalmans,—I must first of all thank you for the kindness and consideration with which you have treated an insignificant person like myself. This is not the first time that the people of Meerut have shown me friendship, I can never forget the help and kindness of the gentlemen of Meerut, when in the time of Mutiny after the fall of Delhi, I went there and saw that my house had been looted, and my whole family was utterly ruined and subjected to every kind of misfortune. I took them all to Meerut. It is this Meerut which gave a place of refuge to me and to my family. All the chief families of the town laid me under a debt of gratitude by rendering us every kind of assistance. Hence, gentlemen, the kindness which you have shown me yesterday and to-day is no new thing. I have, too, a special personal reason for loving Meerut. My dear mother whom I have ever in my memory, is buried in this city. This is a personal matter that belongs to the past. But at a time like this it is impossible not to remember the kindness shown to one by one’s elders. I have now to thank you for your address, in which you say I have done something for my nation. My friends, what is now the state of our nation ? All the Mussalman families of Hindustan are falling and are being ruined. Go to Delhi and see that celebrated town. Beyond a few tottering walls and crumbling bones there is nothing. A poet has written some lines, composed on a most tragic occasion, which are exactly appropriate to the present state of the Mohammedans :

*Speech delivered at Meerut on 14 March, 1888.

“We have undergone such misfortunes as, had they fallen on the day, would have turned it into night.”

Any one who has seen the condition of the Mohammedans a short time ago will testify to the truth of this, and will wonder how they get the means of livelihood, and why they consent to live. Under such circumstances it was necessary that somebody should think anxiously about this and try to raise the condition of his brothers, who at one time were named with honour, and who were famous for their wealth, their greatness and their power. There are two things, gentlemen, for upholding the position of Mohammedans—one of this world and one of the next. For salvation in the next there is no anxiety if we believe that “there is no God but God and Mohammed is the Prophet of God.” But we have to give attention to the troubles of this sad world ; and although we have but few days to spend in it, yet its affairs should be set straight. And, indeed, all people give care to it, and must, for they are afflicted by it day and night. Oh ; my friends, the world is a wondrous two-faced stature. On one side its expression is terrible ; on the other it delights the soul. Turn and look at its other side. Is Islam a statute which all who behold it can see ? No, it is seen in Mohammedans themselves and in them only. If the condition of Mohammedans be mean and miserable, then I think that Islam herself will be degraded. Then pay attention to that face of the world by beautifying which we shall beautify Islam herself. Adopt the world, not for its own sake, but for that of religion. Although, praise be to God, very few Mohammedans change their religion, yet you will see that the few who become Christians do so from poverty. Hence, it is not a gain to Islam to better the worldly circumstances of Mohammedans ? If you look at the jails, you will find the number of Mohammedan prisoners much larger than that of others in proportion to the population. The reason of this is excessive poverty, which is always an incentive to crime. Hence, is not improving their worldly condition beneficial both for this world and for religion ? If you use the world for its own sake, there is nothing worse than this. But if you use it for God and for your nation, then you draw near to God. Suppose that this red cloth which you have laid down for me have been put here

out of showiness and pride, then it but points the road to Hell ; but if it has been done for Islam and for the honour of our nation, then it is a pathway to Paradise. Truly our greatest desire is that the honour of Islam should not depart out of this world. Thirty-five years have now passed during which my days and nights have been absorbed with this thought. Oh, my friends, reflect on this—that each time has its own colour, and unless you adapt yourselves to the circumstances of the time your work cannot prosper. Think of your past history. In the time of Akbar, men of learning, poets, and historians, were respected ; people then tried to acquire learning and science : and this was the cause of their glory and honour. Now call to mind that bad time of Mohammed Shah, and that other bad and foolish time of the Kings of Lucknow, so short a while ago. In this time the only path to honour in the King's Durbar was by dissipation and foolery, and so people cultivated these qualities. That time, too, has gone. And now we have the British Government, and we have to consider in what way we can now attain honour. I believe that without high education it is impossible now to acquire honour. Education is a word the meaning of which it is not easy fully to grasp. The Khalifs of the Omayya and Abbasi dynasties, when they were bent on the spread of education among Mohammedans, spent an enormous amount of money in building colleges, in collecting together learned Jews and Christians and translating Greek books by their means. But that time is so long ago that it is lost to our memories, and we can see it no more. Now how many people are there here present who can say how learning arose and was spread among us ? Three or four perhaps. We came to India as foreigners and conquered her with our swords, and no regular educational system was established. The method adopted, the remains of which still exist, was that students lived in mosques and monasteries, ate the bread of charity, read by rush-lights or by the torches of some rich man's procession, and were taught by those pure-minded men of learning who worked in God's name and without fee. This method still holds its place in our hearts, and we are still inclined to favour it. But we have to understand that that time has gone, and that it is wrong to suppose that we can acquire in that manner the learning which is current in our time, and

the education which is now necessary for our nation. At the present time unless my nation unite and concentrate its forces, and collect all the requisites of education, and take the fact to heart that now without spending money it cannot acquire education, it will be impossible for it to become highly educated. Moreover, the old method was not adapted to the growth of those feelings of honour and national sympathy which are essential for our national progress.

Government in its generosity has made colleges in every place ; but Mussalmans have reaped very little benefit from them. I admit that the objections raised against them by Mohammedans are full of weight. In Government schools there is no religious education, and Mohammedans think religious education necessary for their children. I do not mean to raise objections to the Government method. I am strongly opposed to those people who want Government to give religious instruction. It is very necessary that Government should not give religious instruction to anybody,—to Mohammedans, to Hindus, or to Christians. Its action is based on a very right policy, which I will not now explain. I will only say that we ourselves should not like Government to interfere in our religious education. The real reason of the backwardness of Mohammedans in English education is that from their non-acquaintance with modern learning they had no respect for it, and considered it mean and degraded in comparison with their own learning, which they got from the Greeks. This feeling was strengthened by false religious superstitions. And the result of it was that they did not pay the least attention towards the acquisition of modern learning, while other nations did, and have thus advanced far ahead, so that now it is very difficult for our nation to get abreast of them. A student will easily understand that if he reads with students of his own nation, who are his equals in their attainments, then his enjoyment and love of study will be much increased ; while if he has to read in a crowd of students of a different nationality, who are, moreover, his superiors in knowledge, he will be unable to obtain assistance in his work, and will receive no stimulus to his love of study. In Calcutta in one street there is the Calcutta Madrassah which does not teach up to a high standard, and

in another street there is the Presidency College, which teaches to a very high level, and in which nearly all the students are Bengalis and very few Mohammedans. The Bengali students, who are in large numbers, derive great benefit from it, but the few Mohammedans derive less. We should, therefore, make arrangements so that Mohammedan students may study in communities.

Besides this there is another consideration. My ideas may be right or they may be wrong ; but I will express them to you. My desire is not only to spread education among Mohammedans, but to spread two other things. The first of these is training in character. In the old days our boys of good family used to read at home with a master, while they received a good general training in character and manners from the society of their parents and the elders of the family, who were patterns of excellence in these matters. Although this training was of a different nature from the kind now necessary, yet it also was of a very high order, and we still honour and ought to honour it. Our difficulty now is this : that the noble class of gentlemen whose virtues we remember, and from watching whose character we ourselves learnt good breeding and good morals, has departed from the world. There are none now left. The old method is completely broken down. It is like a broom of which the string binding the twigs has been broken, so that they have all fallen apart, and cannot be re-united unless a fresh cord be provided. The times are constantly changing, and the method suited to the past is not suited to the present. Hence, unless we give the children of our nation along with education a training in character adapted to the times, we cannot reap those advantages which we desire.

The second thing which I wish to see established in our people is national feeling and sympathy ; and this cannot be created unless the boys of our nation read together. At this moment, when all of us Mohammedans have come together the assembly itself has an effect on our hearts, and an involuntary emotion gives birth to the thought—"Our Nation !" "Our Nation !"—but when we separate the effect vanishes. This is not merely my assertion ; I trust that all here will acknowledge

its truth. If you will reflect in the principles of religion, you will see the reason why our Prophet ordered all the dwellers in one neighbourhood to meet five times a day for prayers in the mosque, and why the whole town had to meet together on Fridays in the city mosque, and in Eid all the people of the district had to assemble. The reason was that the effect of the gathering should influence all, and create a national feeling among those present, and show them the glory of the nation. These outward shows have a great effect on the human mind. They create unity and draw a picture of the nation on the heart. These thoughts will not grow up in the minds of men unless they are forced on their attention. Hence, it is necessary for the good training and education of Mohammedans that they should be collected together into one place to receive it; that they may live together and eat together, and learn to love one another. I believe that some students of our college are present now. Although I do not like to praise them before their faces, yet I will say that you will not find in any other place in Hindustan students who have so much national spirit or such brotherly feeling for one another. Although these qualities have not yet attained the ripeness that we desire, yet there is every hope that they will in time reach their full development, and that the national honour will be thereby created...

Before all things, my nation should preserve its honour and its self-respect, and should give such a training to its children as will cultivate these feelings. In the work which we have undertaken for our nation, we most certainly expect assistance from her. Although we may be disappointed in our hopes hundreds of times, yet we will not relinquish our work. Suppose that we lose all hope of success in our undertaking, yet till my death I will not cease my efforts. I desire no reward from my nation, none in this world nor in the next. If in the day of judgment God should say to me—"Thou shalt enter Paradise as a reward for the efforts for the people," I will not accept it, and will say "Oh Lord, excuse me." I do not undertake these efforts for a reward from God, but for my nation. But I pray the Almighty that national sympathy may arise in my people, and that the nation may give help, and may

complete the glorious task we have undertaken for its improvement. I beg of you also to join in this prayer.

THE INDIAN NATIONAL CONGRESS*

I think it expedient that I should first of all tell you the reason why I am about to address you on the subject of to-night's discourse. You know, gentlemen, that, from a long time, our friends the Bengalis have shown very warm feelings on political matters. Three years ago they founded a very big assembly, which holds its sittings in various places, and they have given it the name "National Congress." We and our nation gave no thought to the matter. And we should be very glad for our friends, the Bengalis to, be successful if we were of opinion that they had by their education and ability made such progress as rendered them fit for the claims they put forward. But although they are superior to us in education, yet we have never admitted that they have reached that level to which they lay claim to have attained. Nevertheless, I have never, in any article, or in any speech, or even in conversation in any place, put difficulties or desired to put difficulties in the way of any of their undertakings. It has never been my wish to oppose any people or any nation who wish to make progress, and who have raised themselves up to that rank to which they wish to attain and for which they are qualified. But my friends the Bengalis have made a most unfair and unwarrantable interference with my nation, and therefore it is my duty to show clearly what this unwarrantable interference has been, and to protect my nation from the evils that may arise from it. It is quite wrong to suppose that I have girded up my loins for the purpose of fighting my friends the Bengalis : my object is only to make my nation understand what consider conducive to its prosperity. It is incumbent on me to show what evils would befall my nation from joining in the opinions of the Bengalis : I have no other purpose in view.

The unfair interference of these people is this—that they have tried to produce a false impression that that Mohammed-

*Speech at Meerut on 16 March, 1888.

dans of these Provinces agree with their opinions. But we also are inhabitants of this country, and we cannot be ignorant of the real nature of the events that are taking place in our own North-West Provinces and Oudh, however their colour may be painted in newspapers, and whatever aspect they may be made to assume. It is possible that the people of England, who are ignorant of the real facts, may be deceived on seeing their false representations, but we and the people of our country, who know all the circumstances, can never be thus imposed on. Our Mohammedan nation has hitherto sat silent. It was quite indifferent as to what the Babus of Bengal, the Hindus of these Provinces, and the English and Eurasian inhabitants of India might be doing. But they have now been wrongly tampering with our nation. In some districts they have brought pressure to bear on Mohammedans to make them join the Congress. I am sorry to say that they never said anything to those people who are powerful and are actually Raisés and are counted the leaders of the nation ; but they brought unfair pressure to bear on such people as could be subjected to their influence. In some districts they pressed men by the weight of authority, in others they forced them in this way—saying that the business they had at heart could not prosper unless they took part—or they led them to suppose that they could not get bread if they held aloof. They even did not hold back from offering the temptation of money. Where is the man that does not know this ? Who does not know who were the three or four Mohammedads of the North-West Provinces who took part with them, and why they took part ? The simple truth is they were nothing more than hired men (Cheers). Such people they took to Madras, and having got them there, said : “These are the sons of Nawabs, and these are Raisés of such-and-such districts, and these are such-and-such great Mohammedans,” whilst everybody knows how the men were brought. We know very well the people of our own nation, and that they have been induced to go either by pressure, or by folly, or by love of notoriety, or by poverty. If any Rais on his own inclination and opinion joins them, we do not care a lot. By one man’s leaving us our crowd is not diminished. But this telling of lies that their men are landlords and Nawabs of such-and-such places and their attempt to give a false impression that the

Mohammedans have joined them, this is a most unwarrantable interference with our nation. When matters took such a turn, then it was necessary that I should war my nation of their misrepresentations in order that others should not fall into the trap ; and that I should point out to my nation that the few who went to Madras, went by pressure, or from some temptation, or in order to help their profession, or to gain notoriety, or were bought (Cheers). No Rais (rich man from here took part in it.

This was the cause of my giving a speech at Lucknow, contrary to my wont, on the evils of the National Congress : and this is the cause also of to-day's speech. And I went to show this that except Badruddin Tyabji* who is a gentleman of very high position and for whom I have great respect, no leading Mohammedan took part in it. He did take part, but I think he made a mistake. He has written to me two letters, one of which was after the publication of my Lucknow speech. I think that he wants me to point out those things in the Congress which are opposed to the interests of Mohammedans in order that he may exclude them the discussion. But in reality the whole affair is bad for Mohammedans. However, let us grant that Badruddin Tyabji's opinion is different from ours : yet it cannot be said that his opinion is the opinion of the whole nation, or that his sympathy with the Congress implies the sympathy of the whole community. My friend there, Mirza Ismail Khan, who has just come from Madras, told me that no Mohammedan Rais of Madras took part in the Congress. It is said that Prince Humayun Jah joined it. Let us suppose that Humayun Jah, whom I do not know, took part in it, yet our position as a nation will not suffer simply because two men stand aside. No one can say that because these two Raises took part in it that therefore the whole nation has joined it. To say that the Mohammedans have

*Badruddin Tyabji founded the Anjuman-e-Islam of Bombay, an institution intended for the betterment of the Muslims of India. In 1882 he was nominated as a member of Bombay Legislative Council. He presided over the Madras session of the Indian National Congress held in December, 1887.

joined it is quite wrong and is a false accusation against our nation. If my Bengali friends had not adopted this wrong course of action, I should have had nothing to do with the National Congress, nor with its members, nor with the wrong aspirations for which they have raised such an uproar. Let the delegates of the National Congress become the stars of heaven, or the sun itself—I am delighted. But it was necessary and incumbent on me to show the falsity of the impression which, by taking a few Mohammedans with them by pressure or by temptation, they wished to spread that the whole Mohammedan nation had joined them.

Gentlemen, what I am about to say is not only useful for my own nation, but also for my Hindu brothers of these Provinces, who from some wrong notions have taken part in this Congress. At last they also will be sorry for it, although perhaps they will never have occasion to be sorry ; for it is beyond the region of possibility that the proposals of the Congress should be carried out fully. These wrong notions which have grown up in our Hindu fellow-country-men, and on account of which they think it expedient to join the Congress, depend upon two things. The first thing is this ; that they think that as both they themselves and the Bengalis are Hindus, they have nothing to fear from the growth of their influence. These second thing is this : that some Hindus—I do not speak of all the Hindus but only of some—think that by joining the Congress and by increasing the power of the Hindus they will perhaps be able to suppress those Mohammedan religious rites which are opposed to their own, and, by all uniting, annihilate them. But I frankly advise my Hindu friends that if they wish to cherish their religious rites they can never be successful in this way. If they are to be successful, it can only be by friendship and agreement. The business cannot be done by force ; and the greater the enmity and animosity the greater will be their loss. I will take Aligarh as an example. There Mohammedans and Hindus are in agreement. The Dashehra and Moharrum fell together for three years, and no one knows what took place. It is worth notice how, when an agitation was started against cow-killing, the sacrifice of cows increased enormously, and

religious animosity grew on both sides, as all who live in India well know. They should understand that those things which can be done by friendship and affection cannot be done by any pressure or force. If these ideas which I have expressed about the Hindus of these Provinces be correct and their condition be similar to that of the Mohammedans, then they ought to continue to cultivate friendship with us. Let those who live in Bengal eat up their own heads. What they want to do, let them do it. What they don't want to do, let them not do it. Neither their disposition nor their general condition resembles that of the people of this country. Then what connection have the people of this country with them? As regards Bengal, there is, as far as I am aware in Lower Bengal, a much larger proportion of Mohammedans than Bengalis. And if you take the population of the whole of Bengal, nearly half are Mohammedans and something over half are Bengalis. Those Mohammedans are quite unaware of what sort of thing the National Congress is. No Mohammedan Rais of Bengal took part in it; and the ordinary Bengalis who live in the district are also as ignorant of it as the Mohammedans. In Bengal the Mohammedan population is so great that if the aspirations of those Bengalis who are making so loud an agitation be fulfilled, it will be extremely difficult for the Bengalis to remain in peace even in Bengal. These proposals of the Congress are extremely inexpedient for the country which is inhabited by two different nations, who drink from the same well, breathe the air of the same city, and depend on each other for its life. To create animosity between them is good neither for peace, nor for the country, nor for the town.

After this long preface I wish to explain what method my nation, nay, rather the whole people of this country, ought to pursue in political matters. I will treat in regular sequence of the political question of India, in order that you may have full opportunity of giving your attention to them. The first of all is this—In whose hands shall the Administration and the Empire of India rest? Now, suppose that all the English and the whole English army were to leave India, taking with them all their cannon and their splendid weapons and everything,

then who would be rulers of India ? Is it possible that under these circumstances two nations—the Mohammedans and the Hindus—could sit on the same throne and remain equal in power ? Most certainly not. It is necessary that one of them should conquer the other and thrust it down. To hope that both could remain equal is to desire the impossible and the inconceivable. At the same time you must remember that although the number of Mohammedans is less than that of the Hindus, and although they contain far fewer people who have received high English education, yet they must not be thought insignificant or weak. Probably they would be by themselves enough to maintain their own position. But suppose they were not. Then our Mussalman brothers, the Pathans, would come out as a swarm of locusts from their mountain valleys, and make rivers of blood to flow from their frontier on the north to the extreme end of Bengal. This thing—who after the departure of the English would be conquerors—would rest on the will of God. But until one nation had conquered the other and made it obedient, peace cannot reign in the land. This conclusion is based on proofs so absolute that no one can deny it. Now, suppose that the English are not in India and that one of the nations of India has conquered the other, whether the Hindus the Mohammedans, or the Mohammedans the Hindus. At once some other nation of Europe, such as the French, the Germans, the Portuguese, or the Russians, will attack India. Their ships of war, covered with iron and loaded with flashing cannon and weapons, will surround her on all sides. At that time who will protect India ? Neither Hindus can save nor Mohammedans ; neither the Rajputs nor my brave brothers the Pathans. And what will be the result ? The result will be this—that foreigners will rule India, because the state of India is such that if foreign powers attack her, no one has the power to oppose them. From this reasoning it follows of necessity that an empire, not of any Indian race, but of foreigners, will be established in India. Now, will you please decide which of the nations of Europe you would like to rule over India ? I ask if you would like Germany, whose subjects weep for heavy taxation and the stringency of their military service ? Would you like the rule of France ? Stop ! I fancy you would,

perhaps, like the rule of the Russians, who are very great friends of India and of Mohammedans, and under whom the Hindus will live in great comfort, and who will protect with the tenderest care the wealth and property which they have acquired under English rule? Everybody knows something or other about these powerful kingdoms of Europe. Everyone will admit that their government is far worse, nay, beyond comparison worse, than the British Government. It is, therefore, necessary that for the peace of India and for the progress of everything in India the English Government should remain for many years—in fact for ever!

When it is granted that the maintenance of the British Government, and of no other, is necessary for the progress of our country, then I ask whether there is any example in the world of one nation having conquered and ruled over another nation, and that conquered nation claiming it as a right that they should have representative government? The principle of representative government is that it is government by a nation, and that the nation in question rules over its own people and its own land. Can you tell me of any case in the world's history in which any foreign nation after conquering another and establishing its empire over it has given representative government to the conquered people? Such a thing has never taken place. It is necessary for those who have conquered us to maintain their Empire on a strong basis. When rulers and ruled are one nation, representative government is possible. For example, in Afghanistan, of which Amir Abdur Rahman Khan is the ruler, where all the people are brother-Afghans, it might be possible. If they want they can have representative government. But to think that representative government can be established in a country over which a foreign race rules, is utterly vain, nor can a trace of such a state of things be discovered in the history of the world. Therefore to ask that we should be appointed by election to the Legislative Council is opposed to the true principles of government, and no government whatever, whether English or German or French or Russian or Mussalman, could accept this principle. The meaning of it is this: "Abandon the rule of the country and put it in our hands." Hence, it is in no way expedient that our nation should join in and echo these monstrous proposals.

The next question is about the Budget. They say : "Give us power to vote on the Budget. Whatever expenses we may grant shall be granted, whatever expenses we do not grant shall not be granted." Now, consider to what sort of government this principle is applicable. It is suited to such a country as is, according to the fundamental principles of politics, adapted also for representative government. The rulers and the ruled must be of the same nation. In such a country the people have also the right of deciding matter of peace and war. But this principle is not adapted to a country in which one foreign race has conquered another. The English have conquered India and all of us along with it. And just as we made the country obedient and our slave, so the English have done with us. Is it then consonant with the principles of empire that they should ask us whether they should fight Burma or not ? Is it consistent with any principle of empire ? In the times of the Mohammedan empire, would it have been consistent with the principles of rule that, when the Emperor was about to make war on a Province of India, he should have asked his subject-peoples whether he should conquer that country or not ? Whom should he have asked ? Should he have asked those whom he had conquered and had made slaves, and whose brothers he also wanted to make his slaves ? Our nation has itself wielded empire, and people of our nation are even now ruling. Is there any principle of empire by which rule over foreign races may be maintained in this manner ?

The right to give an opinion on the Budget depends also on another principle, which is this : that in a country in which the people accept the responsibility for all the expenses of government, and are ready with their lives and property to discharge it,—in such a country they have a right to give their opinion on the Budget. They can say, "undertake this expense or leave that alone." And whatever the expense of the state affairs, it is then their duty to pay it. For example, in England in a time of necessity the whole wealth and property of every one, from the Duke to the cobbler, is at the disposal of the Government. It is the duty of the people to give all their money and all their property to the Government, because they are responsible for

giving Government all that it may require. And they say : "Yes, Yes, take it ! Yes, take it. Spend the money. Beat the enemy. Beat the enemy." These are conditions under which people have a right to decide matters about the Budget. The principle that underlies the Government of India is of a wholly different nature. In India, the Government has itself to bear the responsibility of maintaining its authority and it must, in the way that seems to it fittest, raise money for its army and for the expense of the empire. Government has a right to take a fixed proportion of the produce of the land as land-revenue, and is like a contractor who bargains on this income to maintain the empire. It has not the power to increase the amount settled as land-revenue. However great its necessity, it cannot say to the zemindars : "Increase your contributions." Nor do the zemindars think that, even in a time of necessity, Government has any right to increase its fixed tax on land. If at this time there were a war with Russia, would all the zamindars and taluqadars be willing to give double their assessment to Government ? They would not give a pice more. Then what right have they to interfere and say : "So much should be spent and so much should not be spent ?" The method of the British Government is that of all Kings and Asiatic Empires. When you will not, even in time of war, give a pice more of your land-revenue, what right have you to interfere in the Budget.

The real motive for scrutinising the Budget is economy. Economy is a thing of such a nature that everyone has a regard for it in his household arrangements. It is a crude notion that Government has no regard for economy and squanders its money. Government practices economy as far as possible. Our Government is so extremely miserly that it will not uselessly give any one a single pice. Until great necessity arise and great pressure be bought to bear on it, it will not spend a pice. It has completely forgotten the generosity of the former Emperors. The Kings of later times presented poets and authors with estates and lakhs of rupees. Our Government does not spend a pice in that way. What greater economy can there be than this ? Instead of rewards it gives authors copyright ? That also it does after taking two rupees for regis-

tering. It writes a letter as a sanad, (certificate) and says that, for forty years, no other man may print the book. Print it, sell it, and make your profit : this is a reward to you from Government.

People look at the income of the Government and say it is much greater than that of former empires, but they don't think of the expenses of Government and how much they have increased. In the old days, a sword of fifteen or twenty rupees, a gun of ten or fifteen rupees, a card-board ammunition bag, and a coil of fuse was enough equipment for a soldier. Now look and see how the expenses of the army have increased in modern time, and what progress has been made in arms, and how they are daily improving, and the old ones becoming useless. If a new kind of gun or cannon be invented in France or Germany, is it possible for Government not to abandon all its old kinds of guns or cannon and adopt the new? When the expenses have grown so much, the wonder is how on earth Government manages to carry on its business on the small tax which it raises (Cheers). Perhaps many people will not like what I am going to say, but I will tell them openly a thing which took place. When after the Mutiny, the Hon'ble Mr. Wilson was Financial Minister, he brought forward a law for imposing a tax, and said in his speech that this tax would remain for five years only. An honourable English friend of mine showed me the speech and asked me if I liked it. I read it and said that I had never seen so foolish a Financial Minister as the Hon'ble Mr. Wilson. He was surprised. I said that it was wrong to restrict it to five years. The condition of India was such that it ought to be imposed for ever. Consider for a moment that Government has to protect its friends the Afghans, and their protection is necessary. It is necessary for Government to strengthen the frontier. If in England there had been any need for strengthening a frontier, then the people would themselves have doubled or trebled (sic) their taxes to meet the necessity. In Burma there are expenses to be borne, although we hope that in future it will be a source of income. If, under such circumstance, Government increases the salt-tax by eight annas per maund, is this thing such that we ought to make complaints? If this increase of tax be spread over every-

body it will not amount to half or quarter of a pice. On this to raise an uproar, to oppose Government, to accuse it of oppression—what utter nonsense and injustice! And in spite of this they claim the right to decide matters about the Budget.

When it has been settled that the English Government is necessary, then it is useful for India that its rule should be established on the firmest possible basis. And it is desirable for Government that for its stability it should maintain an army of such a size as it may think expedient, with a proper equipment of officers; and that it should in every district appoint officials in whom it can place complete confidence, in order that if a conspiracy arises in any place, they may apply the remedy. I ask you, is it the duty of Government or not to appoint European officers in its empire to stop conspiracies and rebellions? Be just, and examine your hearts, and tell me if it is not a natural law that people should confide more in men of their own nation. If any Englishman tells you anything which is true, you remain doubtful. But when a man of your own nation, or your family, tells you a thing privately in your house, you believe it at once. What reason can you then give why Government, in the administration of so big an empire, should not appoint as custodians of secrets and as givers of every kind of information, men of her own nationality, but must leave all these matters to you, and say: "Do what you like?" These things which I have said are such necessary matters of State administration that, whatever nation may be holding the empire, they cannot be left out of sight. It is the business of a good and just Government, after having secured the above mentioned essentials, to give honour to the people of the land over which it rules, and to give them as high appointments as it can. But, in reality, there are certain appointments to which we can claim no right; we cannot claim the post of head executive authority in any zila. There are hundreds of secrets which Government cannot disclose. If Government appoint us to such responsible and confidential posts, it is her favour. We will certainly discharge the duties faithfully and without divulging her secrets. But it is one thing to claim it as a right and another for Government, believing us to be

faithful and worthy of confidence, to give us the posts. Between these two things there is a difference between Heaven and Earth. How can we possibly claim as a right those things on which the very existence and strength of the Government depends? We most certainly have not the right to put those people in the Council whom we want, and to keep out those whom we don't want, to pass those laws that we want, and to veto those laws that we dislike. If we have the right to elect members for the Legislative Council, there is no reason why we should not have the right to elect members for the Imperial Council. In the Imperial Council thousands of matters of foreign policy and State secrets are discussed. Can you with justice say that we Indians have a right to claim those things? To make an agitation for such things can only bring misfortune on us and on the country. It is opposed to the true principles of government, and is harmful for the peace of the country. The aspirations of our friends, the Bengalis have made such progress that they want to scale a height to which it is beyond their powers to attain. But if I am not in error, I believe that the Bengalis have never at any period held sway over a particle of land. They are altogether ignorant of the method by which a foreign race can maintain its rule over other races. Therefore, reflect on the doings of your ancestors, and be not unjust to the British Government to whom God has given the rule of India; and look honestly and see what is necessary for it to do to maintain its empire and its hold on the country. You can appreciate these matters; but they cannot who have never held a country in their hands nor won a victory. Oh, my brother Mussalmans! I again remind you that you have ruled nations, and have for centuries held different countries in your grasp. For seven hundred years in India you have had Imperial sway. You know what it is to rule. Be not unjust to that nation which is ruling over you, and think also on this: how upright is her rule. Of such benevolence as the English Government show to the foreign nations under her, there is no example in the history of the world. See what freedom she has given in her laws, and how careful she is to protect the rights of her subjects. She has not been backward in promoting the progress of the natives of India and in throwing open to them high appointments. At

the commencement of her rule, except clerkships and *kaziships* there was nothing. The *kazis* of the pargana, who were called commissioners, decided small civil suits and received very small pay. Up to 1832 or 1833 this state of things lasted. If my memory is not wrong, it was in the time of Lord William Bentinck that natives of India began to get honourable posts. The positions of Munsif, Subordinate Judge and Deputy Collector on respectable pay were given to natives, and progress has been steadily going on ever since. In the Calcutta High Court a Kashmiri Pandit was first appointed, equal to the English Judges. After him Bengalis have been appointed as High Court Judges. At this time there are, perhaps, three Bengalis in the Calcutta High Court, and in the same way some Hindus in Bombay and Madras. It was your bad fortune that there was for a long time no Mohammedan High Court Judge, but now there is one in the Allahabad High Court (Cheers). Native High Court Judges can cancel the decision of English Judges and Collectors. They can ask them for explanations. The subordinate native officers also have full authority in their posts. A Deputy Collector, a Sub-Judge, or a Munsif decides cases according to his opinion, and is independent of the opinion of the Judge or Collector. None of these things have been acquired by fighting or opposition. As far as you have made yourselves worthy of the confidence of Government, to that extent you have received high positions. Make yourselves her friends and prove to her that your friendship with her is like that of English and the Scotch. After this what you have to claim, claim—on condition that you are qualified for it.

About this political controversy, in which my Hindu brothers of this Province, to whom I have given some advice, and who have, I think, joined from some wrong notions, have taken part, I wish to give some advice to my Mohammedan brothers. I do not think the Bengali politics useful for my brother Mussalmans, Our Hindu brothers of these Provinces are leaving us and are joining the Bengalis. Then we ought to unite with that nation with whom we can unite. No Mohammedan can say that the English are not "people of the Book." No Mohammedan can deny this : that God has said

that no people of other religions can be friends of Mohammedans except the Christians. He who had read the Koran and believes it, he can know that our nation cannot expect friendship and affection from any other people. (Thou shalt surely find the most violent of all men in enmity against the true believers to be the Jews and the idolators : and thou shalt surely find those among them to be the most inclinable to entertain friendships for the true believers, who say "we are Christians." Koran, Chap- V.) At this time our nation is in a bad state as regards education and wealth, but God has given us the light of religion, and the Koran is present for our guidance, which has ordained them and us to be friends. Now God has made them rulers over us. Therefore, we should cultivate friendship with them, and should adopt that method by which their rule may remain permanent and firm in India, and may not pass into the hands of the Bengalis. This is our true friendship with our Christian ruler and we should not join those people who wish to see us thrown into a ditch. If we join the political movement of the Bengalis our nation will reap loss, for we do not want to become subject of the Hindus instead of the subjects of the "people of the Book." And as far as we can we should remain faithful to the English Government. By this my meaning is not that I am inclined towards their religion. Perhaps no one has written such severe books as I have against their religion, of which I am an enemy. But whatever their religion, God has called men of that religion our friends. We ought not on account of their religion but because of the order of God to be friendly and faithful to them. If our Hindu brothers of these Provinces, and the Bengalis of Bengal, and the Brahmans of Bombay, and the Hindu Madrasahs of Madras wish to separate themselves from us, let them go, and trouble yourself about it not one whit. We can mix with the English in a social way. We can eat with them, they can eat with us. Whatever hope we have of progress is from them. The Bengalis can in no way assist our progress. And when the Koran itself directs us to be friends with them, then there is no reason why we should not be their friends. But it is necessary for us to act as God has said. Besides this, God has made them rulers over us. Our Prophet has said that if God places over you a black negro slave as

ruler you must obey him. See, there is here in the meeting a European, Mr. Beck. He is not black. He is very white. Then why should we not be obedient and faithful to those white-faced men whom God has put over us, and why should we disobey the order of God ?

I do not say that in the British Government all things are good. Nobody can say that there is any Government in the world, or has ever been, in which there is nothing bad, be the Government Mohammedan, Hindu or Christian. There is now the Sultan of Turkey, who is a Mohammedan Emperor, and of whom we are proud. Even his Mohammedan subjects make complaints of his government. This is the condition of the Khedive of Egypt. Look at the Governments of Europe, and examine the condition of the Government of London itself. Thousands of men complain against Government. There is no Government with which everybody is satisfied.

If we also have some complaints against the English Government, it is no wonderful thing. People are not even grateful to God for his government. I do not tell you to ask nothing from Government. I will myself fight on your behalf for legitimate objects. But ask for such things as they can give you, or such things to which, having due regard to the administration of the country, you can claim a right. If you ask for such things as Government cannot give you, then it is not the fault of Government, the folly of the askers. But what you ask, do it not in this fashion : that you accuse Government in every action of oppression, abuse the highest official, use the hardest words you can find for Lord Lytton and Lord Dufferin, call all Englishmen tyrants, and blacken columns on columns of newspapers with these subjects. You can gain nothing this way. God had made them your rulers. This is the will of God. We should be content with the will of God. And, in obedience to the will of God you should remain friendly and faithful to them. Do not do this : bring false accusations against them and give birth to enmity. This is neither wisdom nor in accordance with our holy religion.

Therefore the method we ought to adopt is this, that we should hold ourselves aloof from this political uproar and

reflect on our condition, that we are behindhand in education and are deficient in wealth. Then we should try to improve the education of our nation. Now our condition is this, that the Hindus, if they wish, can ruin us in an hour. The internal trade is entirely in their hands. The external trade is in possession of the English. Let the trade which is with the Hindus remain with them. But try to snatch from their hands the trade in the produce of the country which the English now enjoy and draw profit from. Tell them : "Take no further trouble. We will ourselves take the leather of our country to England and sell it there. Leave off picking up the bones of our country's animals. We will ourselves collect them and take them to America. Do not fill ships with the corn and cotton of our country. We will fill our own ships and will take it ourselves to Europe !" Never imagine that Government will put difficulties in your way in trade. But the acquisition of all these things depends on education. When you shall have fully acquired education, and true education shall have made its home in your hearts, then you will know what rights you can legitimately demand of the British Government. And the result of this will be that you will also obtain honourable positions in the Government, and will acquire wealth in the higher ranks of trade. But to make friendship with the Bengalis in their mischievous political proposals, and join in them, can bring only harm. If my nation follows my advice, they will draw benefit from trade and education. Otherwise, remember that Government will keep a very sharp eye on you because you are very quarrelsome, very brave, great soldiers and great fighters.

THE CONGRESS AND THE GOVERNMENT*

The Hon'ble Pandit Ajudhia Nath said in the speech which he made at Lucknow in praise of the National Congress that the Government of India approved of its objects and sympathised with it ; and in proof of this he said that "the Governor-

*Syed Ahmed Khan's contradiction of a lecture delivered by Pandit Ajudhia Nath appreciating attitude of the British Government towards the Congress.

General in Calcutta and the Governor of Madras gave parties in their respective Government Houses to the members of the Congress, and invited everybody, and welcomed them warmly, and instead of raising objections expressed their sympathy with the Congress." He further said that when an Address was presented to the Governor-General he made a favourable reply, and said 'as much as a Viceroy of the Queen could possibly say. He made a speech and said that "the present was a suitable occasion for telling them that if they feared the opposition of the Rulers of the North-West Provinces and Oudh, they should attach higher importance to the opinions and acts of the Governor-General and the Governors of Madras." Although I cannot believe that the favour shewn by the Governor-General and the Governor of Madras to the members of the Congress was inspired by any motive other than ordinary courtesy, yet in any case I have an objection to make against these acts of the Government. For if the Governor-General and the Governor of Madras acted thus only out of ordinary courtesy, they should at the time have taken into consideration the danger lest the people to whom they showed this kindness should make an improper use of the favour so shown. Now, however, the Government knows that the supporters of the Congress interpret this kindness in another way, and wrongfully point to the conclusion that the Governor General and the Governor of Madras "sympathise with the objects of the Congress"; and by this pretext try to deceive people into joining them. Government ought therefore to be very cautious in showing this kind of favour.

But, if on the other hand, the Governor-General and the Governor of Madras exhibited this favour to the members of the Congress for the reason which my friend the Hon'ble Pandit Ajudhia Nath has stated, and expressed their sympathy with the objects of the Congress, then that section of the people which is opposed to the National Congress has the gravest cause for complaint. Government knows well that there are two parties regarding the National Congress, or, to be more explicit, that some nations, especially Mohammedans, are on one side, and some nations on the other. Then why should Government lean towards one side and express sympathy with

it ? It is necessary for Government to hold itself aloof from both parties. Its duty is merely to stop that disturbance from which there is every reason to expect an increase of hostility between the two nations, and those acts by which general discontent is being raised against the Government. For the result of this fomentation of unreasonable discontent cannot be beneficial to the country.

I cannot imagine why my able friend the Hon'ble Pandit Ajudhia Nath should attach so much importance to the fact that Sir William Hunter, Sir Charles Turner, and three or four radical members of Parliament sympathise with the objects of the Congress. Is the Government of the British Empire in their hands ? Let us suppose a few members of Parliament sympathise with the National Congress, it must be remembered that there are about six hundred and fifty members in the House of Commons, leaving aside the House of Lords. Hence the significance to be attached to the support of three or four members is, as the Hindi proverb says, less than a caraway seed in the mouth of a camel. To change the Government, or its constitution, and to substitute Representative Government is no easy matter. The people of Ireland, who have so weighty a supporter in Mr. Gladstone, besides many members of Parliament,—what have they been able to do that our poor National Congress should think they can effect this ? In my opinion if all the Rulers of India should sympathise with the National Congress, yet even then the supporters of the Congress could not be successful. Some members of Parliament may go mad, but all cannot.

Without doubt Government is itself anxious for the progress of the people of India. If the present state of things be compared with that at the commencement of British Rule then the advancement that the British Government has given to the people of India is really astonishing, and it is still inclined in the same way to give them further advancement, and is giving what it thinks expedient, and will continue to give. From the uproar of the National Congress no good result can follow. Rather it is to be feared that those proposals for the benefit of the people which the Government has under consideration,

among which may be counted some of the recommendations of the Public Service Commission, may be postponed in order that the Congresswalas may not be elated, and fancy that they have been accomplished by their agitation. The Congress has been in existence for three years. To what Congress do we owe the conspicuous benefits which the people of India have received from the commencement of the British Rule to the present day? Similarly, the Government is ready to give further advancement at suitable times. The Mutiny of 1857, which I am right in calling the Sepoy War, as Mr. Kaye has styled it, and which was due to the mistake of some officials, threw back the progress of India a hundred years. If that Mutiny had not occurred, then hundreds of our young men of a soldierly temper would have been Volunteers; the Arms Act would not have been passed; many among us would have been Captains, and Colonels, and Generals in the army; and we would have said to Government:

“Do not trouble your European officers and British soldiers. See—we, and we alone, will advance beyond the frontier, and will give the Russians a practical lesson how to advance and how to give fight.”

I cannot understand the meaning of the statement of my Honourable friend that people should not fear the opposition of the Rulers of the North-West Provinces and Oudh. Whatever the opinions of Government may be about the administration of the country yet it has given freedom to all its subjects and to the newspapers to criticize its policy as they like. Hence if the Government of the N.W.P. and Oudh be opposed to the objects of the Congress, why should those who join it fear? But yes. There is one thing on account of which the Congresswalas may well fear their Rulers, a thing which my Honourable friend has not mentioned. Can the Congresswalas deny—their intentions may not be bad, and I do not charge them with bad intentions—but can they deny the fact that they have left no stone unturned in their attempts to spread discontent among the common people against the Government? Are not *The Star* in the East, *The Tamil Catechism* and the *Conversation between Farid Uddin and Rambakhsh*, in which many

statements are false while real facts are placed in a wrong light, as well as many other of their speeches and writings, sufficient proof? If it be true that thousands of copies (the Hindustani newspaper says lakhs) have been printed in Urdu and Hindi and circulated in the Provinces; while the men who distribute them say to the banias, "See, how oppressive the taxes are, we are trying to remove them", and to suitors in the law-courts, "See the stamp fees, what tyranny!", and to the landlords and cultivators, "How unjust the revenue laws are!" and abusing Government before every kind of man in ways appealing to his circumstances or his comprehension; is not this a thing which gives the people of the N.W.P. and Oudh very good reason for standing in fear of their rulers? And is it not the duty of Government to try to discover by every means and method in its power how far this dissatisfaction has spread and how deep are its roots and to ascertain whether or not the time has come for interfering actively and uprooting it? Is it not the duty of Government to prevent this disaffection from increasing, and thus to avert a time it would be necessary to adopt harsh measures such as has been done in Ireland? These things are included in the Duty of the Government, and Government ought to do them, and it would be absurd to accuse Government of being hostile if she were to do her duty in these respects. The idea of my Honourable friend about the rulers of our North-West provinces and Oudh being opposed to the Congress, and the people not fearing the opposition of their rulers is absurd. In my opinion the Congresswalas need fear nobody, but they have good reason to be afraid of their own actions, as well as of the hostility they are stirring up between Hindus and Mohammedans.

The Mohammedans paid no heed to the Congress for years as long as the Congresswalas told no lie about Mohammedans joining them, nor tried to secure their co-operation by deceitful methods. But in the Madras Congress they began to adopt this procedure, and to try to induce Mohammedans who wished to take a part. Then these Mohammedans who wished to protect their nation from the bad results of the Congress stood up and warned their people of its evil effects.

REAFFIRMATION OF STAND*

Sir,—I read in your paper, dated April 2nd, a letter from my distinguished friend Mr. Badruddin Tyabji, about the National Congress. I think it fit that I should myself write a reply to it, and I ask you to be so good as to give it a place in your valuable columns. I was very glad to learn that when my distinguished friend honoured the Madras Congress by becoming its President, he “rigidly excluded all questions which were merely of a provincial character, or in regard to which the three Presidencies were not practically agreed, or where the Hindus were opposed to the Mussalmans as a body, or vice versa.” On my own behalf and on behalf of very many of our mutual co-religionists I thank him for this proceeding. I also agree with him in this—“that the Congress could not be rightly termed a National Congress where any particular resolution could be carried against the unanimous protest of either the Hindu or Mussalman delegate.” But I go further : I first of all object to the word “delegate”. I assure my friend that of the Mohammedans who went from the North-Western Provinces and Oudh, there is not one to whom the word “delegate” can be applied. I know well the condition of my own Province. Not ten Mohammedans came together to elect any one of those Mohammedans who went. In those districts from which they went there were not among the Rases and influential Mohammedans, nor among the middle classes, ten men who knew what the National Congress was, nor who had elected whom. Four days ago, a Mohammedan of liberal views, who went to Madras as a delegate, boasted that his glory lay in this : that the Hindus, and not the Mohammedans, had elected him. Then how inappropriate and absurd to apply the word “delegate” to Mohammedans under such circumstances ? Secondly, I object to the implication that the only condition under which the Congress cannot be termed “national” is if any resolution be carried against the unanimous protest of either the Hindu or the Mohammedan members. The fact of any resolution being carried unanimously does not make the Congress a “national”

*Letter of Syed Ahmed Khan to Badruddin Tyabji showing disinclination to join the Indian National Congress.

one. A Congress can only be called "national" when the ultimate aims and objects of the people of which it is composed are identical. My distinguished friend himself admits that some of the aims and objects of Mohammedans are different from those of Hindus, while some are similar ; and he desires that the Congress should put aside those in which they differ and confine itself to those in which they agree. But under these circumstances how can the Congress be a National Congress ? Moreover, my friend has not pointed out what plan both sides should adopt for accomplishing those aims on which Hindus and Mohammedans differ. Should Mohammedans and Hindus each have their own Congress for their special objects in which they differ from one another ? If so, as their aims are conflicting and contradicting, these two Congresses will go on fighting each other to the death ; but when they meet in that Congress which my friends call the National Congress, they will then say : "No doubt you are my nation ; no doubt you are my brother ; no doubt your aims and my aims are one. How do you do, my brother ? Now we are united on one point."

I ask my friends honestly to say whether out of two such nations whose aims and objects are different, but who happen to agree in some small points, a "National" Congress can be created ? No. In the name of God—No. I thank my friend for inducing the twelve Standing Committees to sanction the rule "that any subject to which the Mussalman delegates object, un-animously or nearly un-animously, must be excluded from all discussion in the Congress." But I again object to the word "delegate", and would suggest that instead of that word be substituted "Mussalman taking part in the Congress." But is this principle which he has laid down in his letter and on which he acted when President, be fully carried out, I wonder what there will be left for the Congress to discuss Those questions on which Hindus and Mohammedans can unite, and on which they ought to unite, and concerning which it is my earnest desire that they should unite, are social questions. We are both desirous that peace should reign in the country, that we two nations should live in a brotherly manner, that we should help and sympathise with one another, that we should bring pressure to bear, each on his own people, to prevent the arising of

religious quarrels, that we should improve our social condition, and that we should try to remove that animosity which is every day increasing between the two communities. The questions on which we can agree are purely social. If the Congress had been made for these objects, then I would myself have been its President, and relieved my friend from the troubles which he incurred. But the Congress is a political Congress, and there is no one of its fundamental principles, and especially that one for which it was in reality founded, to which Mohammedans are not opposed.

We may be right or we may be wrong ; but there is no Mohammedan, from the shoemaker to the Rais who would like that the ring of slavery should be put on us by that other nation with whom we live. Although in the present time we have fallen to a very low position, and there is every probability we shall sink daily lower (especially when even our friend Badruddin Tyabji thinks it an honour to be President of the Congress), and certainly we shall be contented with our destiny, yet we cannot consent to work for our own fall. I ask my friend Badruddin Tyabji to leave aside those insignificant points in the proposals of the Congress in which Hindus and Mohammedans agree (for there are no things in the world which have no points in common—there are many things in common between a man and a pig), and to tell me what fundamental political principles of the Congress are not opposed to the interests of Mohammedans. The first is that members of the Viceroy's Council should be chosen by election, on which stress was laid in the recent Congress of Madras, over which our friend Badruddin Tyabji presided. I proved in my Lucknow Speech that whatever system of election be adopted, there will be four times as many Hindus as Mohammedans, and all their demands will be gratified, and the power of legislation over the whole country will be in the hands of Bengalis or of Hindus of the Bengali type, and the Mohammedans will fall into a condition of utmost degradation. Many people have heaped curses and abuses on me on account of my Lucknow Speech ; but on one, one even my friend Badruddin Tyabji, has answered it. Whether the Bengali demands be right or wrong, I do not like to see my nation fall into this degraded condition ; and at any

rate I do not wish to join in proposals which will have this result. If I were not afraid of making this letter too long, I would discuss all the principles of the Congress in detail, and point out that they are all opposed to the interests of Mohammedans, and would bring them loss. But I will state briefly that as a general rule all political questions which can be discussed are dangerous and prejudicial to the interests of Mohammedans, and that they should take part in no political Congress. Leaving this aside, it is not expedient that Mohammedans should take part in proceedings like that of the Congress, which holds meetings in various places in which people accuse Government before crowds of common men of withholding their rights from her subjects, and the result of which can only be that ignorant and foolish men will believe Government to be tyrannical or at least unjust. They will suffer greater misfortunes from doing so than the Hindus and the Bengalis. What took place in the Mutiny? The Hindus began it; the Mohammedans with their eager disposition rushed into it. The Hindus having bathed in the Ganges became as they were before. But the Mohammedans and all their noble families were ruined. This is the result which will befall Mohammedans from taking part in political agitation.

In America first this kind of political agitation began. By degrees the minds of men grew more excited. The last words which came from their mouths were "no taxation without representation". Let those people who have the strength to say and act on these words join the Congress and the political agitation. If they join it without this strength, it is but the clapping of impotent hands. We have not that strength. The Bengalis and those obscure Mohammedans who joined it at Madras may possess such strength. For them it may be a blessing; but the participation in it by our nation would be for us a curse.

RULES OF THE INDIAN PATRIOTIC ASSOCIATION*

(1) This Association shall be called "The Indian Patriotic Association."

*Formed by Syed Ahmed Khan in August, 1888.

(2) Its objects shall be :—

(a) To publish and circulate pamphlets and other papers for information of members of Parliament, English Journals, and the people of Great Britain, in which those misstatements will be pointed out by which the supporters of the Indian National Congress have wrongfully attempted to convince the English people that all the nations of India and the Indian Chiefs and Rulers agree with the aims and objects of the National Congress.

(b) To inform members of Parliament and the newspapers of Great Britain and its people by the same means of the opinions of Mohammedans in general, of the Islamia Anjumans, and of those Hindus, and their Societies, which are opposed to the objects of the National Congress.

(c) To strive to preserve peace in India ; and to strengthen the British rule ; and to remove those bad feelings from the hearts of the Indian people, which the supporters of the Congress are stirring up throughout the country ; and by which great dissatisfaction is being raised among the people against the British Government.

(3) Indian Chiefs and Rulers who sympathise with the objects of the Association will be requested to become Patrons of the Association.

(4) Subject to Rule

(5) any person of whatever race or creed, agreeing with the objects of the Association, may become a member of the Association, on payment in advance of an annual subscription of from Rs. 12 to Rs. 60 according to the wish of the subscriber.

(6) No person who is a paid Government servant can become a member of the Association.

(7) Donations will be accepted from members and others anxious to help the work of the Association. The names of

donors who are not members will be published in a separate list.

(8) The names of Islamia Anjumans and Hindu Societies which may have expressed their sympathy with the objects of the Association will be published in a separate list.

(9) The list containing the names of members, donors and Anjumans sympathising with the Association will be sent with every pamphlet to England for circulation.

(10) Members who have subscribed at the rate of Rs. 60 per annum will be supplied free of cost with copies of all pamphlets which may be printed by the Association for circulation in England. Other persons may purchase such pamphlets.

(11) An Annual Report of the work of the Association including an account of income and expenditure will be sent free of cost to all members and the above-mentioned Societies.

(12) A European gentleman will be appointed as an Editor to assist in the preparation and publication of pamphlets.

(13) The contents of the pamphlets published shall be as follows :

(a) Articles and news selected from Indian papers sympathising with the Association and translation from Vernacular papers.

(b) The Resolutions and opinions of Meetings of Mohammedians and Hindus which may have expressed sympathy with the objects of the Association.

(c) Articles, lectures, and essays by members and non-members in support of the objects of the Association. The names of the writers will be published, except in cases when the writer does not wish his name to be published and the gentlemen in charge of the preparation of pamphlets agree to its anonymous publication.

(14) Some members of the Association will be selected who, in conjunction with the Editor, will select and sanction the publication of pamphlets etc.

(15) All communications should be addressed to the Hon'ble Sir Syed Ahmed Khan, Bahadur, K.C.S.I., at Aligarh, who will act as Honorary Secretary and Treasurer till further arrangements have been made.

Syed Ahmed Khan
(Honorary Secretary)

The name of the Indian Patriotic Association was changed into the United Indian Patriotic Association.

THE INDIAN PATRIOTIC ASSOCIATION

Which will in future be called

THE UNITED INDIAN PATRIOTIC ASSOCIATION

Inasmuch as men of influence and position among all the nations of India—Sikhs, Hindus and Mohammedans—are opposed to the objects of the supporters of the Indian National Congress, and approve of the Association known as the Indian Patriotic Association, it is therefore considered expedient that its name should be increased by the addition of the word United, in order that it may be evident that this Association has been formed by the united action of members of all the nations of India. Hence this Association will be called in future The United Indian Patriotic Association.

Syed Ahmed Khan
(Secretary)

THE INDIAN NATIONAL CONGRESS

I*

The National Congress, which the Bengalies and some others have made, has been thoroughly discussed throughout India. In Bengal, Behar, Oudh, the North-West Provinces, the Punjab, Bombay and Madras influential and distinguished

*Syed Ahmed Khan's letter to the editor of Pioneer, Allahabad, in opposition to the Indian National Congress after the formation of his United Patriotic Association.

Mohammedans and large general meetings have expressed extreme antagonism to the movement ; and have stated their conviction that the Congress, and its objects, and its methods, by which hatred and hostility to the Government are stirred up in the ignorant masses, are in the highest degree dangerous for the Government, for the country, and for the preservation of peace. Influential and distinguished Hindu gentlemen of these Provinces have expressed their agreement with Mohammedans in these views. In Oudh the men of real influence, the Talukars, both Hindu and Mohammedan, have united in refusing to join the movement, and in stating their opposition to its objects. His Highness the Maharaja of Benares. Maharaja of the most sacred city of the Hindu, has, in a large meeting attended by all the most respectable Hindu gentlemen of that town, expressed thorough-going and uncompromising hostility to the Congress. There have recently been two large meetings of Mohammedans in Bombay. In one of them His Highness Agha Akbar Shah was president. The other was held at the house of Mr. Mahomed Ali Rogay. Both of them passed resolutions condemning the Congress and declining to join it.

Besides these reasons of general nature the most thoughtful and influential Mohammedans have stated their belief that the proposals of the Congress would be extremely prejudicial to the interests of Mohammedans, not only in their present conditions, but also in the future, however much their education might have advanced ; and that these proposals would seriously endanger the preservation of order. If the measures of the Congress be carried into effect the disturbances of the peace will be so great that it is impossible to prophesy its extent. It will be no wonder if such events occur as the imagination cannot picture. What surprise if the Government of India be obliged to substitute a military for a civil administration ?

In India all people—the officials and the public—are well aware of the opposition that has been raised by Hindus and Mohammedans to the Congress. But the supporters of the Congress are trying by wrong means to create a false impression in England that the whole of the people of India, Hindu and Mohammedan, are in its favour. Hence it is necessary for us to

inform the people of England that the Mohammedans and many influential and powerful Hindus are opposed to it. It is therefore desirable that an association be formed of those Hindus and Mohammedans who are opposed to the Congress. Every member of this association, which will be called The Indian Patriotic Association, should pay a subscription of five rupees per month, and a request will also be made for donations from those who are inclined further to help the movement. But those who would consider so much subscription too heavy can pay at least one rupee per month or rupees twelve for one year in advance.

The business of this association will be to inform the people of England of the real condition of India by printing pamphlets from time to time. Several thousand copies of each pamphlet will be sent to London to be distributed among members of Parliament, editors of newspapers, etc., and will be circulated by means of an agency, arrangements for which have already been made. If besides Hindus and Mohammedans, any Englishmen wish to join the association, we shall be extremely grateful to them for their assistance. But no Government servants, whether Hindu, Mohammedan or English, can be accepted as a member of the association. Those gentlemen who wish to join this association should send their names either to Munshi Intiaz Ali, or Munshi Nawal Kishore, C.I.E., at Lucknow, to Raja Shiva Prasad, C.I.E., at Benares, to Syed Zahur Hussein, Pleader, High Court, at Allahabad, to Mr. Theodore Beck or the undersigned at Aligarh. A list of names, with subscriptions and denations, will be published.

Aligarh

Syed Ahmed

8th August, 1888

II*

Sir,

I have seen the correspondence between Sir Auckland Colvin and Mr. Hume that appeared in your issue of yesterday

*Syed Ahmed Khan's letter to the editor of *Pioneer* that appeared on 10 November, 1888.

and beg you to find place for the following. After a reference to the shameful rumours current respecting Sir Auckland which are chiefly the invention of the Congresswallas : Mr. Hume adds the following sentence :

"I am sorry to say that these have been promulgated not only by men like Sir Syed Ahmad who told all his friends that one of his ridiculously violent speeches had been made at your suggestion—but also by responsible European officials, who really cannot, it seems to me, have believed all they told people." This statement of Mr. Hume is entirely and utterly false. I am at a loss to conceive how English gentlemen have adopted those qualities which Lord Macaulay has so eloquently described as characteristic of the Bengali. Two years ago, when there was no expectation that Sir Auckland Colvin would succeed to the Lieutenant-Governorship of these provinces, Mr. Hume wrote to me on the Congress question and I unmistakably stated in reply that I was opposed to it. After Mr. Hume had given his evidence before the Public Service Commission I went up to shake hands with him, but he hesitated and drew back, upon which I remarked to him that difference of opinion on public matters should not be allowed to interfere with personal friendship. Therefore Mr. Hume is well aware that whatever I do in this matter, I do acting upon the admonition of my own heart. I am convinced that the Congress agitation will imperil the peace of the country at large and will be specially detrimental to the interests of the Mohammedan community.

That the Government will show special favour to those who oppose the Congress party is too ridiculous an opinion to be entertained by any man in his right sense, and if any one has joined the opposition with that end in view that man, I do not hesitate to say, is a mean, contemptible wretch. Our desire to see the British Government firmly established in India is based upon our conviction that its strength and continuance are essential to the peace and well-being of the country, and the support we accord to our present rulers is entirely the outcome of our love for our own fellow countrymen.

I assure Mr. Hume that, even if I heard that Sir Auckland Colvin, Lord Dufferin, the Secretary of State for India and the whole House of Commons had declared in favour of the Congress I should remain as firmly opposed to it as ever, and I earnestly beg all the Mohammedans of India to be constant and determined in their opposition, for it is my deliberate belief that should the resolution of National Congress be carried into effect, it would be impossible for British Government to preserve peace in India or control in any degree the violence of civil wars that would ensue. The resolution of the Congress on the subject of Arms Act would, of course, be of great assistance at such a crisis.

A European gentleman asked me: "Should matters ever come to this pass, what will you do?" I at once answered, "If I live to see that day I will myself become a leader in the war."

I am grieved that Mr. Hume should have thought me capable of such ideas—ideas which he would hardly attribute to the meanest and guiltiest of mankind. I can only account for it by remembering that he is also an old man, and that through his close intimacy with Bengalis his method of thought may well have been distorted into this most un-English character.

Aligarh
8th November, 1888.

Syed Ahmad

A LETTER TO THE EDITOR*

Sir,

I see in your issue of to-day that one or two inaccuracies have appeared in your account of the meeting held on November 22nd at Lucknow by the Taluquaders of Oudh against

*The letter about the United Indian Patriotic Association appeared in the *Pioneer*, 26th November 1888.

the National Congress. The name of the United Indian Patriotic Association has not been changed, nor has the Association undertaken the task of addressing the petition you quote to Government. The circumstances of the case are as follows :

The United Indian Patriotic Association, which was founded by me in consultation with other well-wishers of the country, and the list of whose members I will soon send you, contains both Hindus and Mohammedans. But some Hindu friends complained to me that I did not ask the advice of Hindu gentlemen opposed to the Congress regards the foundation and rules of the Association, and said that they were on this account angry with me I said that I would do everything I could to remove their cause of complaint. I then received a written notice signed by Munshi Newal Kishore, C.I.E. to the following effect :

“The Association of the Taluqadars of Oudh, containing both Hindus and Mohammedans, has decided to hold a general meeting in the month of October. Gentlemen who are not taluqadars are invited by the Association to be present. The following matters of importance will be transacted : (1) The Rules of the United Indian Patriotic Association will be brought forward and confirmed by the meeting, consisting of both Hindus and Mohammedans, and if any alteration or addition should seem expedient, it will be proposed, or if need be the whole will be revised. (2) It will be settled what business the Association should undertake. Each kind of work will be separately arranged for, a Special Committee and Secretary being appointed for each.”

I agreed to this, and I was present at the meeting held on November 22nd. But contrary to the notice Raja Shiva Prasad Bahadur, C.S.I., proposed that a permanent central association be established at Lucknow with H.H. the Maharaja of Benares as President ; and that the name “Indian Loyal Association” be given it. As it is my opinion that the more anti-Congress associations be formed, whether Hindu or Mohammedan, the better, I had no fault to find, and I gladly entered my name as

member of the Association, and Raja Sahib in his kindness, and in spite of our objection, made me and the Raja of Bhinga Honorary Secretaries of his Association. Raja Sahib then made two proposals, which we hoped all would agree to, and which he desired to be ratified by the meeting, viz. (1) That the United Indian Patriotic Association be made a branch of the new Loyal Association, and that its name be changed into "Branch of the Indian Loyal Association," Inasmuch as this proposal was entirely opposed to the notice sent to me I did not agree to it, nor could I agree to it without the permission of the members of the Association.

(2) Raja Sahib had with him a petition addressed to Government, which was signed by the Maharaja of Benares and other people, and which I did not see, on the strength of which he wished a resolution to be brought forward by himself and passed by the meeting, viz. "That a petition be presented to Government to add certain sections to the Criminal Code for the suppression of seditious writings and lecturing in the vernacular, and that this meeting is of opinion that man like Bhimji and others who are travelling about and making seditious speeches and spreading seditious writings in the vernacular should be stopped by law, and that the Lucknow Committee take charge of the matter." These two resolutions were shown to be before the meeting. I told the people who showed them to me that I did not agree with them. I do not believe the Bengalis to be really disloyal to the Government, although they have adopted extremely bad methods as regards public affairs. I have no animosity against the Congresswalas that I should undertake the work of trying to have them arrested by the criminal courts. Their opinions and ours are different. We believe that what they want is very harmful for Mohammedans, for Rajputs, for the other nations of the Hindus, and specially for the peace of the country. For this reason we are opposed to them. If their proceedings are likely to cause disturbances in the country (and in my opinion there is without doubt great danger of this), then it is a matter for Government itself to deal with. There is no need for us to petition Government about it. Let Government do what it

thinks fit. I told these people clearly that if these resolutions be brought forward, either I would not join the meeting or if I joined I would strenuously oppose them. I believed that these two resolutions would not be brought forward in the meeting. But when I went to the meeting I found that Raja Sahib had written both these resolutions and put them on the table. I thank God that affairs took such a turn, as your correspondent informed you, that no regular proceedings could take place, except that members of the new Association were appointed, that a resolution was passed that the meeting was opposed to the National Congress, and that if any person, Hindu or Mohammedan, from the North-West Provinces and Oudh, joined the Allahabad Congress he could not be regarded as a representative of the Provinces. I joined with the rest of the meeting in supporting this resolution, and it was passed. I have so much business in hand that it is impossible for me to undertake the work of being Secretary of this new Association. On this account I thanked them for the honour they did me in choosing me as Secretary but declined the position. Our United Indian Patriotic Association, composed of Hindus and Mohammedans, remains on exactly the same footing as formerly. We shall receive with great pleasure the names of all Hindu friends who like to join us, and the Association will continue to work in the same way as it has hitherto done.

Aligarh
24th November, 1888

Yours faithfully,
Syed Ahmad

THE SULTAN, THE CALIPHATE AND THE LAW OF JEHAD*

Sir,

I have read a letter of "TRUTH" in your paper of to-day's date on "The Sultan and the Caliphate", and take this opportunity to offer a few remarks on that letter in the hope that you will oblige me by giving them a small space in your valuable paper to remove the misapprehension which has

*Reply of Syed Ahmed Khan that appeared in *The Pioneer*, 28th September 1897.

occurred to your correspondent. He says *inter alia* that 'it cannot be denied that in the event of a war between Mohammedans and non-Mohammedans the former are religiously bound to side with their co-religionists. Consequently regardless of the question whether the Sultan of Turkey is or is not the Caliph, the Mohammedans inhabiting any part of the globe must take part with the Sultan, provided he chooses to wage war with any people not being the followers of the Prophet.' Again he observes that 'under the Mohammedan law no Mohammedan can be hanged for the murder of a non-Mohammedan.'

I am at a loss to know why those who are unacquainted with the principles of Mohammedan religion take part in discussing them. It seems to me that your correspondent "TRUTH" has but very little knowledge of the principle of the Mohammedan faith. The true and sound principle of the faith of Islam is that those Mohammedans who live under the protection of a non-Mohammedan sovereign as his subjects are not allowed by their religion to intrigue or to spread rebellion at any time against him. Further in the event of a war between non-Mohammedan and Mohammedan sovereigns, the Mohammedan subjects living under the protection of the former are strictly prohibited by their religion to side with the latter or to assist him in any way.

As regards the observation made by 'TRUTH' that "under the Mohammedan law no Mohammedan can be hanged for the murder of a non-Mohammedan" I may be allowed to say that it is far from being correct. If Mohammedans and non-Mohammedans living as subjects of a non-Mohammedan Government happen to commit a crime of murder, their case will be dealt with according to the law common to both prescribed by that Government, and as such will be disposed of by the tribunal appointed by that Government. And if Mohammedans and non-Mohammedans happen to reside in one country and are governed by a Mohammedan sovereign, then the non-Mohammedan subjects are called *Zimmis*. A Mohammedan will in such circumstances have to undergo the penalty of retaliation for the murder of a *Zimmi* according to

Mohammedan law. Moreover, it should be borne in mind that the wars of the present day, though they are waged between Mohammedans themselves or between non-Mohammedans, or between Mohammadans and non-Mohammedans, cannot be taken as the wars of religion or crusades, because they are not undertaken with religious motives; but they are entirely based upon political matters and have nothing to do with Islamic or religious wars.

Aligarh

Syed Ahmed Khan

25th September, 1897

ON THE CALIPHATE

The blessed person of the Prophet of God (the blessing and peace of God be with him) was endowed with three attributes :

(i) The Prophecy *i.e.* the commandments of God were revealed to him.

(ii) The Communication *i.e.* he communicated or announced to the people what was revealed to him.

(iii) Government of the country, *i.e.*, he ruled the country, enforced the revealed commandments and looked after their proper observance, protected the people of the country and repulsed the enemy by force.

The first of these attributes being a characteristic of the Prophet ended at his death, and no one ever was or is or can be his caliph or deputy, in this particular.

In the second attribute, all the Mohammedan lawyers, and learned men and traditionists who inculcate the articles of Mohammedan faith can be regarded as caliphs or deputies of the Prophet and it is for this reason that some commentators of the Holy Koran include in the words "those who are in authority among you" which occur in the verse: "O true believers, obey God, and obey the Apostle and those who are in authority among you" (Koran Chapter IV—v. 59) the

twelve Imams (peace be with them) and the Mohammedan lawyers.

As regards the third attribute those who possess, govern a country and have the power to enforce and keep alive the rules of faith and can through their strength and resources defend the country against its invaders, can be regarded as Caliphs or deputies of the Prophet ; provided that they are gifted with the virtues and manners of the Prophet and follow the dictates of the religion and possess external and internal holiness. And some commentators have also included in the words "those who are in authority among you" Mohammedan generals under whom are large multitudes of people.

It is possible from this point of view that Mohammedan sovereigns of a country may regard themselves as Caliphs : but they are Caliphs or Sultans of that country *alone* which they rule and of those Moslems *only* who are their subjects They are *not* Caliphs or Sultans of that country or those Mohammedans who are neither their subjects nor are governed by them ; because it is necessary for a Caliph that he should be the ruler of the country, able to give orders of punishment and retaliation and to enforce them ; that he should be the defender of the faith and that he should protect the country and its people from their enemies and maintain peace and order within. So that if a Moslem sovereign does not possess such power and cannot exercise such authority in a particular country he cannot be and cannot be called the Caliph over that country or its Mohammedan inhabitants.

In deciding the question whether the Sultan of Turkey is the Caliph or not, some people urge that he is not a Quresh ; while those who think him to be a Caliph do not believe in the correctness of the tradition which requires the Caliph to of be Quresh descent.

Setting aside all these controversies and even taking for granted that the Sultan of Turkey is the Caliph, we say that if he is the Caliph, he is the Caliph only in that country which he governs and for those Mohammedans only who owe him

allegiance ; he is Caliph only in that country in which he can inflict punishments of death or retaliation and maintain the laws of religion ; he is not Caliph in that country over which he does not hold the supreme authority and control ; in which he can neither give orders for death or retaliation, nor can he maintain the faith, nor can he protect its Mohammedan inhabitants. Not fulfilling the conditions necessary for the Caliph cannot be the Caliph over that country or its Mohammedan inhabitants.

We, the Mohammedans of India, are the subject of the British Government under whose protection we live. The Government has given us peace and allowed us all freedom in religious matters. Although our English rulers profess the faith of Christ yet the Government presents no difficulties to a Christian who comes to Mohammedanism, as it does not prevent Mohammedans becoming Christians. The Christian Missionaries have nothing to do with the Government. As they are wandering about preaching their religion so are hundreds of Mohammedans delivering public sermons on Islam. If a Mohammedan becomes a Christian, there is, on the other hand, always some Christian converted to Islam. So that the English Government has given to us Mohammedans who live as subjects under their protection, enough liberties in matters of faith. Over and above that, under the English Government our lives and property are safe and we enjoy all the rights concerning matrimony, divorce, inheritance and wills, gifts and endowments which Mohammedan law allows us, even when Christian Judges have to decide upon them ; because Christian Judges are obliged to decide according to the law of Islam ; so it is our religious duty to remain faithful to and well-wishers of the English Government and not to do or say anything practically or theoretically inconsistent with our loyalty and goodwill to that Government.

We are not the subjects of Sultan Abdul Hameed Khan nor does he possess any authority over us or over our country. He is no doubt a Mohammedan sovereign and consequently we sympathise with him as Mohammedans—happy for his happiness and grieved at his troubles—but he is *not* our Caliph

either according to Mohammedan law or Mohammedan religion. If he has the rights of a Caliph, he has them only in the country and over the people that he is master of.

History also proves that whenever a Mohammedan sovereign assumed the title of Caliph his Caliphate extended only to the extent of his dominions and his subjects. A country beyond the range of his government had nothing to do with his Caliphate, Imamate and Sultanate. Here we give an account of the Caliphs which will show that the authority as Caliph was confined within the boundaries of their possessions.

The Caliph Abu Bakr who succeeded the Prophet after his death did no doubt like to be called the Caliph or deputy of the Prophet. But when he (Abu Bakr) was succeeded by Omar, it was undesirable for the latter to be called the Caliph of the Caliph or deputy of the deputy of the Prophet. So instead of the appellation of Caliph he took the title of *Amir-ul Mominin* or the commander of the faithful. This was the title of Omar, Othman, Ali and of Hasan.

When Imam Hasan relinquished his right to the Caliphate and Muawiah, son of Abu Sufian, took the reins of the Government and made Damascus his capital in 41 Hijra (corresponding with 661 A.D.) he also was called Amir-ul Mominin (commander of the faithful) and so it is known up to this day ; but as the title of Caliph involving the reference of succession to the Prophet was regarded more sacred, the Umayyads took from time to time on their coronation the title of Caliph which in fact meant no more than Sultan.

When Abbasids defeated Umayyads in 137 Hijra (corresponding with 754 A.D.) Suffa became the ruler. Then Al Mansure took Baghdad for Damascus as his capital. All the Abbasids assumed the title of Caliph from time to time. The Umayyad Caliphs remained no longer and after them the Abbasid Caliphs held the sway.

When the Abbasid Caliph Al Muktadir Billah reigned in Baghdad, a Caliphate was established in Africa. In 297 Hijra (corresponding with 909 A.D.) Abdullah Al Mahdi laid the

foundations of a Caliphate in Africa (Qirwan) and in 341 Hijra (corresponding with 952 A.D.) Al Maaz Billah left Qirwan and made his capital in Egypt. Abdullah Al Mahdi and his successors were all Allyites and all assumed the title of Caliph. Now in the Mohammedan world there were two Caliphs, permanent, with power and authority. On the one side there were Abbasid Caliphs of Baghdad and on the other the Allyite Caliphs of Qirwan or Egypt.

In 158 Hijra (corresponding with 755 A.D.) Abdul Rahman Al Dakhil entered Andalusia. For a time his successor did not assume the title of Caliph ; but when in the time of Al Muktedir Billah the Caliph in Baghdad in 300 Hijra (corresponding with 912 A.D.) Abdul Rahman Nasir ascended the throne he took the title of Caliph: His successors who had made Cardova their capital also called themselves Caliphs.

Now, there were in the Mohammedan world three permanent, independent and powerful Caliphs—the Abbasid Caliph in Baghdad, the Allyite Caliph in Egypt and Abdul Rahman Nasir and his successors in Andalusia. Each of these three Caliphs regarded himself the Caliph of the country which was under his control. In the court of each there were Kazis and Muftis & c. who administered Mohammedan law under the orders and directions of their respective Caliphs in their own particular country. In the Court of the Abbasid Caliphs of Baghdad the Hanafi law was followed, and in the Fatimite Government of Egypt the Ismailia law was in force ; while in the courts of the Caliphs of the Umayyad dynasty of Andalusia the Maliki Mohammedan law was acted upon. The Kazis and Muftis regarded the claims to Caliphate of every one of these Caliphs to be lawful within their respective dominions. From these accounts it is clear that Sultan Abdul Hameed Khan is not and cannot be the Caliph for us Mohammedans who are the subjects of the British Government. It is no doubt true that he is the guardian of the two sacred places ; nay he is the guardian of more than two sacred places i.e., of the Holy Kaaba, Madina and of Jerusalem—the last named place being sacred alike for the Jews, the Chritians and the Mohammedans

—but this guardianship has nothing to do with his being a Caliph.

Some people say that it is necessary that the Imam or Caliph in every age be one for the Mohammedans of the whole world and therefore they regard the Sultan of Turkey such a Caliph for the whole Mohammedan world. But they are quite mistaken in holding such a view. Their assertion that for the whole world there should be one Caliph is neither proved from the Holy Koran nor from any tradition. None has ever ruled the whole world and perhaps none will ever rule in future. The Mohammedans inhabit various portions of the globe and when they live in a country where the Sovereign is not a Mohammedan then over those Mohammedans there can be no Mohammedans as their Caliph or the Imam of the time (the word Imam is taken to mean the same thing as the word Caliph). Moreover, their assertion contradicts the teaching of history. We have already stated that there have been three Caliphs living at the same time who have been looked upon as lawful Caliphs by the Kāzis and Muftis then inhabiting their respective territories.

The Mohammedans believe that near the day of judgment when Christ will come down from the heavens and Imam Mahdi will be born or reappear, then the latter will be the Imam of the whole world. Those who will be then living will see what will happen ; but in our opinion neither Christ is going to come down from the heavens nor is Imam Mahdi going to be born or reappear; because none of the traditions concerning this point is genuine but on the contrary many of them are apocryphal.

It has been argued on the authority of some traditions that it is incumbent upon every Mohammedan to know and swear allegiance to the Imam of the age. Though these traditions also are not genuine and trustworthy yet we do not dispute about this matter and supposing them to be genuine we say that it is the duty of every Mohammedan to know the Caliph under whose Government he lives and to swear allegiance to

him. By swearing allegiance we mean to affirm loyalty and faithfulness and every one should obey him whose subject he is. This does not require that even those who do not reside in his dominion as his subjects should own fealty. In short, no Mohammedan sovereign is Caliph for those Mohammedans who do not live in his dominions.

M.A. JINNAH

[Mohammed Ali Jinnah (1875-1948) occupies a unique place in the history of Indian freedom movement in view of the fact that a person known for being a great nationalist and 'an ambassador of Hindu Muslim unity' in the pre-World War I period became the founder of a separate nation-state after the World War II. At the Lahore Congress of 1909, he rabidly denounced the system of communal electorates given to the Muslims under the Morley-Minto Reforms and played a very important role in the making of the Congress-League Concordat at Lucknow in 1916 that was hailed as 'the landmark of Hindu-Muslim unity.' He supported the Home Rule Movement of Mrs. Besant and Tilak and struggled for the defence of the essential freedoms of the people. And he issued his 14 Points in 1929 that became the sheet-anchor of the official ideology of the Muslim League. Once a loyal disciple of Pherozeshah Mehta and Gopal Krishna Gokhale and a trusted companion of Mrs. Annie Besant and Surendranath Banerjea, he became a follower of Syed Ahmed Khan and Muhammed Iqbal by subscribing to the way of Muslim exclusivism and separatism. Surprisingly, a staunch advocate of the line of sane and loyal nationalism became the architect of two-nation theory. However, in this study we have kept our attention confined to his role as a loyal nationalist unflinchingly committed to the cause of enlightened secularism, liberal democracy and support for self-government within the Empire or 'Dominion Status'.]

INDIA AND BRITISH RULE*

Brother Delegates, Ladies and Gentlemen,

*Presidential address delivered at the Bombay Provincial Conference held at Ahmedabad in October, 1916.

I need hardly say that in calling me to preside over the deliberations of the 16th Bombay Provincial Conference, you have conferred upon me the greatest honour that is within the gift of the people of this Presidency. I do not know why your choice has fallen upon me, but when the call came, I considered it my duty as a servant of the cause, to obey it and I am here today amongst you. I most sincerely thank you for the honourable position to which you have raised me today and I shall try to do my duty as a President and I have no doubt that I shall have your entire support and co-operation in carrying out those duties during our deliberations.

This is the first time after many years since the unfortunate differences arose in Surat, that the United Provincial Conference has met and the responsibility—the peculiar responsibility—therefore, rests on me and all of you correctly to voice the public opinion of the country and the Presidency.

Since the last meeting of the Provincial Conference at Poona we have—nay, the Empire has—lost one of its greatest soldiers, Lord Kitchener and in Sir Pherozeshah Mehta one of its greatest politicians and statesmen.

We deeply mourn the great loss of such men especially at this juncture of stress and great crisis through which India and the whole Empire is passing.

In Sir Chimunbhai Madhawalal to our great sorrow we have lost a captain of Industry and Commerce for which Ahmedabad is so famous. He was a great philanthropist and patron of learning and education.

In Mr. Daji Abaji Khare, I say with the deepest sorrow, we have lost a man of sturdy independence and a quiet but devoted worker for the cause of India. He rendered great and continuous valuable services to the Indian National Congress from its early days of storm and difficulties.

In Mr. Govindrao Appaji Patel, I regret to say we have lost a zealous and devoted worker in the public cause in the Province of Gujrat. May the soul of those great and devoted

men who worked for the Empire and public cause rest in peace. And let us pray that we may soon have other such servants who may take their places and keep up their great traditions and follow their noble examples and maintain the prestige and a great name of this mighty Empire.

Two questions above all are uppermost in our thoughts and engrossing our mind at the present moment. The War and what is going to happen after the successful termination of this titanic struggle that has overshadowed the entire civilized world. India has stood faithfully and loyal to the British Empire from the very commencement, she has poured out her treasure and shed the blood of some of her noblest sons on the battlefields of Flanders, Africa, Egypt and Mesopotamia for the defence of the Empire. It may be said once for all that the people of India are proud to be a part of the British Empire and that their loyalty is as true and firm as that of any other Britisher in any part of the Empire, not excluding Great Britain and there is no doubt that India will to the end stand faithfully by the British Empire. But she wishes no longer to continue as the subject race, or to put in the words of Lord Hardinge 'the trusty dependent,' but claims to be an equal partner with the other members of the Empire.

It is a matter of great rejoicing that the enemy has failed in his efforts at Verdun. The gallant and noble defence of Verdun by the French people has won the admiration of the world : with this signal failure on the part of the enemy, the advent of Roumania and the mighty army that England has raised with ample munition, has enabled the Allies successfully to take the offensive in the West. The initiative is no longer with the enemy and the tide has turned, and let us hope that it will not be long before the arms of the Allies are finally successful, and this great war ends in complete defeat of the brutal and aggressive Prussian Militarism.

We have met here today to consider the position of our country and the Province. There are many questions and problems which require our most earnest and serious consideration. We have met to discuss those questions and exchange

our views regarding those problems. Naturally on taking a general survey of the situation, one has to face the questions :—What progress have we made within the past, half a century? What is our present position? What is to be our future? What steps should be taken to remove the difficulties in our way? What measures should be adopted to further the progress of our country and to attain as soon as possible our most cherished goals, namely, Self-Government under the 'aegis' of the British Crown and the Provincial Autonomy foreshadowed in the Delhi Despatch of Government of India dated 25th August, 1911? It is said that there is peace and security in the country. It is said there is prosperity in the country, although two of the greatest sons of India—Mr. Dadabhoy Naoroji and Mr. Romesh Chandra Dutt—the latter with his great administrative experience of India—do not agree with the statement that there is real prosperity in the country; it is said that the administration of the country is most efficient and the Collectors and the Commissioners are devoted to their duties and to the Districts where they work and that they have the interests and the welfare of the Ryots at their heart, it is said that the British Navy are protecting our lives and property, our hearths and homes are quite secure and safe. It is said that all is going well—everything is managed properly on behalf of the people by the Civil Service. Assuming all this to be correct and granting that there is peace, prosperity and efficient administration entirely in the hands of the Civil Servants, is that any reason that the control, the management and the administration of the affairs of our country should for ever be continued as a monopoly in the hands of a bureaucratic Government? Is it any argument to say that since the Bureaucracy have under certain conditions managed the affairs of the country well for half a century and more, that therefore, they should be given a permanent monopoly—no matter what the changed conditions are and how much those conditions may have altered? Is that any reason why the Commissioned ranks in the Military and Naval Services should be closed to the sons of India? Is that any reason for denying to Indians the right to join the Volunteer Corps and for continuing the application of the Arms Act?

Parliament and India

The first question that arises is whether this system of administration conducted by the Civil Servants, who are neither the control of or responsible to the people who pay their salaries, can any longer continue. It is said that they are responsible to the Secretary of State for India and that the Secretary of State for India in his turn is responsible to Parliament. I will only quote from one of the leading Journals in England, the Manchester Guardian what appeared in its columns recently with regard to the responsibility of Parliament in matters affecting India :—

“A new Viceroy and a new Secretary of State are in office. From the date of Lord Morley’s translation seven years ago to that of Mr. Austen Chamberlain’s acceptance of India Office last summer, Indian questions in the commons have been dealt with by the Under-Secretary, and it is surely an anomaly and sometimes of a scandal that not once since his appointment, has the house had an opportunity of hearing from Mr. Chamberlain a full statement upon the condition of India or an exposition of his policy. And yet as the whole Empire realises, the position of India in the Imperial system is deeply affected by the movement of events as it will be by every measure of after-War policy that may be decided by England and her Allies. Moreover, the internal life of India today is undergoing changes more rapid than any hitherto known and the Government by deciding upon the publication of the Royal Commission’s Report on the Public Services, has acknowledged the wisdom and necessity of discussion upon proposals for administrative reform. It is high time that Parliament began to take the affairs of India seriously and that the official myth that India wants nothing but to be let alone were exploded. If Parliament is to ignore the vast responsibility of the Government of this mighty dependency, what is the use of a Parliament which calls itself Imperial ?”

Ladies and Gentlemen, is it not an anomaly that the domestic affairs of a country with a population of three hundred millions and more should practically be under the control and the management of (as it is often said by ministers and writers) an alien bureaucracy, not responsible to the people of the country, under no control of the people who pay taxation, but only accountable to the Secretary of State for India, who himself has never been to India, and his Council, which again is composed mostly of retired Civil Servants sitting seven thousand miles away from India ; and the Secretary of State is again in his turn theoretically responsible to Parliament for his stewardship, though in practice, hardly ever is his stewardship called to account or critically investigated by Parliament ? Lord Courtney deprecated the position of the Secretary of State in the following words :—

“The Secretary of State is a member of the Cabinet, which must possess the confidence of the House of Commons. In the end, the National Will must have its way here as elsewhere ; but checks and obstacles are interposed which, perhaps, insensibly moderate its force. No part of the expense involved in the Government of India comes before the House of Commons in Committee Supply. The salary of the Colonial Secretary is voted by Parliament and there is thus a possibility of annually reviewing his policy in the full activity of the Parliamentary Sessions. The salary of the Indian Secretary of State is paid by India and never comes before the House of Commons. At the end of the Session, generally after the Appropriation Bill is read a second time, the Indian Budget is submitted ; and this consists of the review of the financial situation in India, followed by, after a desultory discussion, a resolution simply affirming that the Indian accounts show certain totals of Income and Expenditure ; it may be doubted whether this does not betray too great a jealousy of the House of Commons. If the salary of the Indian Secretary of State were submitted like the Colonial Secretary's to a vote, the opportunity for a real debate would be given, which experience suggests, would be used rather than abused.”

But I go further : Is it possible or natural as a rule for members of Parliament to grasp or grapple with questions affecting the internal administration and progress of India ? When it was found that was not possible in the case of Australia, Canada and South Africa, with few millions of population, would it not be miraculous if they continued to manage successfully the affairs of India by Parliament sitting in London ? Having regard to the rapidly growing wants and demands of the people and the tremendous progress and changes that India is going through every few years, is it possible to govern India from Whitehall or Downing Street ? To those who know India and understand India, it is clear that she no longer will merely obey ? But wants to manage her own affairs. Peace, prosperity and security which satisfied her a decade ago are no longer enough. The Soul of Young India has been roused and it yearns for Political Freedom. However well our physical and material wants may be provided for, that is not sufficient. India wants to raise herself to a status which will command the respect of the Nations of the world for her and which will be befitting her National honour and self-respect. It is not now a question of a few posts, it is no longer a question of a few grievances or reform of internal matters of administration ; it is a question of complete change of policy. The question at issue is not merely of details but it relates to the fundamental structure of the Government and we require a statesman to deal with the present situation and refashion and reconstruct the constitution of the Government of India. It is said that there is dissatisfaction in the Country, it is said a political agitation is kept up which is embarrassing to the Government, it is said that the Home Rule League movement is not desirable, but what is the cause of it all ? Surely, those are not merely the signs of an excessive imagination as explained by some people for want of better knowledge. It is quite clear that this is due to the awakened political consciousness of the people, who demand a new polity and resent—and rightly resent—the differential treatment which is meted out to them socially, commercially and politically. It is a mistake to construe this resentment as a mark of disloyalty. It will be wisdom to root out the fundamental cause of dissatisfaction and discontent.

A New Spirit

A new spirit is abroad. It is young India, who, to put it in the words of Lord Morley, 'leave our Universities intoxicated with the ideas of freedom, nationality and self-Government,' have to be satisfied. It will be cold comfort to them to say that free institutions are the special privilege of the West. In order to meet the present situation, in my humble opinion, the Members of the Indian Civil Service must now realise that, as the Government of India from autocracy was transferred to bureaucracy, so the time has come when from bureaucracy it must tend towards democracy. They have wielded the sceptre of supreme control for a long time and their dominion in India has not been without its benefits to the Country. But the time has come, when however unwilling and naturally unwilling—they must part with their supreme control and dominion. Amongst the many benefits that have been conferred upon India by British Rule, perhaps the greatest of boons, albeit, and indirect one which India has received at the hands of the English people, has been the birth of a genuine spirit of patriotism. To put it in the words of a member of the Civil Service, who has given much thought to the problem of bureaucratic Government, 'it is the patriotism which seeks its ideals, not in military glory or the apotheosis of a king, but in the advancement of the people. Informed by this spirit and strong in the material benefits flowing from British Rule, India now knocks at the portal of democracy. Bureaucracy has served its purpose. Though the Indian Civil Service were manned by angels from heaven, the incurable defects of a bureaucratic Government must pervert their best intentions and make them foes of political progress. It must now stand aside and in the interest of the country it has served so long and so truly, make over the dominion to other hands not in dishonour, but in honour, proudly as ship-builders who deliver to seamen the completed ship, may they yield up the direction of India.' This will require self-abnegation, self-sacrifice—not for their own nation but for India, for humanity. It will require sympathy and understanding such as no nation has ever felt for a foreign people. Will the Civil Service rise to this supreme duty that they owe to the three hundred millions of people of this

Country? Let me quote the words of His Excellency Lord Hardinge from his speech at the United Service Club which he addressed to a large number of representative officials: he said:—

“England has instilled into this Country the culture and civilization of the West with all its ideals of liberty and self-respect. It is not enough for her now to consider only the material outlook of India. It is necessary for Her to cherish the aspirations of which She has herself sown the seed and English Officials are gradually awakening to the fact that high as were the aims and remarkable the achievements of their predecessors, a still nobler task lies before them in the present and the future, guiding the uncertain and faltering steps of Indian development along sure and safe paths. The new role of guide, philosopher and friend is opening before you and it is worthy of your greatest efforts. It requires in you gifts of imagination and sympathy and imposes upon you self-sacrifice, for it means that slowly, but surely you must divest yourselves of some of the powers you have hitherto wielded.”

It is universally recognised that if you deprive a nation of all share in its own Government, in the forging of its destiny, you emasculate its energies, undermine its character and sear, as if with a hot iron, its self-respect. In the sphere of intellect such a Government spells not progress, but decay.

Provincial Government

This now brings me to the question as to what should be done. This being a Provincial Conference, I will now confine myself only to the Provincial Government. The first principle that is to be observed is the principle of devolution and decentralization. But this, as I understand implies that the ultimate control of the Imperial authority in Legislative as well as in Executive matters, is kept intact and in reserve to be used whenever necessary. And a better illustration of this principle cannot be found than in the Home Rule Bill which was passed by the House of Commons conferring self-Government on

Ireland. Prof. Morgan in an authoritative exposition of the New Irish Constitution points out that 'the Bill is quite outside the category of Federalism in that, while it proposes a delegation of authority both in Legislative and Executive, there is none of the distribution of Sovereignty which is a distinguishing characteristic of a Federation. The Executive power in Ireland will continue vested in His Majesty. The Legislative authority will be subject to an Imperial veto and to the supremacy of the Imperial Parliament with its powers of concurrent Legislation and the Irish Courts will be subject to the Appellate Jurisdiction of an Imperial Court.' In other words, the Imperial power will be supreme in the Executive, the Legislative and the Judicial sphere. The position of the Executive and Legislative authorities in India is quite similar and although the element of self-Government in every one of them is more or less non-existent, the legal relation between the Imperial and Provincial Government is based on the same principle. The Provincial Council is supposed to have a non-official majority. The non-official representatives are divided into elected members, nominated members, that is to say, nominated by Government and European representatives. In measures affecting the people in which Europeans are not directly concerned, they support the Government. Nominated members, being nominees of Government, are naturally inclined to take the side of Government. Past experience has shown that this has actually happened on various occasions. The non-official majority, therefore, in the Provincial Council is illusory and gives no real power to the representatives of the people. The Provincial Council at the present moment is nothing but an advisory body without possessing any power or effective control over the Government. The people or their representatives are as little associated with the real Government of the Province as they were before the Reforms of 1909 except for the introduction of one Indian member in the Executive Council of His Excellency the Governor, where again the nomination rests entirely with the Government, the people having no voice in the selection of the Indian member. The object, which the Government had in view in introducing the Reforms of 1909, as expressed by the Prime Minister in his speech in the House of Commons on the

second reading of the India Council Bill (April 1st, 1909), 'that it was desirable in the circumstances to give to people of India a feeling that these Legislative Councils are not mere automatons the wires of which are pulled by the official hierarchy,' it is quite clear, has not been attained.

Form of Administration

In order to give the people of the Province the real and effective voice in the Government of the Province for which they are ripe the following brief outline may be indicated as to the form of administration that should be set up in our Province :

1. The Province should have a Governor appointed from England at the head of the administration.
2. A Cabinet or Executive Council of six members, three of whom should be Indians, with the following portfolios :—
 - (a) Provincial (including Law and Justice similar to Home Member).
 - (b) Finance.
 - (c) Agriculture, Irrigation and Public Works.
 - (d) Education.
 - (e) Local Self-Government (including Sanitation and Medical Relief)
 - (f) Industries and Commerce.

While Members of the Indian Civil Service should still be eligible for appointment to the Executive Council, no places in the Council should be reserved for them as at present under the Statute, which makes it obligatory that a certain number of the Members of the Executive Council should be appointed from Public Services.

The best men available should be appointed, whether English or Indian

3. A substantial majority in the Council should be of elected members returned by different constituencies

and interests. Muhammadans and Hindus, wherever they are in a minority, should have proper, adequate and effective representation, having regard to their numerical strength and position. There should be no nominated non-official member except as expert.

4. The Council should have the power to pass all Provincial legislation and determine Provincial taxation. All Resolutions in connection with the Budget as also on questions of general administration should take effect unless vetoed by the Government. More frequent meetings and longer continuous sittings will also have to be provided for. But the members of the Executive Government shall not depend individually or collectively in the support of a majority of the Council for holding their offices. The Provincial Government, reconstituted and working under the control of the Legislative Council, should have complete charge of the internal administration of the Province. It should have independent financial powers and the present financial relationship between the Provincial Government and the Government of India should be largely revised or, if necessary, reversed. The Provincial Government should be required to make an annual contribution to the Government of India, fixed for a definite period. Subject to this arrangement the Imperial and Provincial Government should develop their separate system of finance, the Provincial Government being given powers of taxation and borrowing within certain limits.

No scheme of Provincial autonomy can be complete without the corresponding changes of a liberalising character being introduced into the District and Municipal administration.

It is always a difficult task to lay down any cut and dried scheme in a Presidential address, but here again I shall venture to make a few suggestion affecting the fundamental principles that underlie local self-Government in India and here I would quote from no less an authority than Lord Morley's Reform

Despatch dated 27th November, 1909. It says : 'The principles that should inspire and regulate measures with this aim can hardly be laid down in sounder or clearer terms than in the Resolution published by the Government of India on the 18th May, 1882. I do not know where to look for a better expression of the views that should govern our policy under this important head.'

This Resolution although passed as far back as 1882 by the Government of that renowned Viceroy Lord Ripon has not still been carried out fully or given real effect to.

The first and foremost change that is necessary to be introduced in the various bodies, is that they should be wholly elected, the Provincial Government alone reserving to itself and exercising powers of control that the present official control exercised by the Collectors and Commissioners should be removed, that the Chairman should be elected by the Boards and the ex-officio President should be done away with that a portion of Excise revenue or some other definite source of revenue should be made over to these bodies so that they may have adequate resources at their disposal for the due performance of their duties.

To quote again from Lord Morley's Reform Despatch this is what he says :

"I will venture to quote some passages in this memorable deliverance. Explaining the proposal for Local Self-Government of that date, the Government of India place themselves on ground which may well be our ground also. 'It is not primarily,' they say, 'with a view to improvement in administration that this measure is put forward and supported, it is chiefly desirable as an instrument of political and popular education'; and again 'there appears to be great force in the argument that so long as the chief Executive officers are as a matter of course Chairmen of the Municipal and District Committees, there is little chance of these Committees affording any effective training to their members in the management of

local affairs or of the non-official members taking any real interest in local business. The non-official members must be led to feel that real power is placed in their hands and that they have real responsibilities to discharge.' This anticipation has been, to some extent, warranted by experience. Funds have not existed for an efficient Executive staff. The official element within the local bodies has been in many places predominant. Non-official members have not been induced to such an extent as was hoped to take a real interest in local business because their power and their responsibilities were not real. If Local Self-Government has so far been no marked success as a training ground, it is mainly for the reason that that the constitution of the local bodies departed from what was affirmed in the Resolution to be 'the true principal' that 'the control should be exercised from without rather than from within ; the Government should revise and check the acts of local bodies but not dictate them.' I have no doubt that the Government of India today will affirm and actively shape their policy upon the principle authoritatively set forth by their predecessors in 1882 : "It would be hopeless to expect any real development of Self-Government if the local bodies were subject to check and interference in matters of details, and the respective powers of Government and of the various local bodies should be clearly and distinctly defined by Statute, so that there may be as little risk of friction and misunderstanding as possible within the limits to be laid down in each case, however, the Governor-General in Council is anxious that the fullest possible liberty of action should be given to local bodies."

I have made a few general observations and dealt with the Provincial Government and the question of Local Self-Government. There are many other questions and important questions which I see are placed on the agenda in the form of Resolutions and I have no doubt that the speakers in charge of those Resolutions will adequately deal with them. But I cannot conclude my address without referring at least to some of the

burning questions, and amongst them the most important question is the question of admission of the Indians to Commissioned ranks of the Army and Navy, the removal of the most irritating and humiliating disabilities created by statutes which have raised a bar against the people of India in joining Volunteer Corps, no matter what their rank or position in life may be, the unjust application of the Arms Act to the people of India from which the Europeans are exempted. The Press Act and its arbitrary provisions and still more its arbitrary enforcement by the Executive which is subject to no judicial check, so far as the decisions of the High Courts at the present moment go, the Defence of India Act, which was purely a War measure and to which the representatives of the people of India assented when it came before the Imperial Council, is worked in a manner in some cases which is highly undesirable, the undue and unjustifiable delay in making the elementary education free and compulsory in the selected areas is the cause of the greatest dissatisfaction and disappointment to the people.

Indians and the Army and Navy

Now to take the question of the Army and the Navy, the only two arguments which have hitherto been advanced are that the people of the country are not fit except some sects or tribes who have followed the profession of arms as a hereditary profession. Now, first of all, is that a correct hypothesis? At the outbreak of the War, the Princes and the people of India of all classes and sections, with one voice, volunteered to support the Empire with their money and blood. Young students in England belonging to different classes of people in India, from all parts of India studying at their Universities, volunteered to enlist themselves as Territorials. For an answer, they were told that being Indians, their services could not be accepted. Then they made representations to the Secretary of State for India expressing their indignation at this differential treatment, it was said that the whole military question affecting India will be considered after the War. In Bengal a movement was started in which Sir S.P. Sinha took a leading part to start a Volunteer Corps, a large sum of money was collected and

six hundred young men belonging to respectable families enlisted themselves ready to go to the Front, to fight the battle of the Empire. But they were told that that cannot be. Does the profession of a soldier require more brains, greater capacity, ingenuity than that of a lawyer, a doctor, or a poet or a scientist? If Indians are good enough to fight as Sepoys and Privates, why are they not good enough to occupy the position of officers? There cannot be a better answer than what the Indian soldiers have achieved in this War. Several of them are proud possessors of the Victoria Cross, which, to a soldier, is the greatest honour and decoration that can be conferred upon him by the King-Emperor.

The second argument is that an army with a preponderance of the Indian element may be turned against the British Government and here I cannot but quote a more complete answer than what was given by the President of the Indian National Congress, Sir S.P. Sinha. He said: 'I venture to submit in reply that anarchists and seditious may succeed in winning over an ignorant and mercenary army, but they will never succeed in winning over a truly national army, drawn from a people made increasingly loyal by the spread of education and liberal self-governing institutions...The opening of a military career will fire the imagination and stimulate the virility of India in a way that nothing else can do. And is it too much for India to expect to be treated in the same way as Russia treats her subject races—especially after the proof India has given of the prowess of her sons and their devotion and loyalty to the Imperial Standard?

These arguments equally apply to the Navy, where the sons of India cannot aspire to a higher position than that of Lascar in the Mercantile Marine. The time is not far distant when perhaps India will have to consider what fleet she should raise primarily for Indian Defences and as a contribution to the Imperial Navy.

The Press Act was a most unwelcome measure from its very inception. It has been characterised as a serious menace to the freedom of the Press in India, but the harsh manner in which

it is enforced has roused the strongest opposition and created great discontent. The safeguards provided by the Act have proved illusory and incapable of being enforced as declared by the High Court of Calcutta. It is high time that the Government appointed a Committee of official and non-official members to consider its working since 1910 and recommend what course should be adopted to allay the just public resentment and discontent with regard to this measure.

Defence of India Act

The Defence of India Act as a War measure was accepted by the country. But its working has proved that it is a dangerous weapon placed in the hands of the Executive on whom there is no judicial check of any kind whatsoever. It would be wise to follow the procedure adopted in England to have a Committee who should have the power of revising the orders of the Executive Officers and such a Committee should have an equal number of Indian members.

I have the honour and privilege of knowing His Excellency the Governor. If I may say so, Lord Willingdon is all kindness and courtesy. I hope, I am not giving out any secrets, when I say that I personally know that he is in full sympathy with our ideals and aspirations and has done much to support them. But I cannot help saying that it was a matter of profound regret that the Bombay Government, of which he is the head, should have thought proper to apply the Defence of India Act, to that great English lady, Mrs. Besant. Whether we agree with her or not, whether we see eye to eye with her or not on certain questions, I believe, I am expressing the universal feeling of this Presidency and for the matter of that, the whole country at large, that the order of the local Government prohibiting Mrs. Besant to enter our Province was received with the utmost sorrow and shock. It is a grave reflection on the fair name of this Presidency and I feel it is calculated to do great harm to the dignity and the prestige of the Government itself.

With regard to elementary education being made free and compulsory, so much has been said that at this juncture I do

not wish to enter into details, but the renaissance of India can only be achieved truly by a true and real foundation to be laid for self-government ultimately based on a proper system of education of national character, which in course of time would produce more and more men worthy of managing the affairs of our own country. I may have occasion at a not very distant future, when I should perhaps like to deal with this important question in detail.

The Educated Classes

Before I leave this subject, I may point out that it is often put forward as a favourite argument that India is not fit for self-government because the educated classes are as yet a very small fraction in the country. In the first instance the Government, although they have recently bestirred themselves in the cause of education, have never seriously and earnestly grappled with the problem of Elementary or Primary education in India. The question has always been shelved on one ground or the other, such as want of funds, want of school buildings, want of trained teachers. On the other hand, we are told that we have not got a sufficient number of educated people. Who is responsible for it after 100 years of British Rule? But the test of the fitness of the people for self-government is not that every man, woman and child should be first educated and the hollowness of this plea was ably exposed by the late Mr. George Yule in his address as President of our National Congress in 1888. Quoting Prof. Thorold Rogers, he pointed out that a hundred years ago, not one man in ten or one woman in twenty knew how to read or write in England. Going another century or two back, he added, the people of England, man and boy, high and low with the exception of a mere handful were steeped in gross ignorance and yet there was a House of Commons. And I believe, we have now at the present moment in India twenty millions who can read and write.

Hindus and Muhammadans

Now I come to the all-absorbing question which stirred India because of the declaration of the 'Entente Cordiale'

between the Hindus and the Muhammadans made in the city of Bombay last Christmas. I believe all thinking men are thoroughly convinced that the key-note of our real progress lies in the good-will, concord, harmony and co-operation between the two great sister communities. The true focus of progress is centred in their union and remember this is a matter which is entirely in our own hands. It was three years ago that the All-India Muslim League adopted the ideal of Self-Government under the 'aegis' of the British Crown which was hailed by the Indian National Congress at Karachi where the following Resolution was passed :

“That this Congress places on record its warm appreciation of the adoption by the All-India Muslim League of the ideal of Self-Government for India within the British Empire, and expresses its complete accord with the belief that the League has so emphatically declared at its last sessions that the political future of the country depends on the harmonious working and co-operation of the various Communities in the country which has been the cherished ideal of the Congress. This Congress most heartily welcomes the hope expressed by the League that the leaders of the different communities will make every endeavour to find a *modus operandi* for joint and concerted action on all questions of national good and earnestly appeals to all the sections of the people to help the object which we all have at heart.”

Since then the programme of the All-India Muslim League has been more and more approximated to that of the Indian National Congress. There is but one question besides the question of cowkilling and street-music which has proved not only a thorny question but an obstacle which has kept the two communities hitherto apart. But the solution is not difficult. It requires a true spirit of conciliation and give and take. The Muhammadans want proper, adequate and effective representation in the Council chambers of the country and in the District and Municipal Boards, a claim which no right-minded Hindu disputes for a moment. But the Muhammadans further require that representation in the various boards and Council chambers

should be secured to them by means of separate electorates. This question of separate electorates from the top to bottom has been before the country ever since 1909 and rightly or wrongly the Mussalman community is absolutely determined for the present to insist upon separate electorates. To most of us the question is no more open to further discussion or argument as it has become a mandate of the community. As far as I understand, the demand for separate electorates is not a matter of policy but a matter of necessity to the Muhammadans who require to be roused from the coma and torpor into which they had fallen so long. I would, therefore, appeal to my Hindu Brethren that in the present state of position they should try to win the confidence and trust of the Muhammadans who are, after all, in the minority in the country. If they are determined to have separate electorates, no resistance should be shown to their demand.

There are other questions of most vital and paramount importance to both the Hindus and Muhammadans, that require united and concerted action. Difference in details such as method of securing to Muhammadans their adequate share in the Council Chambers, Municipal and District Boards should not be allowed to create an *impasse* and one side or the other must give in. I would, therefore, appeal to my Hindu friends to be generous and liberal and welcome and encourage other activities of Muhammadans even if it involves some sacrifice in this matter of separate electorates. And I may have to say something more fully on this question at the session of the All-India Muslim League where I have been called to preside next Christmas. But the committees, appointed by the Congress and the League in Bombay, will soon meet at Calcutta to formulate a scheme of reforms and I most fervently pray that they will both adopt a scheme that may go out to the world as united demand of India.

One thing is, however, clear. It is not a question of few more seats going to the Muhammadans or the Hindus. It is a question as I have already pointed out, in the first instance, of transfer of the power from the bureaucracy to democracy.

Let us concentrate all our attention and energy on this question alone for the present.

The Hindus and the Muhammadans should stand united and use every constitutional and legitimate means to effect that transfer as soon as possible. But for a real New India to arise, all petty and small things must be given up.

She is now India *irrendenta* and to be redeemed, all Indians must offer up sacrifice not their good things, but all those evil things they cling to blindly—their hates and their divisions, their pride in what they should be thoroughly ashamed of, their quarrels and misunderstandings. These were the sacrifices that God would love.

Now, Ladies and Gentlemen, I have done. In conclusion, let me tell you that, after all, a great deal depends upon ourselves. Hindus and Muhammadans, united and firm, the voice of the three hundred millions of people vibrating throughout the length and the breadth of the country, will produce a force which no power on earth can resist. India has, I believe, turned a corner. She has passed through great sufferings and borne them patiently for centuries. There is now a bright and a great future in front of her. We are on a straight road, the promised land is within sight. 'Forward' is the motto and clear course for Young India. But in the onward march, we must be circumspect, and never lose sight of the true perspective before us. And Wisdom and Caution should be our watch-words.

PROTEST AGAINST ROWLATT ACT*

Mount Pleasant Road,
Malabar Hill,
Bombay.

Your Excellency,

The passing of the Rowlatt Bill by the Government of India, and the assent given to it by your Excellency as

*Letter addressed to the Viceroy dated 28 March, 1919 in protest against Rowlatt Act and tendering his resignation from the Imperial Legislative Council.

Governor-General against the will of the people, has severely shaken the trust reposed by them in British justice. Further, it has clearly demonstrated the constitution of the Imperial Legislative Council which is legislature but in name—a machine propelled by a foreign Executive. Neither the unanimous opinion of the non-official Indian members nor the entire public opinion and feeling outside has met with the least respect.

The Government of India and Your Excellency, however, have thought it fit to place on the Statute-book a measure admittedly obnoxious and decidedly coercive at a time of peace, thereby substituting the executive for the judicial.

Besides, by passing this Bill, Your Excellency's Government have actively negated every argument they advanced but a year ago when they appealed to India for help at the War Conference and have ruthlessly trampled upon the principles for which Great Britain avowedly fought the war.

The fundamental principles of justice have been uprooted and the constitutional rights of the people have been violated at a time when there is no real danger to the State by an overfretful and incompetent bureaucracy which is neither responsible to the people nor in touch with real public opinion and their sole plea is that the powers when they are assumed will not be abused.

I, therefore, as a protest against the passing of the Bill and the manner in which it was passed tender my resignation as a member of the Imperial Legislative Council for I feel that under the prevailing conditions I can be of no use to my people in the Council nor consistently with one's self-respect is co-operation possible with a Government that shows such utter disregard for the opinion of the representatives of the people in the Council Chamber, and for the feelings and sentiments of the people outside.

In my opinion, a Government that passes or sanctions such a law in times of peace forfeits its claim to be called a

civilised Government and I still hope that the Secretary of State for India, Mr. Montagu, will advise His Majesty to signify his disallowance to this Black Act.

Yours truly,
M.A. JINNAH

GRANT OF FULL SELF-GOVERNING DOMINION STATUS TO INDIA*

In the first instance I should like to try and make the real issue before this House as clear as possible. After hearing the speech of the Honourable the Mover and the Home Member, I cannot share the opinion of those who say that the answer of the Government is disappointing, and my reasons are these. Under section 41 of the Government of India Act, 1919, it is laid down that a Commission shall be appointed at the end of ten years but it does not preclude, therefore, those who are in authority to institute an inquiry and appoint a Committee or a Commission earlier than ten years. Further when Mr. Majumdar's Resolution was moved in this Assembly, two years ago, a formula was accepted unanimously by the Assembly itself. That formula expressly admitted that a Commission might be called earlier than ten years. I take it that, when the collective wisdom of that Assembly expressed that opinion, it must have expressed the opinion to reduce that period at least by two or three years, it cannot be a month or a week. Therefore, at any rate, the last Assembly, as it was constituted, expressed its opinion to that effect. Well, if you take 3 years, it will bring us to 1926. We are now in 1924 and today the Government have conceded, and I attach great importance to it, subject to the further remarks which I shall make later on that they recognise the necessity of an immediate step being taken to examine, reconsider and revise the Government of India Act, 1919. I hope, I understand the Home Member correctly. But he says that he will make a departmental inquiry. That is to say, if I understand the Home

*Speech in the Central Legislative Assembly in support of Pandit Motilal Nehru's motion of amendment dated 8 February, 1924.

Member correctly and I stand corrected, he concedes the necessity of a step being taken forthwith, or at an early date. He says that the character of that step will be this, that they will make a departmental inquiry. That is to say, the Government of India will consult Local Governments or such persons as they may be advised, and they will formulate a scheme which they think proper. That scheme will then be submitted to the Secretary of State. After the despatches have gone and forwards backwards, the scheme will be placed before this Legislature and then it will be submitted to Parliament. Now, Sir, I recognise the first step, but I must say I cannot agree in this matter with the character of the procedure which was defined by the Home Member. Sir, just imagine : a scheme is to be formulated by a departmental inquiry which will, *ex hypothesi*, be framed in the secret conclave and the secret chambers of the Executive ; the Government of India will take those decisions of formulating the proposals ; after those proposals are formulated, they will go again to the Secretary of State for India. They will again be considered and examined behind closed doors at the India Office ; and, when definite proposals have been formulated and serious decisions have been arrived at, you will then present that scheme to this Legislature—with what chance of its being modified at that stage ? I say it is an entirely wrong procedure to adopt. That is the fundamental difference between the Home Member and ourselves.

Now, Sir, I will not deal with the Resolution of Mr. Rangachariar because I am in entire agreement with the amendment that is moved by Pandit Motilal Nehru. Now let us see what that amendment says. That amendment, first of all, asks the Government that they should take steps to have the Government of India Act revised with a view to establish full responsible government in India and for that purpose, etc. Well, I shall not go into the constitutional gymnastics which the Home Member performed, by the fine distinction between dominion status and full responsible government. I fail to understand exactly what is the distinction ; it all depends upon how you define full responsible government. But, as I say, we are not concerned at the present with those highly technical constitutional questions ; it

is quite sufficient for my purpose, and I shall point out for the moment to the Home Member, as he was good enough to quote from the opinions of some of the public men, that he quoted me only partially, and he forgot that the answer quoted by him was given to a particular question ; but I am sure that if he has read my evidence he will, I think, have found that that very question as to what we mean by responsible government is answered by me and was the very first question that was put, and this is what I happened to say. I hope the House will excuse me for quoting from my own answer to the question but I do so because the Home Member has quoted only part of it. This is what I said. The question was as follows :—

‘Do you accept the proposition that it is desirable to bring about the progressive realisation of responsible government in India, and if so, how do you define the expression ‘responsible government’, and do you generally accept the proposition contained in the Preamble—(the answer I gave was as follows)—the proposition that it is desirable to bring about the progressive realisation of responsible government in India is sound’.

That is my answer. Then I go further and say as follows :—

‘But a substantial step must be taken at once. We would define the expression ‘responsible government’, as far as we can define it, that the will of the Legislature which is responsible to the electorates, must prevail over the Executive, subject to veto.

Now, I ask the Honourable the Home Member what difference is there, perhaps he might claim to be a great constitutionalist and would enlighten us what difference is there between full dominion status and the definition given by me of true responsible government ? Therefore, Sir, it is irrelevant and beside the point really for our present purpose to go into those matters. What do we suggest in our amendment ?

‘This Assembly recommends to the Governor-General in Council to take steps to have the Government of India Act

revised with a view to establish full responsible government in India and for the said purpose, etc.....'.

Here, Sir, I pause for a single moment. The Honourable Member with his usual ability has tried to run away from the issue. First of all, he set up a bogey of the immediate grant of full Dominion Status. That is the first bogey he set up. It is not there, excuse me. I shall explain, and I am surprised that the Honourable Member has not been able to understand it. Remember, says he, we have the question of Hindus and Muhammadans not united. Remember we have got large commercial interests, European interests. Remember that your army now consists of the fighting classes. Remember that, and further remember that your own public men, when they gave evidence, before the Joint Parliamentary Committee, and the Indian National Congress never asked for such a thing as that. Remember the position of ruling princes. Sir, I can only tell the Home Member that all that energy was wasted for nothing. If he will carefully read that amendment, he will see that it is not a demand for immediate full responsible government. But it wants you to take immediate steps—I will repeat that immediate steps are required. I recognise freely, frankly, that the Home Member's speech does convey to the House that they will take steps. Now, we come to the steps. What steps? I have described the steps which the Honourable the Home Member proposes to take. What steps do we suggest? The steps that we suggest are these, and I say, Sir, that these are the finest steps that Government could possibly be advised to take. If your purpose is high, as the Home Member said, if your purpose is really to look to and think of the welfare of India, if you really want the best of India to go with you, this is the best possible method for you to adopt, because after all you want confidence, support and co-operation from the best of India. We say to you that the finest method that you can adopt for that purpose is to summon a round table conference of representative men to frame a scheme in consultation with you, not without you. What objection have you to that? Why is it wrong? Why do you want to sit behind closed doors, in the secret chambers of the

Executive ? Why do you want to carry on your despatches backwards and forwards behind our back ? Why do you want to take this decision and formulate these proposals and then come to us with all sorts of excuses and say that now this is very difficult to deal with. Sir, the proposal of yours is putting the cart before the horse. We want you to take the people with you. We want you to start in a manner which will carry the support of the people with you. What objection can you have to a round table conference of representative men for this purpose ? Further, we give you a far greater security and far more real sanction and approval of the scheme that this round table conference may formulate. And what is that ? Sir, the round table conference will consist of representative men. No doubt these people will carry the greatest influence with the people. On the other hand, we shall have the Government and we may have experts who are entitled to speak on constitutional matters. But, Sir, even when you have that we give you a far more convincing proof so as to make you feel that we have once for all settled this question in such a manner that it will carry the support, the confidence and the co-operation of the people ; and for that purpose we suggest that, when a scheme is framed by this round table conference, dissolve this Assembly, the Central Legislature. Let that scheme go out to the country and let us vacate these seats. Of course, you will draw your pay just the same. It does not matter to you. But we shall have to spend more money in electioneering. We shall have to spend some thousands of rupees by going from place to place, begging each voter if he will vote for us or not. Sir, we shall be more out of pocket and shall undergo the trouble and inconvenience of which you have no idea and no experience. We shall then have to convince the electorates, which you have created under the Government of India Act. And, if we come back with that mandate of the electorates, who are the real masters after all and we want them to be real masters because without them no scheme is worth the paper on which it is written—then we shall say that we are in a position to give our sanction which shall be lasting, which will give you all the support you require. Any Government that is formed will not be a Government run as it is today by a minority and supported by a section of the Statute which gives it the power

to certify in the place of the majority. That is what we want. Now, what objection can you have to that? What is wrong about it? Sir, the Honourable Sir Malcolm Hailey, the Home Member, quoted a passage from my evidence, although it was in answer to a particular question, but I take complete responsibility of it. It was as follows :—

“We have no other method to suggest. Dyarchy fits in more with the order of things as they exist at present in India and it can be justified on the ground that it is for a transitional period.”

The Honourable Sir Malcolm Hailey did not tell the House that the crux of my evidence before the Joint Committee was this : that at the present moment I am inclined to think that dyarchy is the best possible system that you can introduce. But Sir, my proposal was that there should be dyarchy in the Central Government also. It was on that footing that this answer was given. Further, the Honourable Sir Malcolm Hailey must remember this that that was my opinion in 1919. The Honourable Member then was a Commissioner in a district. Since then he has become the Home Member and has been designated Governor of a Province. A great deal of water has run down the Thames since then. We were in 1919 considering a question of rather a constitution of far-reaching importance, dealing with a vast population of a country like India. Is it an opinion given at that time? We have realised, to be an opinion to last for all time? Sir, and I have very little doubt about it in my mind, that dyarchy has failed, and I believe, I am not the only one who thinks so. I believe even those men who faithfully and loyally worked the Reforms,** men who were wedded to these Reforms, say so. Take the case of Mr. Chintamani. What does he say? He was one of the stalwarts among the supporters of these Reforms. Therefore, Sir, it is no use merely getting

*Sir Malcolm Hailey took over charge as Governor of the Punjab on May 31, 1924.

**The liberals or moderates who accepted the Reforms and entered the reformed legislature in 1921.

hold of a few words and quoting them. I thought the Honourable the Home Member would have something better to advance than to pick up a sentence here and a sentence there, and so you said this in 1918, or in 1919. Sir, I do not wish to waste the time of this House, but I do submit this and I say to the House that the simple issue before the House tonight is this : what is going to be the character of the step ? That is the simple issue. We have heard the Honourable the Home Member I absolutely and entirely oppose the character of the step that he was described, and I therefore ask the House to vote in favour of the character of the step that we suggest. Until something better is suggested, I am not satisfied with the step which is suggested by the Home Member. I hope I have not exceeded my time, but I wish to say this with regard to Dr. Gour. I speak with very great respect, and I say this. I really fail to see how his amendment is going to prevent the Government from doing what he said or attributed the Government might do. He suggested a convention ? What will be the qualification of those who will be the members of that convention ? Who will decide these questions ? I cannot really understand how that is going to prevent the Government, if they wish to procrastinate or delay the matter from doing so. But I am not one of those who will, in season and out of season, attribute motives to Government. I accept the word of the Home Member when he says that they want to take steps I accept that word and I am ready to take it that, that is an honourable assurance that we accept and it will be done without delay. I accept that and I am not going to start by saying 'you will delay and you will frustrate.' We will see, but I submit to this House that I really fail to understand Dr. Gour. Instead of saying 'round table conference,' he says 'convention.' 'Convention' has got some constitutional meaning, I understand. Otherwise, I do not see any difference between convention and round table conference, but there is a constitutional difference, and I say it does not improve matters at all. On the contrary, it makes the position of Government far more difficult to call a convention, and it is likely to bring about far greater delay than a round table conference. Therefore, I strongly oppose his amendment.

With these words, Sir, I may say I am very glad that the tone and the attitude of the Home Member, speaking on behalf of the Government, has been very conciliatory. We appreciate that, we fully appreciate that, but I do press the Honourable the Home Member to accept our method of starting with that step.

THE SPECIAL LAWS REPEAL BILL

I*

Sir, when I listened to the last speaker and the amount of anger, the amount of rage and the very little of material in his speech, I really wondered what he would do if he had to exercise his powers under the Regulation. Very few people would be safe indeed, and that is one of the dangers which the Honourable Member has displayed. Sir, the official mind—I mean this in no disrespect—is so peculiarly constituted that it cannot possibly see the opposite view, and the Honourable Member worked himself up to a picture as horrible as it could be of Malabars, Agencies, and so on and so forth. I shall deal, Sir, in a moment with the issue which this Assembly has got to decide. Then, again, another example of that great Service and the mentality of that Service was Mr. Hudson. He made a speech, Sir, which was out of place after breakfast. He even went to the length of saying and I was surprised that he should have made such a damaging admission—that, although he has been an officer for so many years in the Bombay Presidency, although some prominent men in Bombay were regulated under this Regulation, he had never read the provisions of the Regulation. What a creditable thing for an officer who has been one of the rulers in the Presidency to make a confession like that before this Assembly. But why should he read it?

*On February 3, 1925, V.J. Patel introduced a bill in the Central Legislative Assembly to repeal the Bengal Regulation, 1818, the Bombay Regulation, 1827, the State Prisoners' Act, 1850, the Punjab Murderous Outrages Act, 1867, and Prevention of Seditious Meetings Act, 1911. The Bill was introduced in spite of the opposition of Sir Alexander Muddiman, the Home Member. On February 10, when Patel moved for its consideration, Rangachariar proposed that the Bill should be referred to a select committee. M.A. Jinnah supported it.

What does it matter to him ? He is safe. He knows he cannot be regulated out of his liberty. Why not ? For the very good reason that he is a ruler. I listened to the speech of Mr. Denys Bray and with great respect and it dealt with a point of view I recognise. I fully recognise it. Sir, that is one of the points which has embarrassed me to a certain extent in dealing with these Regulations. The question of the Frontier is one that does require very careful consideration.

“Now, Sir, let us examine the issue before the House today. The first charge that is brought against us is that we are wanting in capacity to appreciate the necessity for maintaining law and order. I assure you, whatever may be your ideas, and I am speaking on behalf of a very large body of the Members of this House, there is no justification for that allegation. I have no hesitation in saying that anarchical crimes must be ended. We want to see the end of it, I want to see the end of it, and I have no hesitation in telling you that I am willing to co operate with you whole heartedly to put an end to this danger which is facing us. And when I say so, I honestly say so and when I admit that, I honestly admit it, but it does not follow that, while I desire that, I agree with your methods. The real issue is the methods. What are the methods which you want to employ ? Sir, these Regulations presuppose a personal rule. Do my Honourable friends there recognise that ? You have governed this country by Regulations, you have governed this country by personal rule for the last 150 years. Do you recognise that that is slowly passing away ? You have reached a different stage. We, on the other hand, desire that personal rule should be replaced by the rule of law. We desire that the growth of citizenship should be encouraged and we desire to establish a representative government. That is really the issue between us and you. Now, can we tolerate Regulations of this character on the Statute-book ? And what can be the justification for keeping them on the Statute-book ? You appointed a Repressive Laws Committee. That Committee made its report. It recommended that, if not all, most of these repressive laws should be repealed, with the exception of those affecting the North-West Frontier. The Government agreed to it. We had a long, rignarole speech from Mr. Moir, Evidently

he lives in Madras and is out of touch with things. The Government agreed to the repeal. And what is the justification now? As my Honourable friend the Home Member very rightly said, and so did Sir Malcolm Hailey in that debate last March on the Resolution to take steps to repeal the Regulation of 1818 his point was exactly the same as the Honourable the Home Member now makes. He says 'Well, present conditions are such that we cannot possibly part with these powers. There is a recrudescence of anarchism in Bengal and the present is not a moment when we can possibly part with these powers.' These are powers which are always welcomed by Madras. It is in their very nature. They like these powers, they would like more such powers. I say these are powers which are always welcomed by the bureaucracy although my Honourable friend the Home Member may be an exception to that and I am inclined to consider his case on a different footing. But it is common knowledge that these arbitrary powers are always welcome. Why are they welcome? For the sake of administrative convenience. It is a very nice thing to have. Mr. Moir, if he is angry with me, can lock me up. That is a simple way of getting rid of me. I cannot claim a trial. He might send a doctor where I am who might come and examine my pulse and report to him that I am doing very well. All this is common knowledge, and you don't want to part with these powers, you want to stick to them. Now we want you to part with these powers; and at the same time let me assure you that I can give you proof. I ask you not to level this charge against us, that we do not appreciate the necessity or the desirability of maintaining law and order. I will give you an instance. In the Morley-Minto Reformed Council at the very first session, when it was called the Imperial Council, Lord Minto's Government brought in the Press Act. I ask you, do you remember that that was accepted by almost every non-official Member in that Council? I was a Member myself and I remember how we disliked it. It was abhorrent to me. My ideas of the freedom of the press, which I prize immensely, made me revolt against it, and yet let me tell you, Sir, that I was converted. I am not disclosing any secret when I tell you frankly and honestly why I was converted. Mr. Sinha, now Lord Sinha, who was the Law Member, discussed the matter with me. I

was not converted. He then told me 'I will send you my file, you read it, and then we will discuss it.' He sent me his private and confidential file. I read it. The Honourable the Home Member seems to be amused at this. It did not contain anything else except all the extracts from various newspapers which were collected by Government. I read them and I assure you that when I went through them I felt that it was difficult for me to resist that measure being passed. Well, if you really keep harping on this point that this Assembly is incapable of appreciating the necessity of maintaining law and order and cannot therefore be trusted, we keep on saying that this bureaucracy wants arbitrary powers for furthering their own ends and that after they have obtained those powers they are going to misuse them as they have misused them in the past and as they are bound in the very nature of things to do—they cannot help doing it. What did Mr. Moir say? I am surprised of course that he could have said it with so much gusto. What did he say? He said, 'There was no offence on the part of Government, we locked up so many people and we kept them there and prevented them from going to their homes. They are not allowed to go even now.' He said that with great gusto; it is a very heroic thing to do indeed."

Mr. T.E. Moir: "I protest, Sir, against the use of the expression 'with gusto,' it was with the greatest regret that I referred to all these happenings in my speech."

Mr. M.A. Jinnah: "Sir, I am quite willing to use any word that the Honourable Member would suggest to me, provided it is appropriate. I think that was the only appropriate word. What did Sir Charles Innes say on the Ordinance Debate? He said 'If we had placed the facts which we had got before my friend, Pandit Motilal Nehru, he would have said 'Go ahead, hit them hard.' Hit whom hard? (*The Honourable Sir Charles Innes*: "The anarchists.") The anarchists? Are you hitting the anarchists now? That, Sir, is the mentality which I protest against. Here you have an Honourable Member, a Member of the Government of India, saying 'Hit the anarchists.' That is the whole question. Whoever says, you should not hit the anarchists? But you are hitting the innocents. I shall

prove it to you. Sir Charles Innes read the opinion of Sir Narayan Chandavarkar and another Judge who examined certain cases on the police papers. Does he know that, as the result of that examination even on the police papers leave alone the test of cross-examination and the test of judicial trial—five per cent were found innocent? Do you know that? I can prove that five per cent were found innocent even on these police diaries. Are you hitting hard the anarchists? Sir, it is all very well for Sir Charles Innes to say this: What does he say? He recognises that he might be blamed by me—I am glad he is afraid of me at least. He said ‘That stern cross-examiner would have held us up and brought forward an indictment and would have held us responsible for the lives of the people.’ There would have been an impeachment of Sir Charles Innes by me in this House—I wish I could impeach him. Therefore he said, ‘we had to do this.’ Is that an argument? However, that is beside the point. But I wish to say this. Sir Charles Innes when he wound up appealed to this House and said ‘I ask you to show sanity of judgment, political sense and moral courage.’ Yes, Sir, I assure you that this Assembly has got moral courage, this Assembly has got political sense, this Assembly has got sanity of judgment (*Mr. V.J. Patel*: “And self-respect”) and self-respect, if you will only act in the same way and show it by your actions.”

II*

I do not wish to depart from the provisions of this Bill and the amendment before the House. Sir, the amendment of Mr. Rangachariar, as I understand it instead of repealing the State Prisoners Regulation, 1818, has only got this effect. We are concerned now with the question of internal and external

*On March 19, 1925, Diwan Bahadur T. Rangachariar introduced in the Central Legislative Assembly two amendments to the Special Laws Repeal Bill moved by V.J. Patel on February 3. His amendments were to retain Regulation III of 1818 in a modified form and to delete Punjab Murderous Outrages Act from the Bill. The object of these amendments was to avoid rejection of the whole Bill. Speaking on this motion M. A. Jinnah said in support.

commotion, and according to my Honourable friend's amendment, it will apply to any person within British India who is charged with or suspected of creating a commotion not internal but external as applied to the Indian States or the three parts, namely, the North-West Frontier Province, Baluchistan and a particular district in the Punjab, which are the subject of amendment. Now, Sir, are we going to keep this Regulation for that purpose alone? The question that this House has got to decide is whether we are going to return this Regulation to deal with a person or persons who are bringing about some trouble either in these three places that I have named, or in any of the Indian States. Are we going to keep this Regulation for that purpose alone and are we going to authorise the Executive Government on some representation of a charge of that character or an allegation of that character against a person that they should put any person in jail without trial and without an opportunity being given to him to defend himself? That is the amendment of my Honourable friend. I think I have understood him correctly, because he does not contradict the effect of his amendment which I am stating."

Diwan Bahadur T. Rangachariar : "May I put it? It is for the purpose of preservation of tranquillity in the territories of Native Princes entitled to the protection of the British Government—that is one object. Or it is for the purpose of the due maintenance of alliances formed by the British Government with foreign powers, as for instance, protecting Pondicherry or Chandernagore, the French being our allies. Or the security of the British dominions from foreign hostility and from internal commotion in those places named—tranquillity in the Indian States, internal commotion in the Frontier province."

Mr. President : "What is now under discussion is clause 2 which is sought to be amended by the addition of a proviso and not the new proposed clause relating to the application of the Bengal State Prisoners' Regulation only to the North-West Frontier Province, Baluchistan and the Dera Ghazi Khan District in the Punjab."

Mr. M.A. Jinnah : "That may be perfectly correct but as far as the proviso is concerned, Sir, that is only a subsidiary part of the other amendment because the crux and the essence of the amendment is amendment No. 5 on the list and you cannot very well discuss the proviso without discussing what is of the essence, because that will follow. So I say that the point before the House should be made perfectly clear, and therefore it really comes to this. Now, I ask my friend Mr. Rangachariar : Is there any civilised Government in the world which puts a person in Prison without trial because that person is likely to create trouble in a State which is in alliance or with which it has got a treaty ? Have you ever heard of such a thing ? The utmost thing that any Government can do is that, to say to that person, 'Get out of our country. You are an undesirable person'; and we have got that power under the Foreigners Act of 1864. If we find within the territories of British India any person intriguing against an Indian State or a State with which we are in alliance, we have power now to tell that person, 'Go out.' "

Khan Bahadur W.M. Hussanally : "The Afghan Government recently stoned some people to death."

Mr. M.A. Jinnah : "Do you also want people stoned to death in this country ? Therefore I am really not satisfied but I do maintain this, that in those parts of British India or those parts which are under the British Government such as the Frontier Province and other places like Baluchistan, there you may have to resort to different methods and I am not prepared to pass my judgment with regard to that matter here, and I am also inclined, as I was on the last occasion, to ask my friend Mr. Patel to omit, when we come to that, from this repealing Bill the Punjab Murderous Outrages Act. But with regard to this amendment I am not satisfied at all and this is what the Repressive Laws Committee say :

'We recognise the force of these arguments, in particular the difficulty of securing evidence of preventing the intimidation of witnesses. We also appreciate the fact that the use of ordinary law may in some cases advertise

the very evil which the trial is designed to punish...but we consider that in the modern condition of India that risk must be run. It is undesirable that any Statutes should remain in force which are regarded with deep and genuine disapproval by a majority of the members of the Legislature. The harm created by the retention of arbitrary powers of imprisonment by the Executive may, as history has shown, be greater even than the evil which such powers are directed to remedy. The retention of these Acts could in many cases only be defended if it was provided that they were in present circumstances essential to the maintenance of law and order. As it has not been found necessary to resort in the past to these measures save in cases of grave emergency we advocate their immediate repeal'."

Diwan Bahadur T. Rangachariar : "My Honourable friend has omitted to add that they said :

'Our recommendation in regard to Regulation III of 1818 is however subject to the following reservations'."

Mr. M.A. Jinnah : "I am fully alive to that if my Honourable friend will follow a little further. They said :

'We desire to make it clear that the restrictions which we contemplate in this connection are not penal in character. We are satisfied that they have not been so.'

Then they say :

'The reservation may also involve the retention in a modified form of the State Prisoners' Act of 1858. But this is a matter for legal experts : We have carefully considered the cases in which the Madras State Prisoner's Regulation of 1819 has been used.'

Therefore, I would remind my Honourable friend that this Committee of distinguished gentlemen said that 'this is a matter for legal experts' as to how, if possible, to provide for that particular case which they had in their mind."

Mr. H. Tonkinson (Home Department : Nominated Official) : "This is a matter for legal experts, that refers only to the State Prisoners' Acts of 1850 and 1958."

Mr. M.A. Jinnah : "Who was to decide as to how these Regulations were to be amended ?"

Diwan Bahadur T. Rangachariar : "Paragraph 14."

Mr. M.A. Jinnah : "I have read that. Who was to do it ? The Honourable Mr. Tonkinson interjects, but who was to do this ? You, the Treasury Bench. What have you done since September 1921 ? Why have you not done so ? You now support my friend the Honourable Mr. Rangachariar to move this amendment. As I say, Sir, I am not against this principle. The only question is this, that it is up to you to do it.

"Now, Sir, I will only point out, as was pointed out on the last occasion, that so far as the North-West Frontier Province is concerned it, has already got a Regulation which was passed very recently. So far as the Punjab is concerned, I have already stated that I am quite willing that my friend Mr. Patel should not insist upon that particular Regulation being repealed. Then, Sir, there is nothing else left except my friend Mr. Rangachariar and his amendment, and his amendment really deals with one particular kind of case, and that is what is to happen to a man in British India who we will say is suspected to be, or is, according to the information, an enemy of any power with whom we are in alliance or an Indian State ? What shall we do with him ? I say, turn him out of this country, if he is undesirable. But if you think that you can suggest some other better method, if you can satisfy us that that is essential and that we should accept it, I am sure this House, at least I personally and I am sure several other Honourable Members, will be very glad to consider any proposal that the Government may bring forward in the shape of a Bill. Sir, what did France do recently ? A well-known Indian gentleman, Mr. Roy, who was alleged to be a revolutionary was in France. What did you do ? The British Government probably made representations to France ; the Home Member is shaking his head and says, 'No', probably. Well, I would

say the conscience of the French nation was roused. What did that Government do? That great nation whose conscience was roused dealt with Mr. Roy, the great revolutionary who was going to upset the British Empire. What did they do? They told him, 'Go out'. That is all."

Sir, I may tell the Honourable the Home Member that my reasons for supporting the amendment of my Honourable friend, Mr. Rangachariar, are these. First of all this Act deals with specific kinds of offences. The Preamble says :

'Whereas in certain districts of the Punjab fanatics have frequently murdered or attempted to murder servants of the Queen and other persons.'

Therefore the object of this Act is really to direct it against fanatics who either wish to murder or attempt to murder. The second reason is that it is restricted in so far as the offences are concerned. I may draw the attention of Honourable Members to the fact that originally it included many other offences and they were all repealed except the offence of murder or attempt to murder. I cannot possibly stand here and say that because it is restricted in its scope and only deals with offences of murder or attempt to murder, therefore, we shall depart from the normal, ordinary fundamental principles of law. But here again I find that the Government have not extended this Act beyond a certain part of the Punjab. Further this Act has been in force for a long time. It has been in force since 1867, and I have not heard of any case which was tried under this Act which can be characterised as gross or outrageous conduct on the part of the Government. Therefore, it stands somewhat on a very different and special footing, although I can tell the House that it goes against my grain, it is against my ideas of justice that any accused person should be tried in the summary manner which this Act provides. Also I feel with Mr. Patel that section 12 gives extraordinary powers to the Government to restrain the liberty of a subject. But, Sir, I also wish to show to the Treasury Bench, that since you are pressing and since you are impressing upon us constantly that these powers are necessary for you on the frontier, since

we have got the result of the Repressive Laws Committee in which also it is pointed out that these powers are necessary, a Committee which consisted of distinguished men, therefore, for the present, we are prepared not to touch this Act, and I hope that my Honourable friend the Home Member will appreciate this at any rate, that we are ready to meet him if we can and if we think that it is really for the best interests of India.”

III*

Sir, after these eloquent speeches of my friends, Sir Henry Stanyon and Mr. Ranga Iyer, I do not wish to detain the House for more than one minute; and the object with which I am going to address the House is this, that as we have now amended the Bill and as section 12 of the Punjab Murderous Outrages Act of 1867 stands, unless a consequential amendment is made it might create some difficulty; and therefore what I propose is this :

‘That the following be added to clause 2 of the Bill :

‘Provided that the repeal of any enactment by this Act shall not affect the powers of confinement conferred by section 12 of the Punjab Murderous Outrages Act, 23 of 1867, or by any other similar enactment.’

Now, sir, the reason is obvious because we are repealing all those Regulations in the Schedule of the Bill, and section 12 of the Act of 1867 says this :

‘The said Lieutenant-Governor shall have, in respect of the confinement of any person charged with or suspected of an intention to commit any offence punishable under this Act, the powers which are vested in the Governor General of India by any law regarding the confinement of persons charged with or suspected of State offences.’

*The amendment to omit the Punjab Murderous Act, 1867, from the Schedule to the Bill was adopted. Then M.A. Jinnah moved an amendment that it should be provided in the Bill that the repeal of any enactment by this Act would not affect the powers of confinement conferred by Section 12 of the Punjab Murderous Outrages Act, 23] of 1867, or by any other similar enactment.

Therefore, unless we have this safeguard, serious difficulty may arise in the interpretation of section 12 because we are saving the Punjab Murderous Outrages Act of 1867 completely and it is not going to be repealed. That is all I have to submit. I move my amendment.”

I submit, Sir, the position is quite clear. What we are doing is this. We are repealing certain Regulations which are in the Schedule to the Bill. Those are, the Bengal State Prisoners' Regulation of 1818, the Madras State Prisoners' Regulation of 1819, the Regulation for the confinement of State Prisoners, Bombay. Then you have the State Prisoners' Act of 1850. We are omitting the Punjab Murderous Outrages Act of 1867. As I have pointed out, section 12 of the Punjab Murderous Outrages Act, instead of having its independent provisions, relies upon the State Prisoners' Act. Similarly, it may be that there may be Acts similar to the Punjab Murderous Outrages Act, and the Moplah Act. There may be something else, there may be some other Acts, because we are not repealing all the Acts, and they may in their turn instead of having independent provisions be relying upon the Regulations which we are repealing. Therefore, what we say is this, that the repeal of these Regulations shall not affect the Punjab Murderous Outrages Act or any other similar enactments of which we are not aware at present. We do not know how many more Acts there are of that character. Therefore, it is only saving those Acts which rely upon the Regulations which we are repealing. I cannot see what difficulty is.”

THE INDIAN PENAL CODE (AMENDMENT) BILL*

Sir, I have not taken any part in the discussion on the various amendments which have been moved in this House. I had the honour to be on the Select Committee and I quite see the point of the Honourable the Home Member that this House

*On March 24, 1925, the report of the select committee on the Indian Penal Code (Amendment) Bill was taken into consideration in the Central Legislative Assembly. Sir Alexander Muddiman introduced a motion that its consideration should be adjourned till the Simla Session of the Assembly. Jinnah oppose it.

has taken a somewhat radical view of the position, but I cannot agree that the consideration of this Bill should be adjourned, and for this reason. The House has had a full and careful discussion, and all the points of view have been placed before it. The whole issue is whether the age should be 13 within the marital relation and whether the age outside that relation should be 14 or 14 and 16. The House has, after careful consideration, decided in favour of 14 and 16. With regard to the rest of the Bill, it stands exactly in the same position as it was presented to this House. Every other amendment has been thrown out. Now, Sir, I ask this House, why should the consideration of this Bill be adjourned any more? The Honourable the Home Member says, so that this Bill may be withdrawn and he can bring in a [new] Bill. What Bill? Suggesting 13 and 14 I take it, and this House should accept it. I think, Sir, that would be stultifying the decision of this House and I cannot agree to that course at all, and I hope the House will not agree to that course. But I do suggest this. It is open to the Honourable the Home Member to take this Bill to the other House and let the other House examine this Bill and come to their conclusions on it. In the meantime we shall have the opportunity of knowing whether public opinion resents this so much that we ought to reconsider our decision, and I believe that this Bill can only be placed before the other House probably in August. It cannot be placed earlier than that. Therefore between March and August there will be plenty of time for us to understand what the public opinion is and what the press of the country says, and we shall also have the advantage of our elder statesmen's judgment on this Bill. And I can assure the Home Member that if we find the public opinion is really strong against what he characterises as a radical change, then we shall certainly reconsider it. But I certainly oppose the adjournment of the consideration of this Bill. After all I do want the House to understand what we have done. By raising the age outside the marital relation we have done this. We have protected the girls of tender age. There may be differences of opinion amongst us; the opinion may be that a girl of 14 only should be protected. It may be that another opinion may be that a girl requires protection till she is 16. But after all that is not against any sentiment of any community or the religion

of any community. Then who will be the person or persons who will be injured by this? Which section of public opinion will resent this."

Pandit Shamlal Nehru : "The rogues, the blackguards."

Mr. M.A. Jinnah : "Therefore I cannot see why the Honourable the Home Member is so much disturbed or perturbed so far as...the age being raised from 14 to 16 outside the marital relation [is concerned]."

The Honourable Sir Alexander Muddiman : "What about raising it inside it?"

Mr. M.A. Jinnah : "That is a point which gave us a lot of trouble and in Select Committee we gave our best and most anxious consideration to the question of raising the age within the marital relation. That is the point. That I can see is a very important point, but there again, as I said before, one school of thought may say 13, another school of thought says 14. Well, I say take this Bill if you like to the other House, and it must go to the other House, and let us consider what they say. In the meantime we shall have opportunities of understanding and knowing the opinion of the press and the public in the country, and if we find with regard to that part of the Bill there is really a strong public opinion, then I am sure that this House, which after all wishes to give effect to public opinion, will be only too glad to consider and meet that public opinion."

RECOMMENDATIONS OF THE REFORMS INQUIRY (MUDDIMAN) COMMITTEE*

I am very doubtful whether this debate will be at all fruitful in the end. Sir, I feel at this moment that the atmosphere is very gloomy and the political horizon is certainly very dark. But in the first instance, let us try and understand what is the question before the House today. Sir, the history of this question is a very old and long one, but I do not propose to go into that history beyond 1919. In 1919 when the Government

*Speech in the Central Legislative Assembly on 7 September, 1925.

of India Act of 1919 was passed, I think the Government knew perfectly well, that there was a large body of people who were not satisfied with the Act of 1919, but nevertheless they said that they would try to work it for what it is worth. The Government knew that perfectly well and Lord Birkenhead could not be so badly informed—although he has not referred to it in his speech and I am sure that in those conversations which he had with Lord Reading in England he must have been fully apprised of those factors and situation. Not only that, but they are mentioned in the Muddiman Committee's Report, which, I believe, His Lordship Lord Birkenhead must have read. The reasons why the non-co-operation movement started, and found its existence and was carried on, were the extraordinary events which moved the blood of every man, woman and child in this country. Sir, the Punjab question no longer exists : Jallianwalla Bagh we cannot forgive, but we are willing to forget. The Treaty of Sevres is gone, the Khilafat question does not exist in that acute form. But, Sir, the question of Swaraj remains. Now let us recall the recent history of this question in 1921, what did this Assembly, composed of men who came here to co-operate with the Government at the risk of obloquy and odium of public opinion, do in 1921 ?

In 1921, a Resolution was moved and the Government practically accepted that Resolution. That Resolution ran as follows :

“That this Assembly recommends to the Governor-General in Council that he should convey to the Secretary of State for India the view of this Assembly that the progress made by India on the path of responsible government warrants re-examination and revision of the constitution at an earlier date than 1929.”

Well, Sir, to that we got a reply from His Majesty's Government and there were three objections raised. The first reason was that the progress was possible under the existing constitution. This House will mark the words that the progress was possible under the existing constitution. The second reason was that the merits and capabilities of the electorate had not

been tested by time and experience. And the third reason was that the new constitutional machinery had still to be tested in its working as a whole. To that the answer was given by this Assembly by a large vote on a Resolution in February 1924, which was accepted. That Resolution, as amended by the amendment of my friend Pandit Motilal Nehru, was accepted by every section, almost without exception, on this side of the House. The House will remember that at that time I for one made it quite clear that the round table conference was merely an agency. What we wanted was that steps should be taken to establish responsible Government in India. It was not a question of a round table conference or a square table conference, about which we make bones. It was not a question that we were going to get responsible government now here at this moment. The question raised by the House was that the Government of India Act was unworkable and that the time had come when this Act should be revised and reviewed. Sir, to that question the answer was—I am not going into details—that the Reforms Inquiry Committee was constituted under the aegis of the Labour Government. The terms of reference of that Reforms Inquiry Committee were unfortunate, they are well-known to all the Members of this House. Sir, it was asserted that progress of a substantial character was possible within the policy and the structure of this Act. We joined issue. Then we were told. 'Very well, that is your position. At any rate, we want to make an inquiry. And, if our inquiry shows that substantial progress was not possible within the structure and the scope of this Act, then the question of revising or reviewing the constitution is a separate issue which will be considered hereafter.' Remember that was a clear and a definite term of reference to the Muddiman Committee, namely, that, if our inquiry showed it, we were to say that substantial progress was not possible within the Act and the constitution should be revised. Well, Sir, here I refer to the speech of Colonel Crawford, who went to the length of saying in this House and on the floor of this House with all the responsibility that he carries that the impartiality of the minority was damaged at the very outset of the inquiry. Sir, I am sure if the gallant Member had tried to understand the constitutional aspect and if he had read those observations which he quoted

in order to establish the proposition that the impartiality of the minority was damaged, he would have been the last person to have made such a reckless allegation. What are the observations upon which he relied ? The observations on which he relied are to be found on page 132 of the Muddiman Report. I shall quote those observations and I appeal to Colonel Crawford again to read those observations carefully, and I also appeal to him that he should withdraw the suggestion which he made against the minority. Sir, what did we say ? We said :

“We beg to point out, having regard to terms of reference, we felt at the very commencement of our work that although it was open to us to traverse a large ground so far as the inquiry was concerned, yet in the matter of remedial proposals our scope was very much limited by the language used in clause (2) of the term of reference.”

Now, is that not a fact ? Is that not true ? Does Colonel Crawford now realise what we meant ? Although the terms of reference gave us the power to inquire into the defects and the difficulties inherent in the Government of India Act from A to Z, yet they were precluded from examining those defects and recommending the remedies ? That is what we meant.

Colonel J.D. Crawford : “On a point of explanation. Sir. In view of what the Honourable Mr. Jinnah has said, I desire to withdraw—any charges of partiality that I may have made against the distinguished members of the minority report. My intention was really to emphasise the fact that in my opinion the members of the minority had given undue attention to the political aspects overshadowing altogether the administrative aspects of the problem, and I feel that it was the administrative aspect and not the political aspect with which the man in the street and those engaged in trade and commerce were mainly concerned.”

Mr. M.A. Jinnah : I am not going to quarrel with the point of view of Colonel Crawford at the moment. I grant that there are difference of opinion. But that is not what I am going to deal with at this moment.

Sir, now I shall proceed further. Now, what is the question before this House? The question upon which I again want the House to rivet its attention is this. Is this constitution to be revised, to be reviewed at an early date, or are we going to wait until 1929? That is the real issue and that is the question which we have got to consider. Now, Sir, we maintain and there can be no doubt—even Lord Birkenhead and the Honourable the Home Member cannot gainsay it—that the inherent defects of dyarchy make any real progress towards responsible government impossible within the structure and the policy of the Act. What does Lord Birkenhead say on this point :

“What, then, it is possible for me to say, at this stage, of the future? The wisdom of Parliament declared that, after a period of 10 years, the Montagu-Chelmsford Constitution should be reviewed by a Royal Commission. It will undoubtedly require such revision; and it cannot be too plainly stated that everything will necessarily be thrown into the melting pot. Dyarchy itself is very obviously not a sacred principle. It must be decided by results. The conception was always doctrinaire and artificial. A great measure of success may justify it, where a smaller would not.”

And then he quotes at the end of his speech a passage which is a well-known passage and which has been quoted over and over again as a true and accepted estimate of dyarchy.

And he says that he had no quarrel with that description and estimate of dyarchy.

I will repeat that passage for I feel it would bear repetition :

“The Governor in Council, in words quoted by the noble Lord who moved, has, it is true, placed it on record that, in his opinion, the dyarchy is a cumbrous, complex, confused system having no logical basis, rooted in compromise and defensible only as a transitional expedi-

ent. My Lords, I have said enough to make it plain that whatever other controversies may separate the noble Lords and myself this will neither be one of the most bitter nor the most protracted."

Now, Sir, if so far I am right and we are right that dyarchy cannot possibly, having regard to its inherent defects, enable us to make any progress within the structure and policy of the Act—and we go further and say that if you make any amendments within the scope and structure of the Act, it does not meet the needs of the country, and certainly, I say it most emphatically, it does not satisfy a single section of the political minded people of this country—then what is the answer? The answer is, trot out all the arguments which in my judgment amount to nothing else but scandalising the Indian people. The first argument is that we are not a nation, therefore, we must wait till 1929. Then I suppose suddenly we shall become a nation. Sir, the argument was advanced in 1919 when Mr. Montagu, the late Secretary of State for India, for whom I had the profoundest respect, said on the floor of the House of Commons :

"That pronouncement was made in order to achieve what I believe is the only logical, the only possible, the only acceptable meaning of Empire and Democracy, namely an opportunity to all nations flying the Imperial flag to control their own destinies. (An Honourable Member : "Nations.") I will come to nations in a moment. I will beg no question. The Honourable Member raises the question of nations. Whether it be a nation or not, we have promised to India the progressive realisation of responsible government. We have promised to India and given to India a representation like that of the Dominions on our Imperial Conference. India is to be an original member of the League of Nations. Therefore, I say, whatever difficulties there may be in your path, your Imperial task."

for which, Sir, the Honourable Sir Charles Innes is not ready :

'is to overcome those difficulties and to help India on the path of nationality, however much you may recognise'—

And I propose to ask the House to consider them :
'the difficulties which lie in the path.'

Sir, India is not a nation, we are told. We were a people when the Great War was going on and an appeal was made to India for blood and money. We were a people when we were asked to be a signatory to the Peace Treaty in France. We are a nation when we become a member of the League of Nations to which we make a substantial contribution. We are a nation or a people for the purpose of sending our representative to the Imperial Conference. We are your partners, but we are not a nation. We are not a people nor a nation when we ask you for a substantial advance towards the establishment of responsible government and parliamentary institutions in our own country.

Then, Sir, we are told—and I say again it has reached the point of scandal—what are our electorates, look at them. Then we are told, 'Look at your education', 'look at your position with regard to the defence of your country.' Lord Birkenhead has done the greatest injustice in that statement of his in the House of Lords. We are told that we cannot give ten boys for the vacancies allocated to India for the King's Commission. I repudiate that as an entire falsehood. I can give you ten thousand if you want. You have closed that door to the Army to the people of India. You only opened that door under the stress of war in 1918 and allowed an Indian to be in a position to take the King's Commission, and now you turn round and say, 'But nobody in India suggests that we can dispense with the British troops. You have placed a garrison, you have kept the sons of the soil out for a hundred years or more, and you now tell us we are not able to take up the defence of the country. Sir, it is well-known, the Government know it, and if they don't know it then I say they are not fit to govern. Lord Birkenhead may have indulged in pomposity but he has shown—I speak with the greatest respect, for after all he is Secretary of State for India—utter ignorance in the one-sided picture he has

Painted for the House of Lords, which is a slander of India's fair name.

Now, Sir, the next charge is education and here I come to my Honourable friend, Mr. Cocke. He has taken a very business-like view. He did not pretend that he was capable of understanding constitutions and he pointed out what strikes the ordinary man. I am not going to exaggerate on the floor of this House, although I hold very strong views that there are difficulties, undoubtedly there are difficulties. A man who says there are no difficulties is not speaking the truth, but do not, in the name of heaven, scandalise us. We say that there are difficulties, but meet them and let us solve them as comrades together. That is what we want.

I do not want really to take up more time, but I want to deal with the next point, what is the answer of Lord Birkenhead, His Excellency the Viceroy and the Honourable the Home Member. They all say there is one condition. The minority report means that we want a Royal Commission but says the Honourable the Home Member, there is a clear condition before the Royal Commission can be announced. Before Government do that, there is one clear condition. He did not add the word 'precise' which Lord Birkenhead did, but I will add both 'precise and clear,' and the condition is that responsible leaders must co-operate. I again here ask the Government, I ask Lord Birkenhead, I ask Lord Reading, what is your answer to those men who have co-operated with you? None. Your answer to me as one who has not non-co-operated with you is this.

Will you bring a section of the politically minded people, who happens to be the largest political party, will you bring them down on their knees? Will you bring Pandit Motilal Nehru to bow down to the throne at Viceregal Lodge, and say 'Sir, I am humble, I crawl before you, and will you now be graciously pleased to give me a Royal Commission?' Is that what you want? What has Pandit Motilal Nehru been doing in this Assembly? Has he not been co-operating with you? What more do you want? I want to know what more you

want, and may I know what evidence, what proof, documentary or oral, do you want me to produce or adduce that the responsible leaders are willing to co-operate with you? Have you no eyes, have you no ears, have you no brains? (An Honourable Member; "No hear"). Sir, so much for co operation.

Now I come to the next point. I think if Sir Basil Blackett had confined himself to the financial aspect of this question we would have done much better, instead of interpreting a constitutional document and trying to give some meaning to it. Well, Sir, I will not say anything more. I say that document is clear, it speaks for itself. But if Lord Birkenhead and His Excellency the Viceroy, and even the Honourable the Home Member, had stopped at this, that as soon the responsible leaders show evidence of co-operation and show that they are willing to work this constitution for what it is worth, we shall certainly appoint a Committee at an early date, if they had stopped at that, I could understand it. But what do we find? The pomposity and pedantry of Lord Birkenhead does not stop there and it is repeated here. He says further :

"It has always seemed to me that a very simple answer may be made to such a contention. We do not claim in Great Britain that we alone in the world are able to frame Constitutions, though we are not altogether discontented with the humble constructive efforts which we have made in this field of human ingenuity."

I certainly admit, Sir, that dyarchy was a human ingenuity. Then he goes on :

"But if our critics in India are of opinion that their greater knowledge of Indian conditions qualifies them to succeed, where they tell up that we have failed, let them produce a constitution which carries behind it a fair measure of general agreement among the peoples of India."

Here we are peoples of India :

'Such a contribution to our problems'
They are their problems, not ours :

“to our problems would nowhere be resented. It would, on the contrary, be most carefully examined by the Government of India, by myself, and I am sure, by the Commission, whenever that body may be assembled.”

Lord Birkenhead therefore, says, well give us an idea of your constitution. Now I turn again to my friend the Honourable the Finance Member, and I say that, if he will be kind enough to read that amendment, he will see that that amendment lays down the definite lines on which the constitution should be amended. Am I wrong in saying on the floor of this House, as an answer to Lord Birkenhead, that these are the fundamental changes that I want to be embodied in this constitution? Am I wrong in that? You may say that my proposals are wrong, you may say my proposals are defective, you may point out to me where I am wrong, and certainly I for one make it clear that I am open to conviction...”

The Honourable Sir Charles Innes : (Commerce Member):
“Will the Honourable Member explain whether he accepts what Pandit Motilal Nehru said yesterday, that not a comma of this amendment must be altered ?”

M.A. Jinnah. **“I am used to the mischievous attitude of the Honourable the Commerce Member, and he will not draw me into his parlour. I have known the spider too long and the fly is not going to be caught. Now I shall proceed, untrammelled by any mischief. I say this amendment is an answer to Lord Birkenhead.**

Well now, Sir, let me come back to my Honourable friend Sir Charles Innes. What did he say? He said the Preamble can go to the winds that does not matter.”

The Honourable Sir Charles Innes : **“What I said was that Preambles could be altered”.**

M.A. Jinnah. **“Yes, therefore, they can go to the winds. Well, surely they are not sacred, they can be altered as we like.”**

The Honourable Sir Charles Innes : "Not as you like."

Mr. M.A. Jinnah : "You and I. Anyhow, Sir, I have been in the legal profession for a long time and I always thought that no Preamble was sacred, no Statute was sacred, no provision of a Statute was sacred. As a matter of fact let me tell Sir Charles Innes, if he does not know it, that the Preamble has always to recite the evil it is decided to cure, the Preamble merely states the object with which the generation is undertaken and nothing else."

The Honourable Sir Charles Innes : "Thank you."

Mr. M.A. Jinnah. "But really to me, Sir, this is a futile controversy, an utterly futile controversy. The question really is this. Take your section 84-A, to which the Honourable the Home Member referred. Well, what will the Royal Commission when it is appointed, do ? It will examine the question and supposing the Royal Commission came to the conclusion, on an examination of the question that all that we are saying in our amendment can be done, having regard to the growth of public opinion, having regard to the efficiency of the electorates having regard to the educational condition of this country. And let me tell you that more people are educated in this country today if you rely on percentages, than there were in England when you had a Parliament there first—and having regard to all the circumstances of the case, supposing they thought that the people of India were competent and fit and that the proposals embodied in this amendment should be carried out, would you object to it ?"

The Honourable Sir Charles Innes : "Not at all, but the decision would rest with His Majesty's Government. That is what the Honourable Pandit will not admit."

Mr. M.A. Jinnah : "Now I come to the decision. Let me tell you, if I may address the Honourable the Commerce Member, let me tell you something in your history. I dare say hard-worked officials like Sir Charles Innes sometimes forget history. Now let us get back to history. He talked about the manner, the measure and the time, and said His Majesty's Government is going to be the final arbiter of that. That was

his contention. Now let me ask the Government and particularly the Honourable the Commerce Member who was the arbiter in the harbour of Boston ? Not His Majesty's Government. You have that instance in history.

The Honourable Sir Alexander Muddiman : That is hardly an instance from the history of peaceful constitutional reform.

Mr. M.A. Jinnah : They also wanted constitutional reforms there. My Honourable friend the Home Member will allow me to proceed a little. Who was the arbiter when unasked you gave self-government to South Africa ?

The Honourable Sir Charles Innes : His Majesty's Government.

Mr. M.A. Jinnah : Who was the arbiter when you gave self-government to Canada ?

The Honourable Sir Charles Innes : His Majesty's Government.

Mr. M.A. Jinnah : And what about the revolution which preceded His Majesty's Government's decision ?

The Honourable Sir Charles Innes : The revolution was before that.

Mr. M.A. Jinnah : And so His Majesty's Government made up their minds to give self-government. Do you want that here ?"

The Honourable Sir Charles Innes : Do you ?

Mr. M.A. Jinnah : If you want it, you shall have it. Who was the arbiter in Ireland ? His Majesty's Government ? (An Honourable Member : "De Valera"). The gentlemen who carry on the Government of India with all their sense of responsibility utterly lack imagination.

The Honourable Sir Charles Innes : They have too much.

Mr. M.A. Jinnah : They may be earnest administrators but what can you expect from that ? My Honourable friend said 'I have spent 27 years in hard work', I grant it, conscientious work, I grant it, good work according to his lights, I grant it. But, Sir, he has been brought up in that atmosphere where

it is impossible for him to get out of it. Those very 27 years that he has spent disqualify him from examining the constitutional question. What does he say ? First he talked about the British claim. Claim to what ? Trusteeship, Sir Charles, it is an old exploded theory and I assure you, you stand on no moral ground if you talk of your trusteeship. Sir Charles says 'we are not only the trustees of the intelligentsia or anyone section of the people but of the entire people of India.' Well, Sir, the less we talk about it the better. It is no use to anybody. Sir Charles sees nothing but cliffs and abysses or precipices, he is so frightened that he will tumble down...

The Honourable Sir Charles Innes ; That you will tumble down.

Mr. M.A. Jinnah : Then he says to us : 'We have not known chaos and anarchy for a century, we have not known,— I think he said 'the horror of chaos and anarchy for a century.' I grant it, that is a good argument, as far as it goes, but what have we seen ? (An Honourable Member : "The horrors of plague and poverty.") We have not seen the horrors of chaos and anarchy but what have we seen, I ask again ? Sir, the horror of being a disarmed people, we have seen the horror of being kept out of that ring of monopoly in the administration and the government of our own country. We have watched and we have experienced the horror of helplessness in the defence of our own country for a hundred years. We have seen the horror of keeping a large body of people in darkness, denying them even elementary education. No country in the world that claims to be a civilised country would tolerate that. After a hundred years' rule, can you compare your education policy with any civilised country ? We have seen those horrors and we say that these horrors are much worse than anarchy and chaos. We want to free ourselves from these horrors and there is one way and one way alone for India to free herself from these horrors and that is, to replace that irresponsible bureaucracy by a Cabinet responsible to the Legislature of the representatives of the people. And we want you, we want you honestly as men to come forward and help us. I know the difficulties. We know the difficulties there are.

Now, Sir, I have done. I say 'in conclusion that you have got two alternatives placed before you. There is a minority report which I say has made out a case to the hilt for a revision of the constitution and they recommend certain reforms and examination by a Royal Commission or some other body. Here again I may say that Lord Birkenhead has run away from the point in his speech and has evaded the real issue when he says :

“The obligations of the Government must be admitted to the experienced men who contributed so much labour and produced so competent a Report”.

For this reference, standing on the floor of this House, may I express my gratitude to His Lordship. Then he proceeds :

“We do not anticipate—for reasons which I have already made plain—that we shall be able, the noble Lord desired, to accept the Report of the Minority at this stage. The problem of provincial autonomy has not indeed been adequately thought out by those who are today pressing it so strongly upon our attention. Provincial autonomy contemplates the complete transfer to all the provinces of law and order ; and it would render necessary far-reaching changes in the Central Government of India which I have never yet seen closely analysed and very rarely even cursorily examined.”

Who prevented this course, who is responsible for it ? Sir, when can they be closely examined ? The Reforms Inquiry Committee's terms of reference deliberately precluded us from closely examining them. We say so. In the concluding part of our report--the minority report—we say further :

“In conclusion, to our mind the proper question to ask is not whether any alternative transitional system can be devised, but whether the constitution should not be put on a permanent basis with provision for automatic progress in the future so as to secure stability in the Government and willing co-operation of the people. We

can only express the hope that a serious attempt may be made at an early date to solve the question. Whether this attempt should be made by the appointment of a Royal Commission with freer terms of reference and a larger scope of inquiry than ours or by any other agency is a question which we earnestly commend to the notice of Government."

Sir, therefore, to sum up the situation within the next two minutes or three minutes. that are at my disposal I submit to this House that the question stands thus :

"First, are Government prepared to appoint a Royal Commission at an early date to examine the entire constitution? I see the Honourable the Home Member remains absolutely quiet....."

The Honourable Sir Alexander Muddiman : Sir, I shall reply to the Honourable Member in considerable detail later on.

Mr. M.A. Jinnah : Second, do you honestly, sincerely desire us to submit to you the fundamental principles upon which a constitution ought to be built? Lord Birkenhead in his speech has said that he would earnestly consider proposals. There is the amendment. Consider it.

Sir, one word more. Let me tell you this. India today is in a very critical condition. Believe me I do not say as words of menace or threat. But let me tell you, India is determined to win her freedom. The manner and the measure and the time, either you determine in a reasonable spirit, or else she will determine for herself.

RELEASE OF POLITICAL PRISONERS*

Sir, after the eloquent speech of the Honourable Member who spoke last I want to get back to the hunderum of the

*On January 26, 1926, Maulvi Muhammad Shafi moved a resolution.

"This Assembly recommends to the Governor General in Council that he be pleased :

debate and confine myself more to the terms of the Resolution and the amendment which are before the House. Sir, so far as clause (a) of the Resolution is concerned, the Honourable the Home Member, speaking on behalf of the Government, said that it can only be dealt with on the ground of a general amnesty.

The other ground which, of course, he naturally did not like to mention but which is present at any rate in my mind is and I hope he will agree with me—mercy. I am not going to stand on the floor of this House and preach to the Honourable the Home Member to do his duty on the plea of mercy. It is the prerogative of the Government, as he very rightly described it, and with that prerogative is imposed a duty and an obliga-

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- (a) to order the unconditional release of all such convicted or under-trial political prisoners in Indian jails as have not been held guilty or charged with any act of violence and all political detenus whose trial in a court of law is not contemplated ;
 - (b) to order the release of all other political prisoners convicted or under trial, provided that a committee consisting of two members elected by the Legislative Assembly and two members nominated by the Government recommended their release ; and
 - (c) to allow the return to their homes of all Indian exiles in foreign countries who are supposed to have been concerned in revolutionary movements in order to secure freedom for India on such reasonable and honourable terms as the Government may think fit to impose."

To this resolution, the following substitute amendment was moved by J.C. Goswami :

"That this Assembly recommends to the Governor General in Council :

- (a) forthwith to secure the immediate release of all political prisoners detained without trial ;
- (b) to take steps to remove all difficulties in the way of the return to India of Indian exiles in foreign countries who may be or may have been suspected of being concerned in any revolutionary or other activities regarded by the Government as prejudicial to the interests of India ; and
- (c) to bring to trial under the ordinary law of the land such persons against whom the Government think that they have sufficient evidence to go to court."

M.A. Jinnah supported it.

tion upon the Government, which is equally sacred, that if they find a case or cases where clemency or mercy should be exercised, it should come spontaneously from them. I am not going to encroach upon the function of the Government, which is expressly provided for in the Criminal Procedure Code. Dealing with the ground of a general amnesty, I do not know when the Honourable Member will decide that the time has come for a general amnesty. He gave us no indication whatsoever. But reading the signs and having listened to some of his answers to questions during the last few days, and also the recent eloquent speech of the Governor General to which he referred, it seems to me that the time for a general amnesty will only come when Pandit Motilal Nehru will go to the Viceregal Lodge. (*Laughter*). If the Honourable the Home Member is going to wait for that, he is welcome to wait. I cannot induce him nor can I take him to Viceregal Lodge, although I am willing to go and have been there and Sir, you have been there recently more often than I. (*Laughter*) If that is the only term, then I say I cannot comply with it. I cannot possibly stand in this House and comply with the one and only clear and precise condition which has been laid down so often, so repeatedly, so determinedly and so affirmatively I cannot comply with it, beyond saying that the country has given sufficient proofs to expect the next move from the Government.

Then, with regard to part (b) it asks that the cases of other political prisoners who are convicted should be revised by a committee. Well, Sir, it seems to me from a practical point of view it is perfectly futile. What will this committee do? Is this committee going to allow further evidence to be called, fresh evidence to be called? Here you have cases that have been tried by competent tribunals and they have been convicted. The materials are there. They can neither be reduced nor increased, and what is the good of having this futile committee which will revise these cases? Therefore it seems to me and I say to the House, that it is perfectly futile to pass this part of the Resolution. I am therefore inclined to give my whole-hearted support to the amendment of my Honourable friend

from Bengal, Mr. Goswami, and his amendment is the amendment upon which I wish to take my stand.

Dealing with the amendment, let us consider it carefully and I ask the Honourable the Home Member to tell me at least in his final reply whether our case does not require most careful consideration and whether that amendment is not a reasonable one. Sir, the first portion of that amendment is this, forthwith to secure the immediate release of all political prisoners detained without trial. My Honourable friend, Colonel Crawford, said that nothing new was said, no further argument was advanced today. But, Sir, the Government arrested these men, I believe, as long ago as November 1924, and we are today in January 1926, and I want to know from Government how long they are still going to keep them in prison without bringing them to trial. An indication was given by Colonel Crawford—I do not know whether the Honourable the Home Member endorses those reasons but I do not gather that from the speech of the Honourable the Home Member. The indication was this, that 'If we bring evidence now, there are conspiracies which will come to know and they are not yet broken and until we break those organisations completely we are not going to bring these people to trial and therefore they must rot in jail.' Sir, I think there is some limitation to this plea. This is the reason which has urged throughout last year and this is the same reason given to us here in this House now; why they cannot do it. I ask the Honourable the Home Member, is this fair and just to these men who have been locked up without trial for more than a year? Therefore, I hope that this House will, I cannot say unanimously because Honourable Members are looking at me on the other side,—but I hope this House will carry that part of the amendment by an overwhelming majority, and I appeal to my European friends that it is time for them now to come forward and say that these men should no longer rot in jail without trial.

The next part of the amendment is this: to take steps to remove all difficulties in the way of the return to India of all Indian exiles in foreign countries who may have been suspected

of being concerned in any revolutionary or other activities regarded by Government as prejudicial to the interests of India. I listened to the speech of the Honourable the Home Member on this point with very great attention and very great interest. He made it clear that Government will put no obstacles in the way of these exiles if they wish to return to India. At the same time he very frankly said that that will not give them any immunity from taking the consequences of the law in this country, if they had broken any law. I can quite understand if the Honourable Member said this—that there are certain men who are exiles, whom, if they come here, we are going to prosecute or against whom we shall take such steps as the law permits us to take and there are certain other men who will not be proceeded against if they came to India. Now, what is the good of saying this—that we will put no difficulties in the way of these men if they come back? You know perfectly well that almost every one of them without exception could be brought under some law or other and convicted of some offence or other. I want to test the *bona fides* of the proposal which you are making.

The Honourable Sir Alexander Muddiman : Is the Honourable Member entitled to challenge the *bona fides* of my proposal?

Mr. M.A. Jinnah : I do not mean that the Honourable Member is not honest in what he says. What does it amount to when you say that the Government are not going to put any obstacles in the way of these exiles? I venture to say that almost every one of them could be prosecuted under some section or other and convicted. Perhaps I used a wrong expression when I used the phrase '*bona fides*.' I did not mean to attribute anything. I want to give the House my own personal knowledge of some of these exiles. I happened to be in Berlin and I met several of them deliberately and I had long discussions with them. You know as well as we do that every one of them was helping Germany in the war. It is a fact. Now what is the position? Each one of them came to see me individually. It was not a preconceived idea at all. In the course

of conversation I asked every one of them what they thought now, and I got an answer from every one of them that they had made the greatest blunder of their lives. No, Sir, I was not in authority. I was satisfied that they were stating to me their real convictions. They said, 'we have learned that by associating ourselves with any foreign Government or any foreign power we are not likely to get freedom for India.' They are living there now and they would like to come back to India. And let me tell you that speaking on behalf of these 10 or 12 men I say they are willing to give you an undertaking and make a solemn declaration that they will never associate themselves with any foreign Government or any foreign people in future in order to work for the good of India as they have now been convinced that those methods will not help the cause of the freedom of India. They are willing to give you a declaration, and an undertaking, and I was satisfied personally that they honestly believe that they have made a great mistake. It is not, Sir, that they are starving. They are not starving. Many of them are getting on fairly well in their various vocations. They do not therefore want to come here because they cannot get on or earn their livelihood there. They naturally want to come back to their own country and they are willing further to give you an undertaking that they will not engage themselves in any political propaganda in India which is unconstitutional or violent or non-peaceful. Now, I ask the Honourable the Home Member, does he want any more conditions? If not, then what is the good of saying 'I will put no difficulties in your way', when they know perfectly well that as soon as they land here you will prosecute them, and you say so.

The Honourable Sir Alexander Muddiman : I am sorry to interrupt the Honourable Member, but to shorten the debate, must point out that general man have returned and I have not prosecuted them.

Mr. M.A. Jinnah : I welcome the news. That is exactly what I have been urging upon the Honourable the Home Member. And if I might respectfully put the suggestions before the Home Member, he should entertain the applications of

these men as he thinks proper and let such of them return. I have got my eye also on Japan as much as the Honourable Member has. I appreciate that, but let the applications be welcomed by you and when you find that you have got a man with whom you are satisfied, give him a chance and start and give him the safety in this country which is after all his mother country, to which he longs to come back.

Now, the next point I have to deal with is to bring to trial under the ordinary law of the land such persons against whom Govt. think that they have sufficient evidence to go to court. Sir, the amendment coming from my friend, Mr. Goswami, gives me special pleasure—I mean this part of it. I congratulate him and I want to make it quite clear that the implication of this part of the amendment is this, that we do not wish that any crime of any offence should go unpunished, even political offence, which the Honourable Member sitting there on behalf of the Government calls graver than any other offence, while the Honourable Member on this side would consider that other offences are graver than political offences. I am not going to dispute one or the other, nor do I wish to decide the point here. I would for the present rest content with saying that an offence is an offence in the eye of the law. And certainly even my friend, Lala Lajpat Rai, made it clear that he, speaking on behalf of the very large section that he represents here, says: 'We condemn violence, we have condemned violence, and in spite of that, crimes have been committed' and there may be certain revolutionary organizations in the country, and they require to be dealt with. Has anyone on this side of the House or on my side ever suggested that these revolutionary movements should not be put down? Has anyone suggested that those people who have committed offences against the State should not be tried and convicted? At least I have not. I never have and I repeat here again no offence against the State can be condoned; it must be vigorously prosecuted and the men must be prosecuted; but for God's sake send them up for trial, and do not let them rot in jail without trial, as you have done in the case of some 140 men, the figures given by the Honourable the Home Member for more than a year and a quarter now; and we ask you therefore to bring them to trial and get them

convicted ; if you can ; and the sooner you adopt this policy the more readily you will get support and response not only from the Members of this House but from the country at large.

**THE CODE OF CRIMINAL PROCEDURE
(SECOND AMENDMENT) BILL**

I*

Sir, the only reason I have got up to speak is that I thought the Honourable the Home Member might rebuke me, as he did on another occasion, for not taking part in this debate. When this matter was discussed in this House in September, I did not take part nor did I vote one way or the other. I remained perfectly neutral when the division was taken last September and the Home Member's Bill was defeated. He has appealed to us today that this is an important matter and therefore we must give it careful consideration. Now, Sir, I should have thought that the Honourable the Home Member would have waited a little longer and not taken the advantage which the Government enjoy under the procedure of this House, namely, that any Bill which had been rejected — of course this was not rejected because the Home Member refused to move the consideration of the Bill...

The Honourable Sir Alexander Muddiman : I moved the Bill leaving out this clause.

Mr. A. Rangaswami Iyengar : And then brought in a separate Bill.

*On February 10, 1926, Sir Alexander Muddiman moved in the Central Legislative Assembly for the consideration of the Bill to amend section 109 of the Code of Criminal procedure, 1898. The Bill provided for the restoration to magistrates of the discretionary powers which were taken away when section 123 of the Code was amended in 1923 to award rigorous instead of simple imprisonment to known criminals, who were unable to provide sureties. Emphasising the importance of the resolution, he disclosed that all the local Governments had supported the restoration of discretionary powers to magistrates. Jinnah opposed it.

Mr. M.A. Jinnah : And now we have got this separate Bill. My point is that ordinarily what happens is this, that when a Bill or a Resolution is rejected, you cannot bring it up for a year. But the Honourable the Home Member instead of waiting for some time and then coming to this House and making out a strong case for the present Bill, has taken the earliest opportunity to bring this very clause again in the shape of another Bill before this House. Well, now, Sir, what is the justification ? As far as the Bombay Government are concerned, it has already been pointed out that the Bombay Government this, that the provisions of section 123 limiting the imprisonment under section 109 to simple imprisonment have been noticed by several officers to provide an entirely inappropriate punishment for the majority of persons concerned. Now the House will note the words 'for the majority of the persons concerned'. But we have a very illuminating statement from the Bombay Jails Report, and that statement says this :

“The number of prisoners sentenced to simple imprisonment was 1,177 as compared with 1,021 in the previous year. The increase is mainly due to the amendment of the Criminal Procedure Code prohibiting the award of rigorous imprisonment to persons in default of giving security under section 109 of the Criminal Procedure Code. Many of these prisoners are habituals—that is to say, the additional number, the difference between 1,021 and 1,177—

“Many of these prisoners are habituals with several previous convictions and it is clearly wrong that such persons should be maintained for months or years in entire idleness at the public expense.”

Now the remedy for that is suggested by this very opinion which I am reading :

“It is suggested the instructions might be issued to the police that wherever possible prisoners should be charged under section 110 instead of under section 109. They can then be sentenced to rigorous imprisonment if they fail to produce security.”

The Bombay authorities therefore observe that the remedy is in the hands of the executive. Now, the Honourable Mr. Tonkinson said that section 109 is intended for and it is the only section under which you can bring habituals.

Mr. H. Tonkinson : That is not what I said at all.

Mr. M.A. Jinnah : I am quite willing that the Honourable Mr. Tonkinson should make a statement as to what he meant. He clearly conveyed this idea that section 109 is the only section under which you can bring habituals, and that is how I understood him.

Mr. H. Tonkinson : The statement that I made was that in certain cases certain habituals can only be proceeded against under section 109, at a particular time they cannot be proceeded against under section 110. That is an entirely different statement.

Mr. M.A. Jinnah : Well, if that is his statement, all I can say is it is as vague as it is irrelevant. What are those certain cases, will the Honourable Member say? What are the circumstances, what are the cases? It is all very well, Sir to say certain cases under certain circumstances could not be proceeded against under section 110 but must be brought under section 109, which case is that? I can quite understand if Mr. Tonkinson had said that the clear distinction between section 109 and section 110 is this, that section 110 deals with certain specified offences which are mentioned therein. They are all specified and what is more, another additional condition is laid down under section 110, that that person who can be prosecuted for any of those offences which are mentioned in section 110(a), (b), (c), (d) and so on, must be within the local limits of the magistrate's jurisdiction, but section 109 disregards the question whether that person was within the local limits of that magistrate or not. The person may have come entirely from outside, absolutely from outside; but if he enters the jurisdiction of the magistrate and if the magistrate can be satisfied 'that any person'—these are the words of section 109, clause (a),—'that any person is taking precautions to conceal his presence within the local limit of such Magistrate's jurisdic-

tion,—‘not necessarily resident there ‘and that there is reason to believe that such person is taking such precautions with a view to committing any offence’ he can be prosecuted. It does not necessarily follow that he has committed any offence before that or that he is a habitual offender, if he has gone there and he is concealing himself with the view to commit an offence—it may be it is the very first offence that he desires to commit and that he has committed no offence yet, he can be hauled up under section 109. It is no use therefore saying—and I do not agree with Honourable Members who put forward this argument—that it is wrongly used and that this power is abused. I say if I went to Nagpur...

Sir Hari Singh Gour : You would be in jail very soon.

Mr. M.A. Jinnah : If I went to Nagpur and if I want to take part in that movement which was going on and I had been taken before the magistrate under section 109, I would have honestly said to him ‘Yes, I have come here for this purpose.’ I would not have denied it. I am there with a view to committing an offence and I shall be liable to be bound over under this section rightly.

Mr. C Duraiswami Aiyengar : May I ask you whether under clause (a) or clause (b) ?

Mr. M.A. Jinnah : Clause (a), I am talking of clause (b), I shall be liable to be bound over ..

Lala Duni Chand : That is a strange exposition of the law.

Mr. M.A. Jinnah : I beg to differ from the Honourable Member who has better knowledge of law than I have, but I say we are now really running away from the real issue. It is no use saying that a magistrate will be abusing that power. It is not for that reason that I am opposing this Bill. My reason is this, that under section 110 if you wish to collar a habitual offender for specified offences which cover a very large area—almost everything that you can imagine is covered—then the magistrate can proceed under section 110. But if you want to collar a man under section 109(a), that is to say, for offences other than the offences specified in section 110, then I say the

punishment should not be rigorous imprisonment, but simple imprisonment.

Mr. A Rangaswami Iyengar : That is the point.

Mr. M.A. Jinnah : That is my point. That is with regard to section 109(a) ; and I say that I would like to have a chance or rather a choice, if I went to Nagpur ; and I should certainly prefer simple imprisonment to rigorous imprisonment, because I think it will be more comfortable at any rate.

Well, Sir, we come now to clause (b). With regard to clause (b), I agree that the words of that clause are very wide, but they have already received judicial interpretation in various courts. Of course it may be abused: that is a clause which I can understand being abused, and it may be abused not merely on the ground of collaring political workers, but it may also be abused on some other ground such as of course to maintain the prestige of the executive, which is very important in a district. I think the Honourable the Home Member will agree with me that it is very important.....

The Honourable Sir Alexander Muddiman : It would not keep any one under section 109 on these grounds, you may take it.

Mr. M.A. Jinnah : I mean this : it is very easy to haul up a few people under section 109(b), and of course it has been pointed out that we have a system here where the judiciary is not separated from the executive and therefore there is that risk and that danger. But nevertheless that is not a part of section 109 to which I attach very importance, and as Mr. Tonkinson himself pointed out in September,—and I am inclined to agree there—generally no magistrate will convict a man under section 109(b) and call upon him to give security merely because he has got no ostensible means of subsistence. I agree it must be something more, something more which is contemplated by this section and affirmed by judicial decisions and that something more is very clearly enacted in the English law which Mr. Tonkinson himself pointed out. The English law is :

“If on his being charged by a constable with getting his livelihood by dishonest means and being brought before a court of summary jurisdiction it appears to such court that there are reasonable grounds for believing that the person so charged is getting his livelihood by dishonest means.”

That means that that there must be some attempt to resort to dishonest means : that is to say, a person who has no ostensible means of livelihood and further cannot give a satisfactory account of himself and is resorting to some dishonest means in order to get his livelihood which may not actually amount to a criminal offence is the class of man that would be liable to be bound over under this section. I have no quarrel with that, it is a much lighter punishment, and after all I think the Honourable the Home Member will agree with me that he will convicted more or less on suspicion. Now, we are not concerned with cases of beggars and of people who honestly have no ostensible means of subsistence. What is the good of your putting them in jail? Are you going to make them work by passing sentences of rigorous imprisonment? Is that the remedy? That is not the class of people that you want to touch, that is not the class of people you want to improve by sending them to jail and sentencing them to rigorous imprisonment. Therefore, you have really got two classes, both the classes you could bind over under section 109 more or less on suspicion, no definite offence need be proved except a possibility under section 109 (a). For that purposes, is not simple imprisonment sufficient? Well, I leave it to the House to decide whether that is not sufficient and I say that, until we get some definite and clear evidence that this amendment which has been made only recently has created serious difficulties in the way of the Government, I am not prepared to support this Bill.

II*

Sir, I am not standing here with a view to securing the Royal Commission, and I do not think that it is the business

On February 15, 1926, Sir Alexandr Muddiman moved that the Bill to amend section 109 of the Criminal Procedure Code should be passed. M.A. Jinnah opposed it.

of this House to take that into consideration when we are passing a penal statute which is going to affect a very large body of people in this country. The question before the House is whether this Bill is one which ought to be passed by this House or whether it ought to be rejected, and I am not afraid to stand the examination before the Royal Commission if it ever does come. I think, in spite of the fact that we propose to oppose this Bill—and I hope that we shall succeed in rejecting it—that the Royal Commission, if it consists of men who are men of experience and integrity and honour, as I expect them to be, will also agree with us.

Now, Sir, coming to the merits of the Bill, I have failed to understand why the Government have not yet replied to my question which I put in the course of the debate. An attempt was made by the Honourable the Home Member to give a reply to it. The question which I put to the Government is this. Government come before this House and the Honourable the Home Member made a very passionate appeal to this House and he said, 'Remember almost all the Local Governments have recommended and desire that this amendment should be made; remember, if you refuse to do this, it will show that you are not prepared to assist the executive in carrying on the administration of this country.' Now, Sir, it was because of that appeal that I wanted to understand the case of the Government thoroughly. I asked the Government 'What class of cases do you say you had to deal with which ought to have got rigorous imprisonment but which owing to the change in this law in 1923 could only be given simple imprisonment.' This Act was amended in 1923. Has a single Local Government in their opinions, which are in front of us, pointed out that they had in their province half a dozen cases, a dozen cases in which they had to deal with men who could only be brought under section 109 and no other section and they were such persons as ought to have received rigorous imprisonment, but could not be awarded this punishment because the Statute prevented the magistrate from doing so. I asked that question and Mr. Tonkinson in reply to me said certain cases of certain habituals could not be brought under any other section except 109. Sir, at that time I said that it was as vague and as irrelevant

as it could be. The Honourable the Home Member wanted to improve that and he gave an illustration and that illustration was this. If a man was convicted several times and you cannot possibly bring him under section 110, merely because the man has been convicted half a dozen times and he comes out of jail when he has finished his last term of imprisonment, you cannot haul him up under section 110 unless he has done something which can be construed as a suspicion that he is about to commit an offence. This was the illustration given by the Honourable the Home Member. With great respect to the Honourable the Home Member he said this is the illustration. A man has been convicted on several occasions and he comes out of jail and he is found in his compound, I think he said in his compound, with a picklock.

The Honourable Sir Alexander Muddiman : Hiding himself.

Mr. M.A. Jinnah : With a picklock hiding himself. Now, Sir, I ask him, will he be pleased to read section 110 ? Will he be pleased to read the numerous decisions of the High Court ? That is a case which directly comes under section 110.

Mr. H. Tonkinson (Home Department : Nominated officials) : "No."

Mr. M.A. Jinnah : I will read it to enlighten the Honourable the Home Member and the Secretary, who seems to think he knows a great deal of law. I will only refer him to page 154 of Sohoni, which gives you a collection of cases. If a man is a habitual offender and if he is about to do anything which is dishonest, I submit the series of authorities which you will find at page 156 lay down that the moment he is about to do something in the shape of earning his livelihood or attempting to earn his livelihood by dishonest means, you can bring him under section 110. You will find a series of authorities lay it down at page 156.

Khan Bahadur A. Rahman (Bengal : Nominated Official) : May I ask the Honourable gentleman one question. If a man is convicted under 110 and he comes out of jail today and

tomorrow he is found hiding in the compound of Mr. Jinnah, under suspicious circumstance, can he be convicted under any other section except 109 ?

Mr. M.A. Jinnah ; I submit he will be more easily brought under 110 under those circumstances. You have got a case of habitual offender. He was bound over under section 110 and he cannot give security, and therefore he is sentenced to a year's rigorous imprisonment. The moment he comes out of imprisonment, he is found doing something which is dishonest on the face of it. I submit that under section 110 there is not the slightest doubt that the magistrate will be entitled again to call upon him to give security.

Khan Bahadur A. Rahman : There is a distinct High Court ruling against it. He must be given time to reform himself.

Mr. M.A. Jinnah : He must be given time to reform himself, but he must not be given time to commit offences or to be about to commit offences. According to the Honourable Member even if he committed an offence, he ought not to be convicted because he must be given time to reform himself. It is an extraordinary interpretation. But I do not wish really to enter into this discussion. I submit, Sir, that Government have not given me and this House a single instance where a habitual offender, who is about to do what I consider a dishonest act and what a magistrate ought to consider a dishonest act, cannot be bound over under section 110. Then, Sir, we are told that so far as section 109 is concerned there is the right of appeal. I am not disputing that there is a right of appeal. I am not disputing that for a moment. Here again I ask the Honourable the Home member—he knows perfectly well and I think if he does not he will perhaps take this much at least from me—that a court of appeal very seldom interferes with the decision of the lower court on questions of fact. The court of appeal will decide what ? The magistrate has heard the evidence, he has therefore seen the witnesses. He is the best person to appreciate the evidence and the magistrate gives his findings of facts, and in his judgment, as my Honourable friend, Sir Henry Stanyon, will tell you, he will write 'I believe

X Y Z is a truthful witness, and he impressed me a great deal by his demeanour and the straight-forward evidence he gave before me. I am convinced that those depositions are reliable and as a judge of facts I give my finding that I am satisfied that those facts are proved.' Now, Sir, you ask me to go to the Sessions Judge. I grant it. That is an appeal. What will the Sessions Judge do? Let me tell you—and I think any lawyer who has got even an elementary experience of courts of law will agree with me that the court of appeal will not interfere unless there is a very glaring defect in the findings of facts and a hundred to one the Sessions Court will say: 'The lower court is the best judge of the evidence. The lower court was the best judge because it saw the evidence. Therefore, I will not interfere with it.' That is your appeal. Therefore it is really no use attaching too much importance to it.

Now, Sir, apart from that I take my stand, as I did in the course of the debate on the consideration of the Bill, on this. You have three classes of people that can be brought under this section 109. One is a person who is about to commit an offence and who takes precautions to conceal his presence from the magistrate, which is very easily proved. To put it substantially, you have got one class of person who is about to commit an offence. You have a second class of person who has got no ostensible means of subsistence and is about to commit an offence."

Sir Hari Singh Gour : "No, no."

Mr. M.A. Jinnah : "I beg your pardon. I have great respect for my learned friend. The mere fact that a man has got no means of subsistence is not sufficient to send him to jail or to bind him over. He must be not only a vagrant but a vagabond as my learned friend himself put it. That is to say, there is a suspicion not only that the man has no means of subsistence but that the court also suspects that he is likely to do something wrong."

Colonel Sir Henry Stanyon : The law does not say so.

Mr. M.A. Jinnah : Quite so. Now, Sir, that is the second class. The third class is the unfortunate man who cannot give

a satisfactory account of himself. Now, Sir, what satisfactory account can a person always give of himself? These are the three classes of cases where you admit that you cannot convict a person of any offence known to the Indian Penal Code because he has not attempted to commit an offence. Therefore, under these three heads you are going to bind him over not because he has committed any of these offences but because you suspect that he might do something wrong. Now, Sir, for that purpose do you desire us to pass this Statute and increase the rigour of the punishment from simple to rigorous imprisonment?

The Honourable Sir Alexander Muddiman : We ask only for the discretion.

Mr. M.A. Jinnah : The Honourable the Home Member has brought me to the point and I am much obliged to him. He asks for discretion. Now, Sir, talking of discretion, will any appeal lie against that discretion? (*An Honourable Member* : "Yes.") Who says 'Yes'? I would ask him to read the Criminal Procedure Code again. Sir, no appeal will lie. And who is to exercise that discretion? It is the magistrate who is under a system of judiciary which combines executive and judicial functions. That magistrate will exercise his discretion. Sir, I should not like to be that magistrate to exercise that discretion because I do not think I would continue to be a magistrate for long. Now, Sir, I venture to say with the utmost respect for the Honourable the Home Member that I differ from him so radically on the floor of this House. But I really ask him to reconsider his position. This amendment was made in 1923, we are in 1926 now. Apart from the question of cooperation or non-cooperation, for which I do not care a straw, I am here to do what I think is right. If the Government are right, I am here to support them, not because I wish to cooperate or non-cooperate with Government, but in the best interests of the country. I ask the Honourable the Home Member to give us more information and in particular the information for which I have asked over and over again. What are those cases which you say ought to have received rigorous imprisonment and have, owing to this disability, received only simple imprison-

ment ? Give me those cases. Give me those facts which you may have come across in the course of your administration for the last three years. If I am satisfied that there is a class of men that cannot be brought under any other section but section 109, I shall be as ready to support the Bill as anybody else in this House. But I have not got that information yet, although I asked for it. In conclusion, I say, Sir, as I said before, that I am not in a position to support this Bill and, therefore, I oppose it.

III*

Sir, one is placed somewhat in a difficult position when one has got to deal with a speaker like the last one [H.W. Emerson]. It was his maiden speech, and it is the tradition of this House, that when a Member makes his maiden speech, he is in a privileged position and is not to be attacked. Whatever reasons or grounds, therefore, he may have given me for criticising him, I will not wish to depart from that tradition which, I think, ought to be maintained in this House. But I would say this that in his concluding portion he remarked that the Honourable Members may have admiration and sympathy for the accused in the Lahore case. I think I am speaking on behalf of a very large body of people when I say that, if there is sympathy and admiration for the accused, it is only to this extent, that they are the victim of the system of Government.

*On September 12, 1929, Sir James Cierar, the Home Member, moved in the Central Legislative Assembly for consideration of the Bill to amend the Code of Criminal Procedure, 1898, in order to insert a new section 540-B. The need for the amendment had arisen because two prisoners, Bhagat Singh and B.K. Dutt, went on a hunger strike and they were followed by 13 others in the Mianwali and Lahore Jails. When the accused went on hunger strike, an application was made to the High Court, Lahore, to authorise the inquiring court to appoint counsel for the accused so that section 540-A of the Criminal Procedure Code might be applied. The High Court ruled that without the consent of the accused such a counsel could not be appointed. The amending Bill provided that if any accused person, by his own voluntary act, was incapable of appearing before the court and declined to be represented by counsel, the court would have the discretion to dispense with his presence, M.A. Jinnah opposed it.

(*Hear, hear*). It is not that we approve or applaud their actions if they are guilty, which still remains to be proved. If they are guilty of the offences of which they are charged, then I am sure it is not that we admire them or approve of their action, but, on the contrary, I am sure a large body of thinking people feel that these men, whatever be the provocations, are misguided in resorting to actions for which they now stand charged.

Now, Sir, the Honourable the Home Member asked the House that we must approach this question without prejudice, and impartially. Sir, I am sure the Honourable the Home Member himself tried his best to follow the same principle, but has he been able to apply the same principle when he brought this Bill before the House? Do the facts justify that? The last speaker, whom I am not going to attack, almost gave away the case in his concluding remarks when he said that the only way to break the hunger-strike is to pass this Bill.

Well, I am not concerned at present so much with regard to the account that is given by the Honourable Member with regard to the treatment in jails of various classes of prisoners, but one thing is clear and it is this. From the statement that was issued by Bhagat Singh and Dutt what is an admitted fact now even from the speech of the Honourable Member who spoke last is that they were not given the treatment—not on racial grounds—but according to the standard and the scale which is laid down for Europeans in the matter of diet and bare necessities of life. It is not a mere question that they want to be treated as Europeans. As a matter of fact, according to the admission and the definition given by the Honourable Member who spoke last on behalf of the Treasury Benches, so far as I know, Bhagat Singh and Dutt wear *topees* and their figures appeared in shorts. Therefore they ought to have been treated as Europeans. The Honourable Member in reply to a question said that whether the man is a European or an Indian and he accepted the definition of my Honourable friend Mr. Neogy that if one wears a *topee*, then one is a European for the purpose of jail rules—then why should you not treat Bhagat Singh and Dutt who wear *topees* and European clothes

as such for the purpose of treatment in jails. Why do not the Punjab Government give them the treatment that they are entitled to at once and be done with? They wear *topees* and they are entitled to that treatment.

What do they say in their statement which was read out? That is what they say :

“We, Bhagat Singh and Dutt, were sentenced to life transportation in the Assembly bomb case, Delhi, on 19th May, 1929. As long as we were under-trial prisoners in Delhi jail we were accorded very good treatment and we were given good diet. But since our transfer from the Delhi jail to Mianwali jail and Lahore Central jail.”

which is represented by the Honourable Member who spoke last—the Punjab seems to be a terrible place...

Mian Muhammad Shah Nawaz (West Central Punjab : Muhammedan) : “Don’t go there.

Mr. M.A. Jinnah : I won’t. To continue what they say :

‘We are being treated as ordinary criminal’.

So, in Delhi they received very good treatment and in the Punjab they are treated as ordinary criminals. Surely, Sir if the Government of the Punjab was not wanting in statesmanship, if the Government of the Punjab had any brains, they would have found a solution to this question very easily and long ago. But, Sir, it is a question—the more I examine it and the more I analyse it, I find it is a question of declaration of war. As far as the Punjab Government is concerned, the Government do not merely wish to bring these men to trial and get them convicted by a judicial tribunal, but Government goes to war against these men. They seem to me in this frame of mind : ‘We will pursue every possible course, every possible method, but we will see that you are sent either to the gallows or transported for life, and in the meantime we will not treat you as decent men.’ Sir, the whole spirit behind this is that and nothing else. I do not for a moment wish to say that the Government are not bound, in fact, it is their bounden duty, to prosecute those people that commit offences. I do not wish

to say that the Government should not do everything in their power to see that their convictions are secured. But may I ask, with whom are you at war? What are the resources of these few young men who according to you have committed certain offences? You want to prosecute them, and after due trial, you want to secure their convictions. But before they are convicted, surely this is not a matter on which there should be this struggle, that you should not at once yield to their demands for bare necessities of life. After all, so far as the Lahore case prisoners are concerned, surely they are political prisoners and under trial. You ask me what is a political prisoner. It is very difficult to define a political prisoner. It is very difficult to lay down any particular definition. But if you use your common sense, if you use your intelligence, surely you can come to the conclusion with regard to the particular case and say, here are these men who are political prisoners, and we do not wish to give them proper treatment. We want to give them treatment as under-trial prisoners. If you had said that, the question would have been solved long ago. Do you wish to prosecute them or persecute?

Sir, I do not wish to base my opposition to this Bill on this issue of bad treatment, because this is only one aspect of the issues, or rather one aspect of the Bill before us. This Bill has got to be looked at, as far as I can see, from three points of view. The first from the point of view of criminal jurisprudence, second, political point of view or the policy of the Bill and third, treatment to the accused when they are under trial. I think it will be admitted, I think even the Honourable the Home Member conceded that by the Bill which he has brought before the House, he is introducing a principle in the criminal jurisprudence of a very unprecedented character. I do not think, Sir, there is any system of jurisprudence in any civilised country where you will find such a principle in existence as is involved in this Bill. Some of the Honourable Members who are not lawyers might not have appreciated fully the implications of this Bill. The Bill not only dispenses with the presence of the accused at the trial, but I will give you a picture as to what will happen under this Bill. Under this Bill, the Govern-

ment will apply to the Magistrate before whom the inquiry is going on and say :

“Here is a law which we have secured from the Legislature. Now the accused have voluntarily made themselves incapable of attending the courts and therefore you have to dispense with their presence.”

The inquiry will then proceed *ex parte* before the Magistrate. Evidence will be led oral and documentary, which will go without being tested by cross-examination. The documentary evidence will go without being even seen by the accused, against whom it is produced, and how will you identify the accused in their absence? Then we know, and particularly those who are lawyers would know, that when the Magistrate has concluded the recording of the evidence for the prosecution, under section 209 of the Criminal Procedure Code, he must ask the accused whether he has any explanation to offer with regard to the evidence which is recorded by him against the accused. It is after that statement is made, that the Magistrate has got the power either to commit or discharge the accused. That statement of the accused under section 209 is absolutely obligatory. It is not the choice of the Magistrate. The Privy Council has laid down that an omission in that regard would vitiate the whole trial. Under this Bill the accused will not be there to give any explanation to the Magistrate with regard to the evidence that has been already recorded *ex parte*.

Then, Sir, we come to important sections. Under section 287, that statement again will have to be made before the Sessions Court. There also the accused will not be present. The evidence before the Sessions Court will be recorded *ex parte* and if it is a jury, the jury will be asked to return their verdict. If it is a case of assessors, they will be asked to express their opinion, and the Judge will pass his judgment or sentence as the case may be. I ask the Honourable the Home Member and I ask the Honourable the Law Member of the Government of India whether that will be a trial or a farce?”

The Honourable Sir Brojendra Mitter (Law Member) : Not a farce. The accused can always go before the court if he chooses to.

Mr. Gaya Prasad Singh : But what about the evidence that has already been recorded in his absence ?

Mr. M.A. Jinnah : I am very glad that the Honourable the Law Member has given me a reply. Then you want by this Bill really to break the hunger-strikers. You want this House to give you a statute laying down a principle generally in the criminal jurisprudence for this particular case, so that you may use it for breaking the hunger-strike in the Lahore case. Remember, you have no other case that you can cite. One swallow does not make a summer. It is the Lahore case. Well, you know perfectly well that these men are determined to die. It is not a joke. I ask the Honourable the Law Member to realise that it is not every body who can go on starving himself to death. Try it for a little while and you will see. Sir, have you heard anywhere in the world, except the American case, which my Honourable friend Mr. Jamnadas Mehta pointed out, an accused person going on hunger strike ? The man who goes on hunger-strike has a soul. He is moved by that soul and he believes in the justice of his cause ; he is not an ordinary criminal who is guilty of cold blooded sordid, wicked crime.

“Mind you, Sir, I do not approve of the action of Bhagat Singh and I say this on the floor of this House. I regret that rightly or wrongly youth today in India is stirred up, and you cannot, when you have three hundred and odd millions of people, you cannot prevent such crimes being committed, however much you may deplore them and however much you may say that they are misguided. It is the system, this damnable system of Government, which is resented by the people. You may be a cold-blooded logician : I am a patient cool-headed man and can calmly go on making speeches here, persuading and influencing the Treasury Bench. But remember, there are thousands of young men outside. This is not the only country where these actions are resorted to. It has happened in other countries, not youths, but grey-bearded men have committed serious offences moved by patriotic impulses. What happened to Mr. Cosgrave, the Prime Minister of Ireland ? He was under sentence of death a fortnight before he got an invitation from His Majesty’s Government to go and settle terms ? Was he a

youth ? Was he a young man ? What about Collins ? So what is the good of your putting forward this argument ? You have got a situation which you have got to meet, not by introducing and enacting measures which go to the root of the fundamental principles of criminal jurisprudence, and lightly saying, 'Oh ! but it is common sense !' Law is common sense : it is not the common sense of one individual.'

IV*

Mr. President : "The House will now resume further consideration of the following motion moved by the Honourable Sir James Crerar on the 12th September, 1929 :

"That the Bill further to amend the Code of Criminal Procedure, 1898, for a certain purpose (insertion of new section 540-B), be taken into consideration'."

Mr. M.A. Jinnah : Sir, when the House last adjourned I was dealing with this Bill from the point of view of criminal jurisprudence, and I brought to the notice of the House what would be the position if this Bill was passed, so far as the trial and proceedings of this particular case or any other case under it was concerned. It is quite clear, as I said, that the trial will be a travesty of justice. Let us consider the point further. The trial would proceed in the absence of the accused. I ask the Home Member, is there a Judge or jury who would feel that they were administering law or justice in that case ? The moment this Bill is passed, the prosecution can go before the court and say : 'Here is a voluntary act of accused person ; he has or they have incapacitated himself or themselves and we ask you now to proceed *ex parte*.' Remember, Sir, that in a particular case that procedure may be adopted from the very start. Even the plea of the accused may not be recorded, guilty or not guilty. Then the Judge will be asked to proceed to empanel a jury and the jury will be empanelled ; you will have a Judge on the Bench and the jury by his side. What will they do ? They hear the *ex parte* evidence, oral and documentary. I ask the Home Member, I ask this House, what would you consider of that Judge, what would you think of

*Speech continued on September 14. 1929.

that Judge or jury, sitting there solemnly, seriously proceeding with a charge of murder, going through this farce as His Majesty's Court—what conclusion do you think any jury can come to under those circumstances? That prisoner stands already condemned. What is the good of this farce? I say that no Judge who has got an iota of a judicial mind or a sense of justice can ever be a party to a trial of that character and pass sentence of death without a shudder and a pang of conscience. This is the farce which you propose to enact under this procedure. I say this, that if ever there was a conscientious Judge and he was strong enough, if he had a judicial mind, and if he had any independence, let me tell you, that, in spite of this provision of yours, he would say: 'True, the law has to be administered; I am obliged to make the order that the trial shall proceed *ex parte*; but I realise and I feel that it will be a travesty of justice and I cannot be a party to it, and I shall therefore adjourn this case until further orders.' Have you considered that? I suppose you have not. It seems to me, Sir, that the great and fundamental doctrine of British jurisprudence, which is incorporated and codified in the Penal Code and the Criminal Procedure Code, has very wisely not made such an absurd provision in the criminal law of this country and I am not satisfied that there is a lacuna in our system of criminal law.

The Home Member said that it is a well-known doctrine and a fundamental doctrine of criminal jurisprudence that the man is taken to be innocent until he is proved to be guilty. May I remind him of another doctrine which goes to the very root of the criminal jurisprudence, or for the matter of that of even civil law, that no man is to be condemned until he is given a hearing. Sir, I think there cannot be the slightest doubt that we are now engaged in considering a cardinal principle, a principle of very vital and paramount character, to be introduced into the criminal jurisprudence of this country. It must be admitted that this is most revolutionary, unheard of, unprecedented change that is proposed in our criminal jurisprudence. I know the Home Member will tell me, 'Yes, the doctrine is that no man shall be condemned unless he is heard and until he is given a hearing; but here it is the voluntary act

of the accused, and if he chooses not to go there and insist upon his being heard, it is his fault.' Sir, this is not a new question ; it has been considered in England and there is a long history about it and behind it ; and you will find that in old days there was the strictest formality observed as to the recording of the plea of the prisoner. And if the prisoner was mute of malice, that is to say, if he refused deliberately to open his mouth when he was arraigned in a court of law and when the question was put to him as to whether he pleaded guilty or not,—he had to make his plea and there are cases where he refused to speak, and the old law was—even England has advanced—in that case he was condemned and executed or must be committed to imprisonment..."

Mr. E.L. Price (Bombay : European) : "Torture".

Mr. M.A. Jinnah : I am glad that you are up to date. I know that. I am only dealing with this one point that he used to be executed or committed to prison. Further, when it was thought that that was rather a serious thing that, because a man was mute of malice he should be condemned to death or imprisonment, then comes the point of my learned friend over there, who I understand is a member of the Bar, that they resorted to torture. Torture for what ? That he should make his plea, not that an *ex parte* trial should proceed—that is what you want to do here by this Bill, that *ex parte* trial should proceed. The old law was then altered, because the result of the torture was that some of them died and the form of torture was the most cruel form of torture, and I will read to you a passage from Stephen's *History of Criminal Law* :

"If he was accused of felony, he was condemned, after much exhortation, to the *peine forte et dure*, that is, to be stretched, naked on his back, and to have 'iron laid upon him as much as he could bear and more,' and so to continue, fed upon bad bread and stagnant water on alternate days, till he either pleaded or died."

But they did not proceed *ex parte*. Then the old form of trial was trial by ordeal. That was done away with because the plea that a prisoner had to put forward was in a particular form. When he was asked he had to say that he wanted to be tried

'By God and by my country. That was the trial by ordeal. That was done away with and in 1827 by a Statute and it was enacted that in such cases a plea of not guilty should be entered. Now, Sir, before that Statute was passed there is one case which I will bring to the notice of this House and which will illustrate how much importance was attached to the form and the procedure even in olden days. Of course, my Honourable friend Sir Darcy Lindsay will say that matters of this kind can be decided by the common sense of a single individual such as himself. Sir, I must remind him, for he is a man of peace, and especially when we get old we love peace, and common sense is sometimes regulated by that state of mind—I will remind him, I think the House will agree with me, that law is nothing but the essence of common sense, that law is the concentrated essence of experience, of knowledge, of practice of centuries and generations, and even Sir James Stephen will point out to you that, when these rules, when these forms have been laid down as the essence of common sense and experience of generations they are not lightly to be departed from.

What do we find in this House now? Have we not got forms and are we not slavishly following them? Some of them would appear to the strangers in the gallery or any outsider to be most absurd and against commonsense at first sight. If any one passes across between you and the speaker he will be guilty of a gross breach of the forms of this House and you would call him to order at once. Why is that? Without meaning? Without reason? Without experience? What common sense is there? Why should the man not pass across? It is therefore no use treating these matters lightly and saying that we have got to decide everything by the common sense of an individual. The instance that I was going to refer to is this. In one case :

“Mr. Pike produces some evidence to show that in the early part of Edward I's reign, people who refused to put themselves on their trial were executed...”

Better, people who refuse to put themselves to trial,—execute them, rather than go through the farce of an *ex parte* ; trial much better :

“...but his practice was opposed to the Statute which provided that ‘notorious felons’ and which openly be of evil name and will not put themselves in inquests of felonies that men shall charge them before the justices at the King’s suit, shall have strong and hard imprisonment, as they which refuse to stand to the common law of the land.”

Then he cites a case which I think will interest the House. He says this :

“But this is not to be understood of such prisoners as be taken of light suspicion’. According to Barrington this meant that the prisoner who refused to plead was to be starved till he died, but not tortured—[so they improved later on]—and he quotes in proof of it a pardon granted in the reign of Edward III to a woman who ‘*pro eo quod se tenuit mutam*’ was put in ‘*arcta prisoa*’ and there lived without eating or drinking for forty days, which was regarded as a miracle.”

Well, Sir, I know that there is a passage which is likely to be quoted in this House in Stephen’s *Digest of Criminal Procedure*. It is a curious thing that the Government of India who have hardly given this House even seven days notice and call upon this House to endorse a vital, cardinal principle of a novel or unheard of character, do not possess in their Library even an edition of the *Law of Criminal Procedure* by Stephen of later date than 1883. And they seriously ask this House, ‘The Government case is that they find that a deadlock is created. The law is paralysed, and in fact, even the Government of India might tumble down altogether, and we therefore call upon the Legislature to come to our rescue—we admit it is unprecedented, we admit it is unheard of, we admit it is unknown to any system of jurisprudence ; but you as a responsible body—would you not endorse this Bill straightaway within these few days’ notice ?’ You do not possess in your Library an edition of a textbook which is the standard book except of the year 1883. And it is a tall order to ask the House to pass the Bill now and here. I will read the passage now which is likely to be quoted, and I want the House not to be misled by

it. But before I do so, I will request the Law Member to consider what I am going to submit. That is a branch of the law which comes under the category of contempt of court, and we know that the King's Bench in England and the Supreme Court in India, who have inherited the jurisdiction under the Charter, have got unfettered powers to deal with cases of contempt. That is the one branch of the law which is neither codified nor restricted by any law. It is entirely left to the Supreme Court or the High Courts in India to deal with cases of contempt as they think proper. That is a branch which comes under that doctrine of law of contempt of court and even there while the Courts have asserted that they have the power to refuse to hear the party who is guilty of contempt of court, the footnote says that it has never been done in a criminal case. I will read to you what it says :

“The prisoner has a right to be present at the trial so long as he conducts himself properly, but the Court may, in its discretion, permit his absence in cases of misdemeanour, and may proceed with the trial in his absence in cases in which he has pleaded to an indictment or information in the High Court (Queen's Bench Division).

“If a prisoner so misconducts himself as to make it impossible to try him with decency, the Court, it seems, may order him to be removed and proceed in his absence.”

The footnote says this :

“I have never known or heard of this being done, but Lord Cranworth (then Rolfe, B.) threatened to have Rush removed from Court, at his trial for murder at Norwich in 1849, if he persisted in a singularly indecent and outrageous course of cross-examination, I have heard from eye-witnesses an account of a trial before Shee, J. (then acting as Commissioner) at Dorchester, where the prisoner (a convict at Portland, tried for the murder of a warder) behaved with such desperate violence that it was necessary to fasten him down with chains and straps. He was not, however, removed from the Court, and it is obvious that in capital cases, or indeed, in any trial involving

severe punishment, almost any measures, short of removing the prisoner, should be resorted to."

The *raison d'être* of this principle is very different and requires no more words to understand it. Now, Sir, I shall not weary the House with any further legal quotations. I am driven to think, the object of Government in bringing in this Bill is political, but if their real object is to supply a lacuna, not for the purpose of this particular case, but in the general interest of the country and the administration of justice, if that is their object, let them remove this case from their mind, for Heaven's sake. Come to us dispassionately and without prejudice. Let them tell us that they find a lacuna and that it is necessary to make some provision. If that is their object, then their honest and straightforward course is to come before the House and place all the facts before us. Now, I do not admit for a moment that there is a lacuna and I do not admit that such a principle should be introduced in the criminal jurisprudence of our country especially and admitted when it does not exist anywhere else. I am prepared to assume that you honestly and sincerely believe that it is necessary in the interests of the people and the administration of justice that some such measure of the kind should be introduced. Then your honest course is to go slowly. Pause and consider. Let those outside this House who are competent to speak express their opinion. What are you going to lose? What is the harm that will be done? Remove from your mind this Lahore conspiracy case. But if you say that this course will cause you inconvenience and that you want this instrument now and at once, then I say that I am not satisfied with your plea and I can't support it, nor am I satisfied with the version that you have placed before the House about your difficulties. I am not going to give you this power standing on the floor of this House today now and here. Sir, can you imagine a more horrible form of torture than hunger-strike? If rightly or wrongly these men are inflicting this punishment upon themselves and thereby you are inconvenienced, is that any reason why you should ask us to abandon one of the cardinal principles of criminal jurisprudence? If these young men pursue this course, and I am sorry to hear that one of them has died, what will happen? Is this

a matter which can continue indefinitely ? Certainly not. As I say, I am not satisfied with the version that you have placed before this House. I understand that some of the prisoners are not on strike. If you are solicitous and anxious that their trial should proceed and should not be delayed, then split up the trial. Proceed against them and bring home the guilt to them if you can. I am told that it means expense. I am told that 400 witnesses are going to be produced and 200 more may be added. Now I appeal to the common sense of the House and not only of Sir Darcy Lindsay. Can you imagine that 600 witnesses are necessary to prove the case against each one of the accused ? And, Sir, I ask, is it not an amazing fact that, in order to prove this case, 600 persons should have been cited as witnesses ? Well, Sir, it may seem a joke and it may seem that I am making fun of the statement made to this effect, but the first impression that one gets is that, when a case cannot be proved without the testimony of 600 witnesses, that case is a very bad case. Therefore I say that it is open to Government to split up the case. You think of expense ? But we are here to abandon this cardinal principle because it is going to cost some money to Government ? Is that the reason ? Is that a plea which can be accepted by any responsible Legislature ? Well, Sir, I was told that some of them are on hunger-strike for a short time and then they get better for a little while and again they start, and so it goes on. Sir, I cannot understand the anxiety of the Government to proceed with this trial when these men are inflicting the greatest possible punishment upon themselves by prolonged fasting ? Is it your fault ? Does it mean that you are not treating them properly and therefore you are compelling them to resort to these extreme methods ? Well, then, I appeal to you with all the emphasis I can command, do not be vindictive. Show that you are fair, generous, that you are willing to treat these men decently. At any rate before they are released or sentenced, give them proper treatment. What treatment do they want ? What is it that bothers them ? Do they want spring mattresses ? Do they want dressing tables ? Do they want a set of toilet requisites ? No, Sir, they ask for nothing but bare necessities and a little better treatment. I ask you in all decency, why you cannot concede this small thing ? Well, Sir, if this Bill is passed, perhaps I

might ask the Honourable Member when he goes to court how would he base his application? Will he base his application on the point that the period of a hunger-strike which has already taken place for a short period is not to be counted? Or is it to be counted? Supposing I tried to put myself in the position of a Judge when the application is made that the presence of the accused in this case should be dispensed with, because by their own voluntary act they have rendered themselves incapable. Now from what period shall I take the disability? From the period after this Statute is passed? Shall I disregard the disability which has already taken place before the passing of the Act? Supposing something else happens to these men on hunger-strike and they do not get well for two or three months. Will the trial not be delayed? Do you think, you can avoid considerable delay even if the Bill is passed, but further can you give a guarantee, that all the prisoners will be well enough in the course of these two or three months from now to stand their trial, even if they abandon hunger-strike? When you say that this Bill will not have retrospective effect, how is it going to work? Then will you give them notice that in view of the fact that this measure is passed, if you do not cease your hunger-strike from today and if you are not better within two or three months as you ought to be, then we shall apply to the court that your presence will be dispensed with and we shall proceed *ex parte*? Does it not come to this, that you want to carry this Bill, you want to have this Bill placed on the Statute-book and then you want to give notice to the prisoners that, unless they cease their hunger-strike within a certain period, you are going to proceed *ex parte*? Under that threat you think these prisoners will cease their hunger-strike? Can you give the House that assurance and if they do not cease their hunger-striking, what will you do? You will proceed *ex parte*? Just imagine the absurdity of the whole position.

Sir, now I have finished from the point of view of the jurisprudence. I do not wish to go into details so far as their treatment is concerned. I have in the course of my speech already indicated their grievances and how they can be met. But there is a political aspect of this Bill and the policy underlying the measure. I think the Honourable the Home Member

must admit that this is not a measure which is only brought here for the purpose of putting the law in order. Sir, it reminds me of a story, an old Persian story. A man got stomach-ache because he had eaten some very rotten bread. So he went to the doctor and told him that he had stomach-ache. The doctor said, yes, and he promptly started treating his eyes. Then he said, 'What have my eyes got to do with my complaint?' Then the doctor said, 'Well, if you had eyes, you would never have got stomach-ache because you would not have eaten rotten bread'. Similarly I would say to the Honourable the Home Member, 'Have you got eyes? Well, if you had, you would never have got this stomach-ache'. Now, will you open your eyes? (*Laughter.*) Will you have a little more imagination? Have you got any statesmanship left? Have you got any political wisdom? This is not the way you are going to solve the root cause of the trouble. You may temporarily, provisionally get over this particular trial. But now let us see what is the real cause of the trouble, I ask this House to consider this. Is there today in any part of the globe a civilised government that is engaged day in and day out, week in and week out, month in and month out, in prosecuting their people? You have read the daily papers for the last six or eight months. You will find prosecutions in Bengal, prosecutions in Madras, prosecutions in the Punjab, prosecutions all over the country. In fact I am afraid you will soon have to open a new Department and to have an additional Member to manage these prosecutions if you go on at this rate and in this way. Do you think that any man wants to go to jail? Is it an easy thing? Do you think any man wants to exceed the bounds of law for the purpose of making a speech which your law characterises as a seditious speech, knowing full well the consequence, that he may have to go to jail for six months or a year? Do you think that this springs out of a mere joke or fun or amusement? Do you not realise yourself, if you open your eyes, that there is resentment, universal resentment against your policy, against your programme?

Then, Sir, what has happened so far as this House is concerned? What have you done since 1924 with regard to the protests that we have made session after session? Have you

accepted the proposal or suggestion of any reasonable section of this House? I do not wish to go into the details, Sir, but what has been the attitude of the Government towards this House and the country outside over the constitutional reforms since 1924, leave alone the past prior history? The reply is: 'We have appointed the Simon Commission and we must await for its Report.' Well, the Simon Commission was not accepted by this House—but that does not matter. This is the answer in regard to the constitutional reforms. What has been your answer with regard to the Indianisation of the Army? You appointed a Committee to go into that very important question; I attach more importance to it than to any other question. What have you done with the unanimous Report of the Sken Committee which was endorsed by this House, without a division, the responsible House as you call it today and to which you appeal today in the name of responsibility? This House endorsed that Report without a division. What have you done with it? The attitude of Government had been an amazing one. The Army Secretary stood there on the floor of this House last session and said: 'We cannot get even 20 suitable candidates.' Sir, the apparent untruth of that statement is enough to condemn the Government. You cannot get 20 young men out of 300 odd millions of people who are suitable candidates for the King's Commission. Then, there are many other matters. What has been your attitude always? Don't you think that, instead of trying to proceed with an iron hand and pursuing a policy of repression against your own subjects, it would be better if you realised the root causes of the resentment and of the struggle that people are carrying on? Don't you think that it is high time that you made your position more clear? I understand that there is something in the atmosphere—I hope it is true—that some satisfactory announcement is going to be made in Parliament very soon, when it meets next, which I trust will satisfy this House and the people. Do you want to prepare an atmosphere for it, or you do not? Do you want reconciliation between the Government and the people or you do not? Don't you think that these difficulties and troubles of yours are of a temporary character? They are an obstruction in the trial of this particular case which can be

managed by other methods, but that is a very small matter when you compare it with the bigger issues which are awaiting the decision of the Government, this House and the country.

Sir, the Honourable Member asked, what are the Government to do? I think I understood the Honourable Member aright when he said that the Government have no other course. What are the Government to do? They are, therefore, compelled to bring this Bill. Now, let me tell you that your course is to open your eyes, have more imagination, do not be guilty of bankruptcy of statesmanship, do not merely sit there as if the wheels of the Secretariat must not be clogged at any cost, but try and understand the root cause and deal with the situation as politicians, as statesmen and not as bureaucrats, who can see no other way but to come forward before this House and ask for more statutory powers the moment any difficulty arises. You have got several courses open to you. The first and the foremost course open to you is this. Give these men decent treatment, and I think you will get over your difficulty. At least I hope so. If you do not, you will, at any rate, be exonerated in the eyes of the public and at the Bar of public opinion. Behave as a human and decent Government, and that is enough for you. I am not going to urge upon the Government to withdraw prosecution cases against men if they have evidence enough to bring home to them their guilt. So try that better treatment first. Secondly, if you do not succeed, split up the trials. Try those with whose trial you can proceed, and leave the rest. After you have made it clear to them that you stand for a decent treatment being given to them and they still wish to torture themselves and follow that course, then you cannot help it; and I venture to say that it will not last very long or indefinitely. And the last words I wish to address the Government are, try and concentrate your mind on the root cause and the more you concentrate on the root cause the less difficulties and inconvenience there will be for you to face, and thank Heaven that the money of the taxpayer will not be wasted in prosecuting men nay citizens who are fighting and struggling for the freedom of their country.

INDIANISATION OF THE ARMY**I***

I think, Sir, it will save the time of this House if I speak on the motion of my Honourable friend Pandit Kunzru. I had tabled a motion which ran as follows :

To discuss the Military Policy and Programme' while the words of his amendment are 'General Policy and Expenditure.' Therefore, Sir, I think I may take this opportunity of speaking on his motion and I shall not move the motion that stands in my name.

Now, Sir dealing with this question, when the Commander-in-Chief spoke a few days ago on the general discussion of the Budget with regard to the military question, I certainly expected him to give us some kind of policy or some kind of programme which he is prepared to follow, or which he has thought out. Sir, the statutory position of the Commander-in-Chief in this House, if I may read it in the terms of the opinion of the Esher Committee, is that of a minister in charge of the Army of India. The Esher Committee when they came to frame their recommendations were definitely and unhesitatingly of opinion that the Commander-in-Chief alone should have the right to offer military advice to the Government of India, and that he should have no military colleagues on the Executive Council. Sir, the Commander-in-Chief therefore is, so far as this House of concerned, a Minister in charge of the military affairs, like the Minister who sits in the House of Commons, who is responsible for the policy and programme so far as military questions are concerned. Taking that analogy for a moment, what did we get from the pronouncement of the Commander-in-Chief? Most of his speech in giving us an account of his tour trips for the whole of the year came to this. He said to us that the Inchcape Committee had recommended a cut. That was a pious hope but it cannot be carried out.

*Speech in the Central Legislative Assembly in support of Pandit H.N. Kuzru's motion of amendment tabled on 14 March 1927.

He said that he cannot do with a single man less in order to maintain the efficiency of the army necessary for the defence of this country. He said he cannot do with a single rupee less if he is to keep up the efficiency of the Army and if he is responsible for the defence of this country. Sir, I ask this question, is that the policy, is that the programme which His Excellency was pleased to place before this House as the result of his stewardship for the whole year? Is that all that ought to be said on this question? Is not the Commander-in-Chief aware of the Resolutions that have been passed in this House year after year. Has he given any thought to any of them? Has he considered the opinions of this House which have been expressed over and over again? Not a word with regard to various matters regarding his Department was heard from him. Not a word is said. I must say that I was absolutely disappointed in his statement which was nothing but a bare assertion, as *ipse dixit* of the Commander-in-Chief, that everything was well with his Department and there was no great event to refer to—no reasons, no grounds, no policy, no programme. Now, is that to be expected from one who holds the position of the Minister in charge of the Army of this country from his annual pronouncement of his stewardship? Sir, you would naturally ask me, what is wrong with us, what are we complaining about? Sir, what is wrong with us and what we are complaining about is this, that the Government policy and programme with regard to the constitution and the organisation of the Army is still the same as they were in the days of the East India Company. Is the Indian Army to continue as a British garrison stationed here in India? Is the Indian Army to continue as an Imperial force, European and Indian, a body of troops under the Crown? Is this Army not to be changed? It is one of the questions which I ask the Commander-in-Chief. Sir, if you maintain the fundamental principle which underlies the very constitution and the organisation of this Army, then the Commander-in-Chief may come here year after year and tell us that he cannot do with a single man less and a single rupee less. Now, Sir, I ask the Commander-in-Chief what progress or what efforts has he made with regard to what I will read from Mr. Burdon's book. This is what he says with regard to the Indian Territorial, Force :

“The constitution of the Indian Territorial force under an Act passed in 1920 (and we are now in 1927), was primarily the outcome of new political conditions introduced into India by the Montagu-Chelmsford Reforms Act of 1919. Self-government cannot be a complete reality without the capacity for self-defence. When the first phase of representative institutions was established, the political leaders of India naturally claimed that India should be given wider opportunities of the training themselves to defend their own country. The Territorial Force is in fact one of several aspects of the Indianisation of the military service which has been previously mentioned as an important feature of the present day history of the Army in India. The force is intended to cater, amongst other things, for the military aspirations, of those classes of the population to whom military service has not hitherto been a hereditary profession. It is intended, at the same time, to be a second line to and a source of reinforcement for the regular Indian Army. Membership of the force for this latter reason carries with it a liability for something more than purely local service or home defence. It may in certain circumstances involve service overseas. The force is the direct successor to the Indian section of the Indian Defence Force created during the war. It has been modelled on the old militia in England. The essence of the Scheme and organisation consists in training may by means of annual embodiment for a short period in successive years. By this means the Indian Territorial Force units can be given sufficient preliminary training in peace to enable them, in a comparatively short period of intensive training, to take their place by the side of regular units in war.”

Now, Sir, I ask the question what have you done? This was in 1920, we are in 1927; what have you done? Did the Commauder-in-Chief, as our Minister in this House, tell us that these are the efforts we have made, that these are the steps we have taken, and that these are the results which we have achieved? Not a word. Did he give us any idea as to what progress has been made and is expected to be made?

Sir, that is only one aspect of the case. Let us take the second aspect of the case. I might say here by the bye that we heard my Honourable friend Mr. Young who really is in a very unfortunate position because he can only say 'What can I do? The Secretary of State for India has not informed me about anything yet. That is all that I can say'. We tell him, 'Well, what have you done about the Auxiliary Force and Territorial Force Committee's recommendations—recommendations made as far back as January 1925, while we are in 1927?' Mr. Young nods his head, of course he cannot help it; he is not in a position to do anything because he has not yet received any orders from his master. What can he do? He says: 'The Government of India at least made up their mind as quickly as they could consistently with the importance of the subject'—not a little matter, says he, but a very important matter—'the Government of India made up their mind'. When? I think he gave us the date, the 24th June 1926. Well, the Government of India are to be congratulated, Sir, that after 18 months at least they made up their mind and they have made recommendations to the Secretary of State. After 18 months Sir, it is trifling with the House to get hold of this word 'little'. Of course it is not a little thing. What my Honourable friend Pandit Hirday Nath Kunzru meant by this was that it is little compared to many other things. It is a relative term, a comparative word. And what is the good of getting hold of that word and saying it is not a little thing. Of course it is not a little thing in one sense. But I say the Government of India took 18 months before they despatched their opinion. I have known the Government of India, Sir, to take action within a few weeks after the recommendations of a Royal Commission. I have known the Government of India to be very quick when they like—not when they do not like and the matter then, it is said, is so big, so complicated and delayed. You yourselves initiated this policy in 1920 and a Committee was appointed by this House. It made recommendations in January 1925, and you are so incompetent that you take 18 months to make up your mind with regard to the recommendations of the Committee. And then you taunt us and say 'what is the good of your saying this is a little

matter.' But thank heavens, the Government of India did make up their mind. What they have said or done, I do not know. That still is in the secret chambers of the offices either across the road here or with the Secretary of State for India. But then we are told that the Secretary of State for India has not made up his mind yet.

Now, Sir, that is so far as the Territorial Force is concerned. Do you think that you will ever be able to reduce your expenditure unless the Army is nationalised or unless your policy to nationalise the Army is honestly enforced? How can you reduce your expenditure? You may be able to reduce your expenditure by a few crores. It may be that you may make a cut here or a cut there. But even if you are able to satisfy the Inchcape Committee and reduce the military expenditure to 50 crores, what about the fifty crores of rupees which this country will have to pay for the purpose of keeping this Army? Even if you agree to the recommendation of the Inchcape Committee and if you cut down the expense to the minimum recommended by the Inchcape Committee, I say, how will you get rid of this burden of fifty crores? I say, Sir, not until you nationalise this Army. You may ask me what I mean by nationalisation of the Army. I say that our Army today—and I am sure that the Commander-in Chief will agree with me at least on this point—is based on an old principle which has long ago been exploded, and it is this: you have found in the past and you will find it in future, that if your standing army is annihilated at any moment you will not be able to get a second line of defence, because India is not given an opportunity to get itself ready for the second line of defence. You must prepare the nation to stand behind. No country today is so backward, no country today can possibly recognise the foolish policy which is pursued by our Government. What is your policy? Your policy is this: that the citizens are absolutely denied real access to any kind of militia or citizen army of any kind of any other scheme. Mr. Young is shaking his head. I know of your little limited Territorial Force of a few thousands. Go to America and see what they have done. Let me tell you that the American standing army

is only 125,000. And yet I believe America can put into the field within two months one million men who have received a great deal of military training."

The Honourable Sir Alexander Muddiman (Home Member) : How long did they take to do it in the war ?

Mr. M.A. Jinnah : My Honourable friend the Home Member is only sitting in Delhi. He knows nothing of what has taken place since the War. Let me tell you Sir, that this is since the war America realised during the War—that is exactly the point—America realised that they were not organised. But see what they have done after the War. If you go and compare, as I have had the privilege and the opportunity of seeing it on the spot recently and examining their military history and records, I assure you the American army of today is a different story to what it was before the War. I tell you that it was after the War that they have revolutionized their entire military organization, and I believe that within two or three months they can put one million men in the field. How many men can you put ? What have you done ? You have made no effort except that you passed in 1920, the Territorial Forces Act and you are still fooling with this scheme (An Honourable Member : "Eye wash"); and when this House pressed the Government when the question came up about the Auxiliary and Territorial Forces, then as usual the Government thought the best thing to do to switch off this attack was to appoint a Committee. The Committee was appointed ; the Committee made its report very promptly, I must say ; and the Government of India is sitting on it now—I beg your pardon, I mean the Secretary of State. I say, therefore, that so long as you adhere to this old exploded policy of yours, so long as you pursue that policy, you still maintain the fundamental principles of the East India Company forces ; they merely are forces of the Crown. It is an extraordinary thing, but there it is. Who is responsible for the Army here ? Is the Commander-in-Chief responsible for it ? Can he do anything ? He cannot do anything at all. He can only advise the Government of India at the most. What can

the Government of India do ? Under the Government of India Act the army administration is vested in my Honourable friend the Leader of the House who represents the Government of India. What can he do ? He can only send a petition to the Secretary of State for India—see section 30 of the Government of India Act. And we had the other day quoted to us section 22 of the Government of India Act which gives you the power to take any troops from India to any part of the world to be employed there. We have got not say in the matter. Therefore, I say, Sir, that you will never be able to reduce this horrible burden upon the people of India so long as you maintain the fundamental principles underlying your policy, your organization and the present constitution of your army. We shall never under this vicious system be able at any time to say 'Take away the British garrison from this country'. We are told very solemnly, very seriously, by no less an authority than Lord Birkenhead, the Secretary of State for India, that there never has been a serious proposal from any responsible quarters in India that the British garrison was dispensable. How can it be ? How can any responsible person tell you to take away the British garrison ? What is there to take its place You will not allow anything to its place, and then you ask us what will happen if the British garrison is taken away. My indictment against the Government is that unless you change the fundamental principles of your policy any organization and constitution of our Army, you will never be able either to make India ready to defend her hearths and homes nor would Indian be able to reduce this grinding burdeu for which the people of India have to pay year after year and suffer. That is what I have to say so far as these two general propositions are concerned.

Now, let me get to something more in detail. We were told that the years 1920 and 1921 were fortunate years for India. We had almost Sandhurst at our door. We had the Royal Commission accelerated ; we had promises that all repressive laws and measures would disappear ; that India would be a country where real freedom and liberty would prevail, and that India was on the high road to achieve Swaraj or self-government, to

which the British Government were irretrievably committed and pledged. We were also told that it was the considered and definite policy of the Government of India to Indianise the Army, that already 10 commissions, or rather 10 admissions were given at Sandhurst. And when I pressed the Commander-in-Chief, Lord Rawlinson, in 1924, I said, 'Yes, you have given us 10 admissions at Sandhurst,—there cannot be any doubt about that', but (and some Honourable Members who were then present in the House might remember) I pointed out that at this rate what can we achieve. If we were only to have ten admissions, there were bound to be some failures out of the ten admissions, and we may get, as we are getting, 5 or 6 or 7 out of those that are admitted. At this rate, I went through a little feat of mathematical performance and I pointed out that at this rate, it will take centuries. If you are going to Indianise the Indian Army proper, leave the British garrison on one side, the Indian Army proper requires in the combatant forces 3,600 officers, which gives you on an average—and I do not think this figure can be challenged—on an average a wastage of 190 or 200 per year, and if you are going to get 5 or 6 Indians as commissioned officers, how many years will it take to Indianise the Army so far as the officers are concerned? I think various Members gave their answers in the House at that time and it came to several centuries. Well, then, at that time, Lord Rawlinson for whom I had a very great admiration and a very great respect, because I felt in my private conversations with him that he was determined to help us and I pay my tribute to his memory, very rightly then got up and said, 'Why does the Honourable Member there take it for granted that the ten admissions are going to be permanent?' A very good answer. Then I naturally said: 'When are you going to increase this number?' To that, of course, he was not able to give an answer because there is always the Secretary of State for India and therefore he was not able to answer that question. In 1925, we come back to the blood. That debate was over, and Sir, it was in 1925 that again Government, at any rate the Government of India realised that it was impossible to resist these attacks and my Honourable friend the Home Member—who had the honour and he will live in the military history of India—made a pronouncement Now, what was the pronounce-

ment ? The pronouncement was—I am giving you the substance, not the words—that the time had come when a Committee should be appointed (*Laughter*) (*Lala Lajpat Rai* : “In place of the Army.”) Sir, beggars cannot be choosers and even on this side of the House we said ‘Very well, even that is some sort of a beginning : let us have a Committee.’ And so we had a Committee, and that Committee, Sir, is known as the Sandhurst Committee and I think some Honourable Members here must have heard of it (*An Honourable Member* : “The Skeen Committee”). No, no, the Sandhurst Committee. I think the Honourable the Home Member agrees with me. It was called the Sandhurst Committee because we hoped that at any rate through this Committee Sandhurst might come to India. Well, the Committee worked, and the Committee is gone, the Committee is dispersed and dissolved, and Sandhurst is still far away. It is still at Sandhurst and not in India (*An Honourable Member* : “Across the ocean”). Now, Sir what do we find ? Of course, my mouth is closed to a certain extent. They have locked my mouth by giving this Committee and putting me on it as a member (*An Honourable Member* : “Why should it be closed ?”). Because the convention and the Official Secrets Act, apply to me although I am a non-official member (*An Honourable Member* : “You are muzzled Yes, I am muzzled to that extent. But, Sir, what do we find ? The members of the Sandhurst Committee were appointed, and the Committee commenced its sitting on the 1st August 1925. It has worked and it has made its report. Sir, the report was made and signed on the 4th of November.”)

Mr. G.M. Young : May I interrupt the Honourable Member for a moment ? It is perfectly true that the Honourable Member himself signed the report on the 4th November, but it was not signed then by some other members, for reasons known only to themselves : and it was not presented to Government till the beginning of December.

Mr. M.A. Jinnah : I put my signature to it on the 4th of November. I put it on that day and I remember the date. I stand corrected by the Honourable Member there. It is quite possible that some of the members did not sign because they

were not in Bombay at the time. I did not know that it took such a long time to obtain the signatures of the others, but I will stand corrected. I will make my date as the 1st of December instead of the 4th of November. I will make a present of the remaining days of November to my Honourable friend Mr. Young.

Sir Victor Sassoon (Bombay Millowners' Association : Indian Commerce) : "Make it the 4th of December."

Mr. M.A. Jinnah : I will make it the 4th of December. What do we find ? We were told by Mr. Young that this report was sent to the Secretary of State for India in January 1927. When I asked a question what was the answer ? The answer was, 'We have not yet heard anything from the Secretary of State for India', and they had not even the power to publish this report leave alone taking any action on the recommendations contained in it. Sir, the Committee was appointed by the Government of India and the Government of India is so thoroughly impotent that it cannot even publish the report of a Committee that it has appointed. I ask the Honourable Member, 'What is the difficulty ?' I do not ask you to commit yourself to anything, if you are so helpless. But why don't you publish this report ?

Mr. M.R. Jayakar (Bombay City : Non-Muhammadan Urban) : "It is a "subordinate branch of administration."

Mr M.A. Jinnah : What do we find, Sir ? Reading Reuter's telegrams what do we find ? Questions were put in the House of Commons and what is the answer of the Secretary of State for India ? What does Lord Winterton, the Under Secretary of State for India, say ? He throws the blame on the Government of India. He says this : 'Replying to Mr. Walter Baker, Earl Winterton said Lord Birkenhead had seen a copy of the report of the Sandhurst Committee'—how wonderful—'but he had not yet received the Government of India's views on it'. Sir, this is dated the 7th of March.

Pandit Madan Mohan Malaviya : "Is that correct ?"

Lala Lajpat Rai : "It must be."

Mr. M.A. Jinnah : Perhaps my Honourable friend Mr. Young will tell us he knows nothing about it. Sir, another question, was put before that on the 14th February. Mr. Pethick-Lawrence asked this question :

“Whether the Under Secretary of State for India was aware that the Sandhurst Committee concluded their labours and signed their Report on 4th November, 1926, when it is proposed to publish the Report, whether the Government have considered it, and if so, what action they propose to take in the matter ?”

The answer given was this :

“The answer to the first part is yes ; to the second and third parts, that my noble Friend is not aware when it will be published by the Government, whose views’ on it he has not yet received. The fourth part, therefore, does not arise.”

I ask the Honourable Member over there, the Army Secretary, why he has not sent his views.

Maulvi Muhammad Yakub : He is still too young to form any views.

Mr. M.A. Jinnah : This is how the question stands with regard to the appointment of the Sandhurst Committee and not publishing the report of that Committee. Leave about those glorious days of 1920 and 1921 when this Assembly had I am told competent and responsible representatives. (*An Honourable Member* : ‘Hear, hear’.) Says an Honourable Member ‘Hear, hear’. I think we ought to be ashamed of ourselves that we sit here to be trifled with by the Government who are sitting there tight. In 1924, the debate is raised. In 1925, the Government’s hands are forced to appoint a Committee, and we are in 1927 and what do we find ? We find that the Government declines even to publish this report. No wonder, because I say and I say it deliberately that they have no intention, they have no real desire to meet the universal public demand backed by the entire public opinion and by the Members of this House. I say remember that this is being very carefully watched by a large body of people outside. Here let me refer to the methods

which we are advised to follow with a view to getting the Government to move or to do certain things for us. We had a formula which was issued from a very high authority, the Secretary of State for India. That formula was that if the responsible leaders will co-operate the British Government will not be niggardly; they were not slaves of dates—of course, they are free men—they will be generous. That was the formula which came in 1925, when that debate took place on the report of what is known as another committee which stands equally condemned by the Secretary of State for India—the Muddiman Committee. Later on, we got another amendment or addition to that formula, and of course, our Government changes as it suits it. We were told a little further that the responsible leaders should engage themselves in settling the communal differences. This amended formula held the field for a considerable time. What do we find now? We had another formula a few days ago emanating from no less a person than the Finance Member. And what is that? Hope, charity, faith—hope, faith, charity (*An Honourable Member*: “Love”) Yes: and love—occasionally love, he added.

I wonder to myself is there any hope? (*Honourable Members*: “None”). Can you have any faith? (*Honourable Members*: “No.”) Is there any room for charity? As to love (*Laughter*), what do you find? Even if that wise advice of the lady friend of Mr. Jayakar could not move the Home Member, is there any hope left after that? We do not stop there. We had a new formula from the Home Member who spoke a few hours after the Finance Minister. He showed us the method, and he advised us to how we can get something out of this wicked and Satanic Government. What was that formula? He said, ‘If you live by the ford you must make friends with the crocodile’. Where is the ford and where is the crocodile, I ask, Sir. He did not stop there. He said, ‘You must try and persuade the Government’. To make friends is one thing and persuading is another thing altogether. He did not yet stop there. He said, ‘You must treat Government kindly’. I know what his ambition is. The other day he told us that he would rather be a director of a tramway company. Like cinema films, these formulas are changing and moving in front of us

but we get nothing out of them. I ask the Honourable Member seriously whether this is the way to treat this House or to justify the assertion that your policy and your military programme are really in the interests of India and that you want to help India. There can be only one verdict—that it is not so. In the meantime we find that we pay £80,000 to Sandhurst as a contribution. We pay £30,000 to Woolwich where even today an Indian is not admitted. We have got a Royal Air Force a portion of which has landed on India. It is not an Indian force but you have to make provision in the Budget and pay for it. What is the total number of that Force? The total establishment is 227 officers, 1,777 British other ranks, 202 personnel of Indian technical section, 130 Indian clerks, 3 schoolmasters, 8 regimental munshis and 713 followers. There is not one Indian holding the position of an officer in that force and we are making a contribution year after year to this. This really is the short history of your policy and your programme. The Commander-in-Chief came here the other day and made a pronouncement. He might not even have taken the trouble of coming here and wasting his time. He might have remained in his palatial house in the enjoyment of all his comforts and luxuries and drawing a big salary from the revenues of India. Sir, the only answer that he was pleased to give us was to the criticism of Colonel Crawford, and that is the only note of regret which he struck; I will read it in his own words. He said :

“My Honourable friend, Colonel Crawford, has referred to the very difficult subject of the supply of British officers to the Indian Army. At the present moment we are not in effect recruiting many officers, partly owing to the fact that we have been reducing regiments from time to time. Whenever a unit returns from Mesopotamia or from other service across the seas without relief we are able to utilize the officers of that unit for general use in the Indian Army, and have so far been able to keep up the strength. We have not been getting boys from Sandhurst in the numbers we want.”

We are not getting the boys from Sandhurst we want'. Why not? Why not? I will tell you why not. It is from your

own countrymen that this interruption came, it is your own countrymen who have been poisoning the minds of the British youth. That is why—that is why you are not getting British boys ; and now I have told you why not. That is exactly why I want that my Honourable friends will agree with me, will support me—that is why, I want, Sir, that this report should be published ; and I am very happy to say this is a report which is almost a unanimous report in a practical sense of the word. It bears the signature of a great soldier, Sir Andrew Skeen, to whom I openly on the floor of this House express my thanks for the way in which he presided over the Committee, and for the ability, the skill, the sympathy that he brought to bear upon this great question which we were investigating (*Applause*). Sir, I therefore, say that the Government stand today absolutely condemned ; and I say this in all earnestness and I say this that at least you should publish this report without delay. Now, Sir, I have got nothing more to say—and I shall wait—and I shall wait although I do not know which formula I should follow. I do not think, Sir, it is possible to follow any formula but I shall wait ; and I hope that even today, even today, the Commander-in-Chief will give us some ray of hope.

II*

Sir, I appreciated the words of His Excellency the Commander-in-Chief when he said that the Government appreciated the labours of the Sandhurst Committee as well as the work of the Sub-Committee, whose report and proceedings still remain suppressed and concealed by the Government (*An Honourable Member* ; "Shame"), and the only reason that we heard after repeated questions and supplementary questions on the floor of this House was that His Lordship the Secretary of State for India was pleased to direct that the report and the proceedings of the Sub-Committee should not see the light of

*During general discussion of the Budget on March 8, 1928, the Commander-in-Chief spoke on the expenditure allocated for the army, and referred to the recommendations of the Sandhurst Committee regarding Indianisation of the army. Speaking on the question of Indianisation, M.A. Jinnah said it in the Central Legislative Assembly.

day. His Excellency the Commander-in-Chief was particularly pleased to commend the labours of the Sub-Committee which are kept in the dark. And nobody knows anything about it. I wonder, whether His Excellency the Commander-in-Chief himself knows anything about it. If his appreciation was a genuine one, then I hope it is based on the work which he knows has been done. If he does not know it, which is very likely—probably he has not seen the report himself—in that case it was a formal acknowledgment of appreciation of our labours. But whatever it may be, I would again ask His Excellency the Commander-in-Chief the same question which I asked on the last occasion when the debate took place on this subject—may I know what object you have in trying to suppress and conceal the report and the proceedings of the Sub-Committee? Can you explain to me why you want to do it?

Sir, let me pass on from that point. My friend Pandit Motilal Nehru said that he had the honour of belonging to that Committee but he left it. I think he was wise. (*Laughter from the Congress Party benches*). He at any rate realised that it was not worth his while to waste his time, his energies and his brains, and at some sacrifice. But, Sir, I did not follow that line, and I said 'We must continue; we must produce what we consider a fair, reasonable and practicable scheme for the purpose of accelerating the Indianisation of the officer ranks of the Indian Army'. We were at it, Sir, for fourteen months, and the report, I was happy to find, was unanimous. And what is the answer of the Government today? The Government has fundamentally turned down that report. It cannot be disputed. The very foundation of that report was turned down. The Report was made, Sir, on the 14th November, 1926, and today we are in March 1928, and His Excellency the Commander-in-Chief, representing, I suppose, the Government of India after due and deliberate consideration of this report for this long period, is today in a position to make this pronouncement. Sir, I can only say that I most emphatically protest against this pronouncement. I say it is a travesty of the recommendations, the unanimous recommendations of the Sandhurst Committee. I say, Sir, that on this occasion it is very difficult

to deal with the details of this pronouncement which the Commander-in-Chief has made. And I would therefore take the earliest opportunity, if possible at the next meeting, to move the adjournment of this House, as a vote of censure on the Government for not carrying out the recommendation of the Sandhurst Committee, which was approved by this House by an overwhelming vote. Therefore, Sir, I will reserve myself, if that occasion is possible for us.

Mr. President : You will only have 15 minutes then.

Mr. M.A. Jinnah : Now, Sir, I am not going to take up much more time, if, as I say it is possible for us to avail ourselves of the opportunity to move an adjournment...

Mr. President : But that will only give you 15 minutes.

Mr. M.A. Jinnah : It may be, Sir. But as I say, I shall have 15 minutes on that occasion. And if I do not succeed again in fully dealing with this announcement which the Commander-in-Chief has made, then, Sir, according to the procedure of this House, I shall avail myself of another occasion, and that is to move either a cut or the total rejection of the military grant. And perhaps, Sir, even if you will deal with me most strictly, I shall get another 15 minutes. Therefore, Sir, I shall avail myself of the 15 minutes that are possible now. And I say, as I started by saying, that I enter my emphatic protest against this announcement. The Commander-in-Chief, Sir, has given us a long and detailed statement. But it comes to this. He, says, the 8 unit scheme must remain in operation. I think he knows as well as I do that every British officer who gave evidence was opposed to it, and every Indian officer who gave evidence was opposed to it. And yet it is not given effect to. Why? I will give you, Sir, and this House, the only reason. The Commander-in-Chief put it in a very diplomatic manner, because he thought it will be taking a risk. What risk? Of displeasing the British officers. What risk? That the British recruitment may fail. Why? Because it is only by means of the 8 unit system that an Indian will never be the superior of a British officer. And, Sir, it cannot be denied, that that is the only method by adopting which you will maintain the position that no Indian can command a British officer. And that, Sir,

is clearly given as an annexure to the Sandhurst Committee's report in an extract from a lecture. This is what the lecturer said :

“We find fifty-three Indians amongst them (subalterns) out of a total of 480. Of these fifty-three, eleven belong to Indianised units, and out of the forty-two remaining, six are over forty, and twenty-two between the ages of thirty and forty. The majority of these will take their first pension and clear out, for age precludes the possibility of their rising very high. Fourteen are left, eight of whom will not become captains till they are thirty-two years of age or over. Probably these will find that age will prevent their going very far, and of the six remaining, four will be just on thirty when they get their captaincy, and only two will get their captaincy at the age of twenty-eight. A study of the Army List leads me to the conclusion that twenty years hence only a very few Indian officers out of those now serving will be left scattered about among the 131 units of the Indian Army open to British officers today.”

With reference to the scheme of the eight Indianised units this is what he says :

“Firstly, what are the chances of a British officer entering the Indian Army today having to serve under Indian officers. In considering this question, remember that the average age on becoming a captain in the Indian Army is twenty-eight, and on becoming a major, thirty-seven. The figures that I give are approximately accurate and are taken from the Indian Army List of January 1925. In the Indian Army today we have seven Indian captains, of whom two are about to go. Of the remaining five, two belong to Indianised units to which British subalterns are not being posted ; so, of a total of 1,583 captains in the Indian Army, there are only three Indians under whom a Britisher might be called upon to serve, and two of these, owing to their age, are not likely to be promoted beyond the rank of major. So much for the captains.”

Well, Sir, in the 131 units there are "a few Indians that are scattered about, of which only a very few—two or three—may get a chance of being superior officers, to the British officer, and in the eight Indian units there is no chance—it obviously stands to reason—there is no chance that a British officer can ever be under an Indian officer. Now, Sir, that is the plain meaning of it, and that risk the Commander-in-Chief says he is not prepared to take, and therefore, on this ground, His Majesty's Government, with his concurrence or the concurrence of the Government of India, have decided that this system of 8 units should continue. I ask you, 'Do you think you can justify this?' If you think so, I have nothing more to say. Then, Sir, with regard to other matters, says the Commander-in-Chief, 'We are not going to say anything against the recommendation of the Sandhurst Committee and we have practically turned it down. But we are going to do this. We are going to increase the number at Sandhurst and a few little things which the Committee recommended, which are matters of detail, might be carried out.' Sir, that does not take us any further at all except that you may say, 'Well, you had only 10 vacancies; you will now get 25'. I concede that he has increased the number. But, Sir, that is not really what we are aiming at. You might say that while up to now Indians were not admitted into Woolwich and Cranwell, now you get 6. That is not what we are aiming at. The Commander-in-Chief knows perfectly well, and he knows better than anybody else in this House, that what we wanted was to lay the foundation, the beginning of a Military College in India, that will establish our own traditions, that will establish a system of our own, and the sooner that is done the better. And you want that the later it is done the better. That is the real issue.

I will not detain the House further on this occasion, but I may say one word. As regards the observations that His Excellency the Commander-in-Chief made, that he agreed with Sir Victor Sassoon that the Military expenditure which we were paying was an insurance premium for safety, that phrase is very attractive and it conveys various meanings. But, Sir, have I got the choice of changing the insurance office? Have I got the choice to say that I could get as much safety by paying a

little less premium ? (Sir Victor Sassoon : "To whom ?") Not to you, but to the people of this country. What is the good of saying all that here ? Here is a machine. The whole machine yours is based, as I have repeatedly said, on the principle of a garrison in this country. His Majesty's forces are stationed in this country as a garrison, that is the principle of your insurance. I do not want a garrison to insure me, but I want a national army. So the whole principle is bad from start to finish. Of course, so long as you maintain this vicious principle, so long as this machine continues with its present constitution, with its present organisation, undoubtedly you cannot reduce the expenditure very much. What is the good of His Excellency the Commander-in-Chief telling us yarns ? It reminded one of the stories that one heard from one's grandmother when one was a child. He told us, 'Oh, but the Army. Good gracious men ; It is doing more national work, it is a better nation-building department than any other department that exists in this world. You see what we do We give them education, we spend so much money on it. We train the people. Look at them. They are better fed, better clothed than they would be in their own villages. We do so many things. We have got our little factories. We are pioneers of every national movement in this country.' Sir, I may tell His Excellency that these yarns will not do. That is not the issue. I dare say you have reduced the price of ghee, and I do not charge His Excellency with not doing his best. I do not blame him. If you were to put me there in the place of the Commander-in-Chief I would say the same thing that I want Rs. 56 crores or 57 crores, because I have got to run this machine. But that is not the issue. Why tell us these little yarns and these stories here as if that was the issue. Our fundamental opposition is to this machine We want to turn this garrison into a national army. That is our ambition. Do you wish to help us or do you not ? I am convinced in my mind that the British Government does not wish to help us. I had my faith, I served on the Sandhurst Committee in that faith. But let me tell His Excellency the Commander-in-Chief that by turning down this report and by the pronouncement that he has made, he has completely shattered my faith in the *bona-fides* of the British Government.

III*

Sir, I think this House deserves congratulations that we have had at last some statement from the Department which the Honourable Member represents and which takes away something like 54 or 55 crores to keep it up. It is a most extraordinary position in this House, that this is the first opportunity we have of hearing anything about what the Honourable Member has done in the course of the official year and why the expenditure is necessary and so on and so forth. Sir, it was the ordinary practice of this House that the Commander-in-Chief, who is the Member-in-charge of this Department, usually made a statement at least in the course of general discussion on the Budget. The last of such statements was made, I believe, in 1928, and on that occasion his statement was a detailed statement, and further he gave us information as to what the Government were doing, what their policy was, what their programme was, how they were spending money and so on. But, Sir, it happened to be the duty of some of us here ruthlessly to criticise, not the Commander-in-Chief as such, but the Member-in-charge of that Department speaking on behalf of the Government of India, and, it seems that, since then, the Member-in-charge of that Department is no more here. That date marks his exit from the floor of this House. Now, Sir, I want to know who is the Member-in-charge? If the Commander-in-Chief thinks that this House is not worthy of him to sit in his uniform as the Field-Marshal, I want to know who is the Member-in-charge on behalf of the Government of India who is accountable to this House, and who can, with some responsibility and with some authority, make any statement with regard to the policy of the Government of India. Nobody. Of course, we have got the Army Secretary here. I have a great personal regard for my friend, Mr. Mackworth Young. But, Sir, I hope he will not follow his Chief and leave this House if I criticise him, because I shall certainly miss him, because I think he is the finest Secretary that could be put forward to evade every question to draw red herrings across

*Speech in the Central Legislative Assembly on 8 March, 1930 on a motion for the reduction of the demand of the Army Department.

our path and mislead this House in every way he can. But what is his position? Where does he stand? What can he speak? You might as well—I say with great respect to him personally—you might as well put there a clerk who will read out whatever he is told to read out to this House to the best of his abilities. Is this the way you are going to treat this House? Because the Commander-in-Chief is not here, we have nobody here on behalf of the Government of India in charge of this Department to meet us on the floor of this House. I pity the poor Secretary, who has only got to carry out the orders and instructions issued to him. Is he responsible for the policy? Can he put forward the policy? No. Well, Sir, I think, it has been repeatedly said before, and I do ask the Government of India carefully to consider this extraordinary position. This Army Department, which takes away not only 54 or 55 crores of rupees a year of the total revenue of this country to spend as they like but which is also responsible for the military policy in this country, has no responsible member to represent it in this House? Of course, my friend, Mr. Young, is very clever. When he meets some arguments to reduce the British troops, to make this reduction here or retrenchment there, the answer is: 'Oh, well, we cannot endanger the safety and the security of India. This is absolutely necessary,' and so on. Now, Sir, that is expert opinion behind him. I cannot, nor can any Honourable Member who is not acquainted with the technique and the strategic point of view, possibly challenge an opinion from that side that the strength of or the composition of the Army is absolutely essential. But why do you misrepresent the position that we take up? The position that we take up is, not that you should reduce the Army so as to endanger the safety of India with regard to either the internal security or the external aggression. I for one, Sir standing in this place have never said that you should reduce the Army by a single soldier which will endanger the safety of India. That has never been my point, and I do not think that is the point in the mind of any Honourable Member in impressing upon the Army authorities the necessity of effecting retrenchment or reduction. But says the Secretary: 'You ask us to reduce the British troops. Why don't you table a Resolution?' Surely, Mr. Young knows why. What will be the answer of Mr.

Young? He will ask, 'What will you substitute for it?' Naturally would you not put that question? And what is the substitute that I can offer? You will then say, 'You are on the horns of a dilemma. You wanted to take away the British troops, but what is the substitute you can offer?' I say I cannot offer a substitute,—how can I? That is just, how Mr. Young can very well ask us, 'Why don't you raise the question by way of a Resolution?' Sir, Government understand perfectly well why we don't raise that question. Our point is this, that you will never be able to get rid of this garrison,—the Indian Army, composed both of British troops and Indian troops as it is constituted at present is a garrison,—you will never be able to get rid of this garrison so long as you have not materials ready to make the Army a national army. Now, that is the policy, and that is the programme which I want the Government of India honestly to follow. Do you wish to nationalise the Indian Army or you do not? Then you will ask, 'How are we to do it?' Well, if you do not know it, I have repeatedly told you, and I shall repeat it again, that as long as we have not got a sufficient number of Indian officer ranks, it is not possible for us to nationalise the Indian Army, and I think Mr. Young will honestly admit that, if not on the floor of this House, at least in the lobby. How can you nationalise an Army? Because Mr. Young knows perfectly well, and I think Colonel Crawford ought to know it,—that it is impossible to nationalise your Army unless you have got your officer ranks. That is exactly the first step, the fundamental step, on which we have concentrated, and not only have we concentrated, but even Lord Rawlinson concentrated on it. Why? Even the Government of India realise it, and they have, by implication, if not expressly, admitted that the first thing to do is to Indianise the officer ranks. Sir, officers, I admit, cannot be made to order. A certain amount of training is necessary, but of course, my friend, Colonel Crawford, went much further. According to his argument and his conclusion, it comes to this, that you can only make officers quickly if there is a civil war or revolution in the country. If he wants to wait for that, he might get it; but don't wait for that.."

Colonel J.D. Crawford; I should like to put out, Sir, that I said that officers were made during the Great War because

they were under much greater control than the regular officers whom you require for the regular Army.

Mr. M.A. Jinnah : No, Sir, Your statement was quite correct that officers are made by revolution, by actual war, whether it is civil or international. It is a perfectly sound proposition, according to Colonel Crawford. But do you want to try that method ? Probably, if there had not been a revolution in France, Napoleon would never have been heard of. It was the revolution that made Napoleon, and there are many Napoleons probably in embryo in India, who may come forward and even excel your Commander-in-Chief. Are we going to try that method ? We want constitutional evolution. That is why I am standing on the floor of this House. Do you want to follow this policy honestly or do you not ? Do you want the officer ranks of the Indian Army to be Indianised, or do you not ? That is the whole question, and until you recognise that and nationalise your Army, and get a second line of defence, it is no use my tabling a Resolution and asking you to reduce white troops or black troops.

Now, who is responsible to this House ? Who cares for the opinion of this House ? Here is a question put in the House of Commons by Commander Kenworthy. He said the matter was causing uneasiness among Britain's best friends in India, and asked for an assurance of sympathetic consideration. Mr. Benn replied that he was ready to consider the extension of the scheme of Indianising the eight units in the Army as soon as the Government of India felt justified in recommending it on the results achieved. Well, have you done that ? Why have you not done that ? We in India are in this position. There is the Army Secretary, there is the Commander-in-Chief, there is the Governor General in Council, there is the Secretary of State for India, the British Cabinet, the Imperial General Staff and the Imperial Defence Committee, and after all these bodies, who were referred to by my friend, Raja Ghazanfar Ali Khan, had been consulted, before His Excellency the Commander-in-Chief made that so-called 'satisfactory' announcement on the 8th March 1928, after digesting the Report of Sandhurst Committee for nearly two years. Between these

bodies and authorities one does not know where India stands. Naturally Mr. Young feels that he has got this bed and rotten case to defend. He does his best and jogs along as best he can. What does he say about the Sandhurst Committee's Report? He says it is not right to say that we have not accepted any of the recommendations of the Sandhurst committee. Strictly technically, perhaps he is right, because the recommendation of the Sandhurst Committee was that the number should be doubled in the first year. My friend asks, 'Have we not done that? Well, Sir, I am surprised that a responsible Member, sitting on the Treasury Bench, should talk in this fashion. I ask, is that the recommendation, or the only recommendation, of the Sandhurst Committee? We asked you to give us bread and you are giving us stones. The very foundation of the recommendations of the Sandhurst Committee was the establishment of a Sandhurst in India.' What other recommendation of the Sandhurst Committee have you carried out? Have you carried out this recommendation to double the number of vacancies up to now? You have not. Why have you not? The Honourable Member says, 'Oh, we cannot get suitable candidates.' Why not? You say, 'They are not forthcoming.' When a responsible Member comes here and says that he cannot get 20 or 24 or 27 suitable candidates for Sandhurst, I refuse to believe it. I say there is something rotten in your system. You know that is the testimony of no less an authority than Sir Malcolm Hailey, who is not always favourably inclined towards India. If you have got eyes to see, look at the cricket fields. Why is it that you are not getting these candidates? There are reasons and you are responsible for them. You proceed in this matter in such a way that, instead of encouraging the people to put their heart into it, instead of bucking them up, you start in a manner which throws a damper on them. Take the eight unit system. Every British officer be it said to his credit who appeared before the Sandhurst Committee, emphatically condemned the eight unit scheme, and equally and naturally more emphatically every Indian officer who held the King's Commission, who was examined before the Sandhurst Committee, opposed it. The reason is an obvious one. It means this, that under this

scheme an Indian would never command a British officer. When you tell this to an Indian boy, it chills him. It does not encourage him. It makes him feel, 'What is the good of going into this business?' Mr. Young says, 'By Indianising these eight units, you will get an officer who will be in charge of the regiments in 22 or 23 years.' Does he suggest that otherwise it will take 100 years?'

Mr. G.M. Young : Perhaps my Honourable friend will allow me to correct that statement. I did not say that. What I said was that, by this system, you will get a regiment officered entirely by Indians in approximately that time, which you would not get under the Skeen Committee's scheme.

Mr. M.A. Jinnah : What is the idea of that ? Why don't you have the entire Treasury Bench composed of Indians or a portion of it by means of an eight unit scheme of segregation ? What is the use of putting forward these arguments ? Why don't you confess it ? Why don't you honestly say that you do not want an Indian officer to command over a British officer ? I assure you it will be much better for you to say that. Do not try to mislead us, because it will not serve any good purpose at all. Now, it was a very important recommendation that the eight unit scheme should be given up. Has that been accepted by the Government ? No, it has not been accepted. Even today what do we hear ? In this connection I would like to quote from the speech of the Commander-in-Chief. Of late, he has taken to making statements in another place, and this is what he said there, while referring to the establishment of a Sandhurst and the abolition of the eight unit scheme :

"The former was recommended to be established only in 1933. Government did not feel confident that the cadets coming forward for an Indian Sandhurst could be relied upon for being sufficient either in quality or in quantity to justify Government undertaking the heavy expenditure involved in the immediate creation of a Sandhurst in India."

Now, Sir, who says that we want a Sandhurst to be established immediately? It is quite clear and it is understood that the Sandhurst is to be established in 1933. It is also quite clear and understood that the number is to be increased gradually, and if you follow the recommendations of the Sandhurst Committee, which I have always described as inter-dependent or interwoven, you will find that they are intended, to a very great extent, to spur on the recruitment and to encourage it. If you take it as a whole and wholeheartedly support it, and not talk too much of the time-table, referred to in the Sandhurst Report—as if the Government of India were the only authority in whom the entire wisdom was centered—the difficulty will soon be solved. We are told over and over again that it is difficult to follow the time-table. If you cannot accomplish it, no crime will be committed. But why don't you accept? Say that we do accept the time-table, and we will do our best to accomplish it. Supposing you do not succeed in it, what will happen? Will the heavens fall? Why are you then quibbling? Why don't you frankly say that we do accept this and we will do our best and carry out this programme as it is recommended by the Sandhurst Committee. We will go on increasing the number. Of course, if you do not get the candidates, it is no fault of yours. Then you should explain to us why you cannot get them. But why don't you endorse it? Why do you hesitate? That is what I cannot understand. That shows that you do not want to encourage the recruitment, and that your continuation of the eight unit scheme is a damper and is certainly against the entire sentiment of the Indian youth. You do not even admit that you will go on with the increase of the number according to the time-table. I will quote to the House what the Honourable Mr. Mackworth Young said on the last occasion. But today he says that he is glad that the result of the last examination was more favourable. Why do you want it to be forced step by step, and why do you want to be humiliated in this fashion? You know it perfectly well, that you can easily get 27 boys if you want to. This is what he said on the last occasion :

“What we cannot do is to prophesy that that event will take place in 1933. (*That is, the Sandhurst.*) I have never been

able to understand what Honourable Members want, nor how have we turned down, as they say, the recommendations of the Sandhurst Committee in this respect. We have started this year exactly the number of vacancies for Sandhurst which the Committee recommended. We have never up to this moment succeeded in obtaining the full number of candidates for the vacancies at Sandhurst. All we say is that we are not going to raise the number of our 20 above the initial recommendation of the Indian Sandhurst Committee until we get something like 20 candidates. The Committee, on the other hand, postulate 20 this year, 24 the next year, 27 the next year, and so on, subject, of course, to suitable candidates being forthcoming."

Why don't you accept it? Am I not justified in saying that the three main fundamental recommendations of the Sandhurst Committee are not accepted by the Government of India?

"Now, let us take the subsidiary recommendations of the Sandhurst Committee. Have they been accepted? Have you done anything with regard to the physical training and drill? This House had to pass a Resolution, and I believe my friend Dr. Moonje brought in that Resolution. Until he brought in that Resolution, and that was in 1928, what did the Government do? Did they do anything? No. And what about the Resolution which we passed the other day here, namely, the co-ordination of other educational institutions, which should give training to the boys which would help them if they ever chose to take up a military career for themselves? My friend here, the Honourable the Secretary of the Education Department, told us many things, but did he tell us what lead they did give, as recommended by the Committee since 1926? What about that? Nothing was said about it until that Resolution was brought up here. Then the Government, like a drowning man who catches at a straw, were willing to accept the amended Resolution of Colonel Crawford. What I say is this. There was no need for any Resolution. Government ought to have carried this out. If they told us that, in consequence of these recommendations we have taken the following steps, and have

achieved these results, then I would have thought that was somebody there responsible to this House in charge of the Army Department. But you have not done that either.

May I ask frankly and honestly, which other important recommendation of the Sandhurst Committee you have endorsed? And yet, Sir, I am astonished. To my amazement I find that a man in the position of the Commander-in-Chief makes a statement in the other place, and says that we have given effect to every recommendation of the Sandhurst Committee, except the establishment of a Sandhurst and the scheme of eight units. Sir, if it had not been the Commander-in-Chief, if anybody else had made that statement, I would certainly have characterised it as a tissue of lies.

Sir, you are trifling with this question. What is the position? We started the inauguration of this policy in 1918, when for the first time in the history of India, you admitted the sons of the soil as eligible for the King's Commission. That was how many years ago? Twelve years ago. And what is the total number of Indian Commissioned officers today? It will be 107 in April this year. One hundred and seven, out of how many? As many as 3,200 of officers' rank and yet, Sir, the Army Secretary stands here and says to me, 'You may accuse me that we are not going fast.' I say, you are proceeding in a most disgraceful manner, unworthy of any Government who honestly believe in their own declaration that you want to Indianise the officers' rank in India. Sir, on this subject, it is difficult to speak with restraint because of misrepresentations and misleading arguments that are advanced. And what are we told in this House, Sir? Is there a man—I venture to say, there is no man—who is not the well-wisher of the poor Indian soldier? Has there ever been uttered a single word in this House against the poor Indian soldier, the sepoy who started his life on Rs. 7 a month in 1883, as the gallant Captain Hira Singh pointed out to us? Have we ever grudged them, have we ever grudged you, Captain Hira Singh, a fair treatment? What is the position of the poor Indian soldier in the Army? Yes, you are loyal, you give us your life for the salt that you eat, for the master that you serve. Whoever grudges you any-

thing, so far as these Benches are concerned? And yet I know it is a wicked thing to do. I know it is represented that, whenever this House wants to cut down military expenditure, it is said that these representatives of yours in the Legislative are responsible for all the troubles of the Indian soldiers. We had heard my Honourable friend, Sir Abdul Quiyum. I listened to his speech with great attention. His heart, Sir, is with us (*Hear, hear*), but his head is there (*Pointing to the Government Benches*). (*Laughter.*) He consciously or otherwise reflected, as a mirror, the views and sentiments and feelings of the Treasury Benches which, after he had finished, rewarded him and gave a great deal of applause. There happens to be a common chord running between my Honourable friends on the Treasury Benches and my Honourable friend Sir Abdul Quiyum.

Nawab Sir Sahibzada Abdul Qaiyum : I did not notice any applause.

Mr. M.A. Jinnah : But I did ; because the Honourable Member was excited, he did not notice. I am stating facts quite correctly. Although he was in great difficulty, and felt great pains and labour, he ultimately said, you should at least give effect to the recommendations of the Sandhurst Committee (*Hear, hear and Laughter*), because he had signed it. After all, it is his old love, notwithstanding the fact that, since he signed it, he feels that communal tension has grown much, which of course does not entitle him to ask for reforms in the North-West Frontier Province. I hope he will not ask for reforms for his province.

Nawab Sir Sahibzada Abdul Qaiyum : If Government will take back the reforms from the provinces which are worse than the North-West Frontier Province in many respects, then I shall not ask for them.

Mr. M.A. Jinnah : The Honourable Member is asking for them because other provinces ask for them.

Nawab Sir Sahibzada Abdul Qaiyum : Yes, because other people have them.

Mr. M.A. Jinnah : As I already said, my Honourable friend's heart is with us. That is enough for me, because he occupies a very difficult position. Well, I hope and trust that, when a division is taken, he will go with me into the lobby.

Nawab Sir Sahibzada Abdul Qaiyum : What will they do with one rupee ? They cannot even disband the Army with it.

Mr. M.A. Jinnah ; My Honourable friend is now immersed in the thought that, if we cut down this Army grant to only one rupee, as my Honourable friend, Mr. Young pointed out it will be only your countrymen who will suffer, not others. Well, what does it matter ? After all, there is His Excellency the Governor General, who has the power to put right a matter, and he will do so. But apart from any frivolities, I do want you to understand that there is a very big constitutional issue involved in this vote. I know some Honourable Members will say, why practically reject the whole grant if you only want to pass a vote of censure on Government ? Why don't you give a cut of Rs. 100 or Rs. 200 ? Well, Sir, a cut of Rs. 100 or Rs. 200 does not compel certification. I say that, from a constitutional point, it is the only way in which I can defeat the Government—it may be the fiction of a constitution—it is a fiction. In reality Government are irremovable, the Government are irresponsible, as you heard yesterday, in fact even Honourable the Home Member admitted that you cannot do anything of them, they are a permanent fixture (*Laughter*), you can do nothing of them—I say that, in constitutional language, I have unequivocally defeated this Government, and if they have got any self-respect, they ought not to occupy those Benches. But here they will do so all the same. That really is the position, and therefore I hope that my Honourable friend, Sir Abdul Qaiyum, will not hesitate on that score.

Nawab Sir Sahibzada Abdul Qaiyum : Hope against hope.

Mr. M.A. Jinnah : Then, I will sit down as hopeless, and I hope there are other countrymen of mine who will walk with me into the lobby and defeat the Government.

LALA LAJPAT RAI'S MARTYRDOM*

Sir, the Honourable the Home Member described the tone and the language of the mover of the Resolution as not compatible with the dignity of this deliberative Assembly. Sir, I listened to the tone and the language of the Home Member and may I state on the floor of this House that it was not compatible with the dignity of a responsible government? He said that the policy of the Government of India and the Local Governments with regard to the task of the Simon Commission to investigate and inquire into the future constitution of India, was that every shade of opinion in this country—co-operators or non-co-operators—should have the fullest freedom and liberty of action and that they were free to express their opinion and adopt such actions as they thought proper, provided that it was compatible with the maintenance of law and order. I think I have understood him correctly. Well, Sir, I do not want to enter into a discussion of that policy of the Government of India more than I can help it on this occasion because in my judgment I feel and I have publicly stated it before that the policy of the Government and the Provincial Governments and the district authorities—which has been carried out in fact—has not been the policy that everyone should be free to adopt such action as he thinks proper compatible with law and order. But the policy of the authorities throughout the country in fact has been the active support and instigation of the co-operators. Whoever heard of a Royal Commission getting red carpet receptions at every station they go to, in every district and in every town, under the patronage and under the direct instigation of the local officials? Whoever heard of such a thing before? I pointed out in my interview to the press sometime ago and I say to Government now—of course the work of the Simon Commission is coming to an end and perhaps it is use-

*On February 15, 1929, a resolution was moved in the Assembly recommending the appointment of a committee to inquire into the allegations which had been made regarding the assault on Lala Lajpat Rai, the leader of the Nationalist Party in the Assembly, and its effects in causing or hastening his death. Speaking on the resolution, M.A. Jinnah said in the Central Legislative Assembly.

less to discuss this any further—but I say even today, though I do not wish to deny a cup of tea to Sir John Simon, or a party if anybody invites them. I do not wish to deny them a sumptuous dinner if anyone wishes to invite them. Stop official association with those functions, those functions should not take place under official patronage (*An Honourable Member* : “Official organisation”), yes, official organisation, I accept that word. It is this undesirable factor which makes those who are opposing the Commission maintain that unless they demonstrate opposition their case will go by default. If the authorities had not followed that policy, probably, I think, those who hold the view that they must also establish by clear demonstration that India is not co-operating would have slackened in their efforts.

However, I do not wish to go into that question any further and whatever may have been the policy of the Government it does not matter so far as the issue before the House today is concerned. I am not now concerned also whether the orders issued in the Punjab by the Provincial Government were legal or illegal. It is enough for my purpose that it is an admitted fact that the people who met there, behind the barbed wires, were legally and lawfully stationed there. They were not an unlawful assembly. The issue that really then presents itself to us, as it appears to me, is this. Did the police or any member of the police, assault not only Lala Lajpat Rai but the citizens who had lawfully assembled there—I attach importance of Lala Lajpat Rai because he was a man of position and a Leader and a Member of this House—but I do not wish to neglect the other people, however small they may be. The question is whether the assault on that occasion by the police was unjustifiable, unprovoked and uncalled for. That is the question that appears to me is the real issue. Now the consequences of that assault may have been grave. It is alleged that it accelerated the death of Lala Lajpat Rai. It may be so, it may not be so. I am not in a position at this moment to pronounce my opinion on the subject. It may be that it might have been still more grave. The consequences might have been that several lives might have been lost on the spot. Really the issue to my

mind is, was the assault made by the police on that occasion made on a lawfully assembled gathering of people, on citizens who were entitled to be there, and who gave no issue, reason or provocation to the police for the assault that was made? The assault was made, that fact is proved that the assault was made is admitted. It is asserted on the one side that it was uncalled for, unprovoked, unjustifiable, and that it was a deliberate, wanton scheme, premeditated, that is the allegation. On the other side I am told by the Government through the Home Member, that the police only used such force as was necessary to meet the situation. We are further told that 'an enquiry has been made'. By whom Departmentally. There was further inquiry by the Boyd Committee. Now, do the Government seriously call these inquiries? I will not venture to characterize them but rest content by saying that we do not want a police inquiry or for the matter of that an executive inquiry, but an independent agency to inquire into this matter. Having regard to these serious charges to these serious allegations which have been made in the press and at public meetings by responsible men outside and Members of this House of the position of Pandit Madan Mohan Malaviya and Lala Hans Raj, is this your answer that a *prima facie* case has not been made out for the appointment of an independent Committee to inquire? Do you wish to shirk such inquiry? If these allegations ultimately are proved to be untrue, let me tell you, and let me tell the Government, the Honourable the Home Member, that your Government will come out of it with a greater reputation than you possess at this moment. If you shirk this inquiry, the only conclusion that we on this side of the House will come to is that you dare not face the inquiry. (*Oheera.*) Why do you wish to take shelter under these frivolous excuses, that primarily it is a matter for the Local Government. You know what the Local Government has done. The Local Government does not wish to face the inquiry. Have you no power, have you no authority, are Law and Order not a reserved subject? Have the Government of India no voice in the matter? Then, why do you want to shirk it? I say in your own interests, I say in the interests of Government, I say

for your own credit, for your own reputation, if you are satisfied that the assault was wanton, not uncalled for, not unjustified, and not without provocation, then the sooner you agree to this motion the better for your own interests, for your own credit, for your own reputation.

6

MOTILAL NEHRU

[By profession a renowned civil lawyer and a parliamentarian but by conviction a great liberal politician. Pandit Motilal Nehru (1861-1931) adhered to the trend of 'sane and loyal nationalism' as set by Hume and followed by many leaders like Gokhale and Mrs. Besant. His association with the Indian National Congress started in 1906 when he attended the Calcutta Congress presided over by Naoroji. He saw the rise of extremist trend with a sense of apprehension and thus criticised the approach of its leaders like Tilak and Pal. He became the first president of the U.P. Provincial Committee in 1907 and worked in this capacity for seven years. He supported the Home Rule Movement and was called 'the Brigadier-General of the Home Rule League'. His fierce denunciation of the Rowlatt Act and of the Jallianwala Bagh tragedy made him very popular. He was offered the presidency of the Amritsar Congress held in 1919. But he had his differences with Gandhiji on the idea of complete non-cooperation with the British. For this reason, though he took part in the non-violent non-co-operation movement of 1920-21, he criticised Mahatma's leadership when he abruptly suspended the agitation in Feb., 1922 in the name of violence in Chauri Chaura. With C.R. Das he founded the Swaraj Party in 1923 with a resolve 'to enter the Legislative Councils so as to smash the Reforms (Act of 1919) from within'. But he had to give it up after a couple of years and once again laid stress on Dominion Status or 'self-government for India within the Empire'. It formed the keynote of his presidential address delivered at the Calcutta Congress of 1928. Since his son (Jawaharlal Nehru) frankly and vigorously supported the case

of 'Purna Swaraj' implying termination of the British raj or India's self-government out of the British empire, on 30 March, 1927 he said : "I do not think there is one man among the old or new set of Congress men who will not go into a fainting fit on hearing the words 'complete independence for India.'"]

THE GLORIOUS DAWN*

Brother Delegates,

Allow me first to thank you for the high honour you have conferred on me by selecting me to preside over the deliberations of this, your first Provincial Conference. Keenly as I appreciate the great honour, I must confess to a feeling of diffidence in my ability to come up to your expectations, specially when I see around me a number of more qualified friends, any one of whom could fill my place with great credit and success than I can ever hope to achieve. But I look upon your selection of me to preside on this occasion as the call of my country to place my humble services, such as they are, at her disposal, and where is the man "with soul so dead" who would fail to respond to such a call? I stand before you in response to that call and in this lies my sole justification, my only apology for accepting an honour which I do not believe I deserve.

Let me next congratulate you on the success that has attended the organisation of this Provincial Conference. It is true that the United Provinces have always evinced a keen interest in the annual meetings of the Indian National Congress, and that on no less than four occasions that great National Assembly has in response to our invitation met in our important centres. It is true that we have in past years sent our chosen representatives in adequate numbers wherever the Congress has been held, and true also that some of our representatives have done yeoman's service to the cause of the motherland. But it is equally true that beyond taking this

*Speech delivered as President of the first Provincial Conference of the United Provinces, held at Allahabad on 29, March 1907.

periodical interest in questions discussed at the annual meetings of the Congress, we have so far done practically nothing to minister to the direct political needs and aspirations of our own Provinces. Most of these needs and aspirations are, no doubt, common to us and to the rest of our countrymen, but in regard to these as well as others which are peculiar to ourselves, the importance of local associations in important centres cannot be overrated.

The National Congress meets but once a year, and having regard to the fact that it is a vast assembly of representatives from almost every part of India, it cannot conveniently meet more than once in the course of a twelve month. Now, gentlemen, as you are aware, John Bull is rather dull of understanding and hard of hearing. The potent voice of the Congress is wafted to his ears across the seas every Christmastide. He is aroused and begins to think that there is something wrong somewhere, but before he can fully grasp the situation, the voice, potent as it is, dies away and he hears practically nothing till the following Christmas, when the same thing is repeated with the same result. By saying this do not by any means intend to imply that the labours of the Congress have so far been in vain. Those labours have certainly been crowned with a measure of success and that in two directions; first, in the educative effect of the Congress movement on the Indians themselves, which cannot be too highly valued, and secondly, in securing from the powers that be at least a modicum of the reforms advocated by it. I attribute the small measure of success attained in the latter direction solely to the fact that John Bull has not been sufficiently aroused. I firmly believe that he means well—it is not in his nature to mean ill—and this is a belief which is not confined to myself alone. It is shared in by many of our distinguished countrymen including several past Presidents of the National Congress, and will be readily endorsed by those who have seen and known John Bull at home. It takes him rather long to fully comprehend the situation, but when he does see things plainly he does his plain duty, and there is no power on earth—no, not even his kith and kin in this country or elsewhere—that can success-

fully resist his mighty will. But what he needs is a constant dinning into his ears of our just and reasonable demands. It is, therefore, necessary for us to supplement the efforts of the Congress of all India by holding small Congress, so to say, in every Province—nay, if possible, in every town of the Empire—even though it be to re-iterate the same demands. But it is clear that besides, what is common to a particular Province and the rest of India, there must necessarily be in each Province its own special needs that require looking after, its own special grievances that require to be redressed. These it would be impossible to discuss adequately in the Congress of all India and they must therefore be dealt with by the Province to which they are peculiar. Again, there is before us the great task of diffusing knowledge among the masses—as to which I shall have to say a word later on. I have already referred to the educative effect of the organisation and the teachings of the Congress. Those who can carry their memory back to the pre-Congress days will remember what an insignificant proportion of politics entered their own daily lives and those of their neighbours at the time. But what do we see today? Can any one ignore the political ferment we are now living in? Now, what is that has brought about this result within the short space of 22 years? The spread of education is no doubt largely responsible for it, but where without the Congress could it be possible for all India to meet on a common platform? Could we without the Congress have achieved the noble conception that all India is but one political unit? What is the living force that has so directed the currents of political thought throughout this vast Peninsula as to make them flow in one mighty torrent, the grandeur of which even the most cynical of our critics cannot but admire? Surely, it has not emanated from the Principals and Professors of our Colleges. That living force, gentlemen, is none other than the Indian National Congress. I look upon it as a great National University of Practical Politics. It has done and is doing its noble work, but it needs the creation and affiliation to it of local institutions to carry on its great work. We have, therefore, reason to congratulate ourselves that we have today laid the foundation of an institution which supplies a long-felt want in our Provinces. But this is not all that is required. What I have already said as to the

inadequacy of the annual meetings of the Indian National Congress must necessarily apply to our Provincial Conference if it is only to meet once a year and not to be thought of in the interval. It is clear that for reasons similar to those which apply to the Congress we cannot conveniently hold meetings of the representatives of all districts in the United Provinces more than once a year. Something must, therefore, be done to secure continuity of work and to keep the Conference *in evidence* throughout the year without the necessity of actually calling it to meet more than once during that time. This can be done by electing every year at the Conference a strong and representative Central Committee for the ensuing year, and also establishing in each District a local Committee, the business of which should be to keep itself in close touch with the Central Committee on all important points affecting the administration of the District. Some years ago the United Provinces Association was conceived with this very object, but it turned out to be a still-born child. This sort of thing will not do. If we are to move with the march of progress we must be up and doing. It is humiliating enough to be so far behind our brethren of other parts of India as to hold our Provincial Conference for the first time after they have held theirs for years past. If our sense of self-respect, to say nothing of our sense of patriotism, is not strong enough to compel us even at this late hour, to shake off the lethargy into which we have fallen, this Conference is a farce. But I cannot believe that the enthusiasm I see around me is anything but the legitimate outcome of a widespread awakening which the United Provinces share in an equal degree with the rest of the country, and I therefore hope and trust that we shall not only put this Conference and its Committee on a firm and solid basis, but by raising the standard and efficiency of their work soon make up for lost time.

This naturally leads me to consideration of the functions we are called upon to perform. The general functions of the Government and of a public body like this Conference are very well understood, and I cannot hope to make any material contribution to the valuable literature already available on the subject. But having regard to the fact that we have brought a

new institution into existence to-day, I may be permitted to make a few remarks as to the special aims and objects of this Conference and the *modus operandi* which, in my humble judgment, is likely to secure the best results. In dealing with this matter I am brought face to face with the somewhat embarrassing situation created by a division in our own camp, and I crave your indulgence to allow me to say a few words on this burning question of the day before I deal with the subject directly in hand.

A new school of thought has lately arisen in India holding extreme political doctrines and advocating measures of coercion and retaliation to obtain redress for their wrongs. This has given rise to the distinction between "Moderates" and "Extremists" with which you are all familiar. The new school has already found many a staunch adherent to its views in these provinces, especially among the students. I venture to hope that the recent utterances of the Hon'ble Mr. Gokhale, whose weighty words of wise counsel are still ringing in our ears, have done much to dispel the mist which hung in the path of political reform. But I am afraid we are even now by no means in perfect accord as to the line of action we should adopt. Now, gentlemen, it is not my intention on the present occasion to preach the gospel of moderation with a view to make converts. I leave that to be accomplished by abler hands than mine, and there is no abler missionary of that gospel than the Hon'ble Mr. Gokhale himself. I cannot pretend to present the pros and cons of the case to you with greater clearness and lucidity than he has done in the eloquent and convincing addresses recently delivered by him in various parts of these Provinces. It is enough for me to say that I do not subscribe to most of the doctrines of my "Extremist" friends, and I sincerely hope and trust that the majority of my countrymen will not do so. At the same time, I took upon the "Extremist" as only the natural outcome of the present condition of things. The movement which he represents took its rise in Bengal where the deplorable incidents of the past few years drove the vast majority of people to the very verge of despair. It was this feeling of despair which, in the natural course of things, gave birth to that child of adversity, our

good friend, the Bengal Extremist. He had not to wait long before he found sympathisers in the United Provinces, but as was also natural, the first to enlist under his banner was the young blood of Colleges and Schools. There is, therefore, nothing to be wondered at in a situation which is the natural effect of artificial causes forced upon the people against their will. For my part, I think it is a healthy sign of the times that a class of people of the type of our Extremist friend should now and then arise in the country to sound a note of warning. He brings a message fraught with the deepest meaning to both the Government and the people of the country. While on the one hand he affords unmistakable proof that the new spirit is aboard, he serves on the other hand to show equally clearly that the methods evolved by him out of the depths of despair are not suited to the real wants of a young, promising and hopeful nation. I say this only of some of the methods advocated by our friends of the new school, for there are other methods also recommended by them which are not only perfectly legitimate but are worthy of being adopted and followed by every true lover of the country. On the whole, therefore, our friends bring a message of life and progress. The only natural development of the situation created by them will be that as time goes on the new spirit will grow and expand, the methods, as to which we are all agreed, will be more and more largely and zealously followed, and the methods, which the so-called Moderates are not at present ready to adopt will, I hope and trust, never need to be called into requisition.

To make myself clear, I must here briefly allude to the nature of these methods and the development I expect from them. "Swadeshi-ism" and "Boycott" are the two weapons by which our friends propose to fight the Gods that preside over our destinies. Now so far as the doctrine of Swadeshi is concerned, I place its adoption in the category of those meritorious methods which every true lover of the country must employ and follow to the best of his ability. In the beautiful words of Mr. Gokhale, "Swadeshi-ism at its highest means a fervent, passionate, all embracing love of the motherland." That being so, who can find fault with you for being

a true Swadeshist ? Least of all, the English people who are themselves most intensely Swadeshi. "Patronize home industries" is an injunction which meets the eye almost at every turn in England—on the tops of buses, at Railway Stations, places of amusement, etc. No Englishman—not even Lord Curzon—has ever said anything against true Swadeshism. Many distinguished Englishmen, including Lord Curzon, have repeatedly expressed their willingness to accord their full support to the true Swadeshi cause. The new spirit that I have spoken of has not created but revived an interest in Swadeshi-ism, but we owe to it a number of new mills and factories and a revival of some of the hand industries of the country. As this spirit grows, more new industries will come into existence, more of the raw produce of the land will be utilized in the land itself, and a time will come—however distant it may be, but come it must—when we will be in a position to compete with foreign goods in the open market. The only natural means of driving the foreign articles out of the market that can ever succeed is to produce a better and cheaper article in the country itself. When you arrive at that stage of perfection in your indigenous industries you will require no boycott to prevent the import of British and other foreign goods, and this is what I mean when I say that a zealous pursuit of the means and methods as to which no exception can be taken will, in the fullness of time, secure us to us everything that we desire and render the application of methods of doubtful propriety and practicability entirely unnecessary. It is for this ultimate development which every true son of India must devoutly wish and pray for, that I welcome my friend the Extremist and thank him for the new spirit he has infused into Indian life. But when he goes further and associates boycott with Swadeshi-ism as a means to the same end, I find myself on the brink of a precipice and cry halt.

Swadeshi and Boycott

It is contended with some plausibility that true Swadeshi-ism comprises and includes boycott. The bounds of boycott, using the word loosely, do at first sight seem to overlap those of Swadeshi-ism to a certain extent ; for the exclusive use of

country manufacture must necessarily imply abstention from the use of foreign goods. But that is neither the true import of the word "boycott" nor is it all that is meant by our friends when they use the word. They speak of a commercial and a political boycott. It is the former which lends plausibility to the argument, and I am free to admit that, even taking it in the worst sense of the word, it is certainly calculated to supply a temporary impetus to Swadeshi movement. But are we not too well convinced of the value and necessity of pure Swadeshi-ism, having for its source the purest spring of the love of the motherland, to require the aid of an impetus based on vindictiveness and ill-will to others? If we are not so convinced, it requires no prophet to say that the Swadeshi movement cannot last in spite of all the vindictiveness and ill-will in the world. You cannot subvert the laws of nature by mere spite, and the law of the survival of the fittest is an inexorable law which finds its application in all human undertakings. A vindictive and a spiteful pigmy, with a broken reed to rely upon and use as a weapon, can have no chance in a fight with a steady and powerful giant armed with the most up-to-date weapons of offence and defence. By proclaiming a boycott of English goods you openly defy the greatest commercial power of the world, which is also the predominant political power in the land. It is ridiculous to think of driving out of the market the output of innumerable mills, and factories of one of the greatest manufacturing countries of the world by your tiny handlooms and staggering mills, trusting for the rest to spite and vengeance. I quite appreciate and admire the spirit of voluntary sacrifice which induces a man to buy an inferior and more expensive article made in the country in preference to the superior and cheaper foreign article and I shall be glad indeed if the number of such men increases day by day. But the ratio, which the number of men permeated with Swadeshi of such a high order, bears to the whole population of these Provinces is, and will always be, insignificant, and you cannot expect any such increase in that number as will have an appreciable effect on the import of foreign goods. Men of this type are to be found only in small numbers in the chief cities, but foreign goods have now penetrated into the remotest and

most inaccessible corner of every district ; and you must remember that the greatest consumers are the masses. Unless, therefore, the masses are actuated by the same spirit of self-sacrifice as the band of heroes I have mentioned, you cannot effect any decrease in the import worth the name. You know, as well as I do, that the masses, oppressed as they are by chronic poverty, cannot afford such a sacrifice even if they were inclined to make it. It will take a long time yet to convince a villager, that he must, for the sake of his country, abstain from buying the cheap Lancashire *dhoti* and spend a greater proportion of his hard-earned wages on the indigenous article than he can spare from the more immediate and pressing wants of himself and his family. Let us go a step further and assume that a common Indian rustic will be persuaded to take your view. Where is the supply to come from to cope with the universal demand that will thus be created ? Gentlemen, the success of a commercial undertaking must depend on commercial and not on political principles. So long as human nature is what it is, the trader who offers the best value for the customer's money is bound to succeed, whatever his nationality or political creed may be.

Apart from all this, it must be remembered that an ill-trained artisan, with imperfect tools and implements, who finds a ready sale for the crude and clumsy article turned out by him will have no stimulus to improve himself and his methods. By freely patronizing him you take away the one incentive he has to progress, and thus sanction a perpetual deterioration of the quality of your manufactures.

Again, it appears to me that those who talk of an intimate connection between Swadeshi and boycott forget the aim and object of the latter movement. It was avowedly put forward as a political weapon and not as a commercial enterprise. The Hon'ble Mr. Gokhale, in his presidential address at the Congress of 1905 at Benares, characterised boycott as a "political weapon used for a definite political purpose," and added that our friends of Bengal "had in the circumstances of their position every justification for the step they took". The circumstances of that position were described as follows :

"We all know that when our Bengali brothers found that nothing would turn the late Viceroy from his purpose of partitioning Bengal, that all their protests in the press and on the platform, all their memorials to him, to the Secretary of State and to Parliament were unavailing, that the Government exercised its despotic strength to trample on their most cherished feelings and injure their dearest interests, and that no protection against this of any kind was forthcoming from any quarter, they, in their extremity, resolved to have recourse to this boycott movement."

Mr. Surendranath Banerjea and other speakers spoke in the same strain, and the result of the discussion was the 13th resolution of that Congress which ran as follows :—

"Resolved. That this Congress records its earnest and emphatic protest against the repressive measures which have been adopted by the authorities in Bengal after the people there had been compelled to resort to the boycott of foreign goods as a last protest, and perhaps the only constitutional and effective means left to them of drawing the attention of the British public to the action of the Government of India in persisting in their determination to partition Bengal in utter disregard of the universal prayers and protests of the people."

Now, gentlemen, imagine for a moment that the present Government, under some inspiration from above, suddenly awoke to a sense of the grievous wrong inflicted by the predecessor on our Bengali brethren and cancelled the partition of Bengal. Would not our brethren of Bengal be in duty bound to withdraw the boycott? What will then become of the Swadeshi movement if it really depends to any considerable extent on boycott? It can either exist without it, or it cannot. If it cannot, are you prepared to sacrifice Swadeshi-ism—"the fervent, passionate, all-embracing love of the motherland"—at the altar of satisfied revenge? The object of the boycott, which in the eloquent words of Mr. Surendranath Banerjea is a "protest, nothing more than a protest, against the indifference of the British public in regard to Indian affairs," being gained, it

must in all honesty be forthwith withdrawn, and with this withdrawal the whole edifice of Swadeshi-ism must crumble to pieces. But if it can exist and flourish without boycott after, the setting aside of the partition of Bengal, why, in the name of common sense, can it not thrive without boycott before the setting aside of the partition? The real truth is that true Swadeshi-ism, the offspring of the noblest conception of the love of the motherland, does not, in the least, depend on boycott, which however excellent a political weapon it may be is after all associated with the lower passions of hate and revenge. From a commercial and economic point of view there is thus no real connection between Swadeshi-ism and boycott. The only true means of helping the Swadeshi movement is the development of home industries on modern lines. Let us direct all our energies to it, let our capitalists come forward and establish new mills and factories. Let our bankers and money-lenders employ their money to utilize the raw products of the country in the country itself. Let the ancient families of Talukdars and Zamindars who still possess buried hoards of gold and silver unearth their treasures—not to give them away in the service of the motherland, as that glory can only be reserved for the few—but so to employ them as to serve themselves as well as the motherland. Let us found technical institutions in the country for the training of our young men in the modern arts and manufactures. Let us send out our young men to Europe, America, and Japan to learn those arts and manufactures. These, gentlemen, are some of the true methods of putting the Swadeshi movement on a firm and solid basis. You can do it no real good by the irritation and excitement of the hour, which at most can only create a false appetite that vanishes with the disease. Our real difficulty lies with our own people—especially the monied classes—and in the want of adequate help and sympathy from the Government in the extension of primary and technical education. Boycott will hardly help to arouse the dormant energies and dispel the old-fashioned prejudices of the Indian capitalist. It will certainly estrange the sympathy of the Government. What then is the necessity of it for the holy cause of Swadeshi?

Let us see if we in these Provinces require the boycott as a political weapon. Now, what are the conditions under which recourse may be had to boycott? Let the two veterans whom I have already quoted answer the question in their own words. Mr. Surendranath Banerjea says :

“The boycott is a political instrument in our hands. We resolved to use it when necessary subject of course to the safeguard that it is only to be used in extreme cases when there is a sufficiently powerful body of public opinion to justify its use and to ensure its success.”

Mr. Gokhale says :

“A weapon like this must be reserved only for extreme occasions. There are obvious risks involved in its failure and it cannot be used with sufficient effectiveness unless there is an extraordinary upheaval of popular feeling behind it. It is bound to rouse angry passions on the other side and no true well-wisher of his country will be responsible for provoking such passions except under an overpowering sense of necessity.”

Now, gentlemen, what is the extreme occasion, and where the overpowering necessity in these Provinces to take up such a double-edged weapon against the Government, with the very probable result of hurting yourselves? Where is the “extraordinary upheaval of popular feeling” against any measure of the Government in these Provinces which could induce any well-wisher of the country to take the “obvious risk” of “provoking angry passions on the other side?” There is clearly none. I admit we have serious grievances, our just and reasonable demands have not received the attention they deserved, and generally we are not treated as we ought to be. But what have we so far done to obtain redress? Practically nothing beyond passing certain resolutions in the Congress. What right have we then to refuse to adopt the intermediate stages of constitutional agitation and at one jump to alight on boycott as the most suitable method? There being no justification for the adoption of the method in our own Provinces, are we to adopt it out of pure sympathy and love for the sister Provinces

of Bengal, simply because our brethren there have thought fit to adopt it? I do not on this occasion feel called upon to discuss the propriety or otherwise of the step taken by our Bengal friends. They have taken it with the full consciousness of responsibility, and they are the best judges of their own action. They assure us that they have "a sufficiently powerful body of public opinion to justify its use and to ensure its success," and we must accept that assurance. But so far as we in these Provinces are concerned, there is neither any justification for its use nor any guarantee for its success. The backbone of both, the powerful body of public opinion, is entirely wanting. We cannot afford, out of a futile sense of sympathy, to knock our heads against a stone wall. No other Province has yet come forward to give any indication of such a practical expression of sympathy, and it behoves us at least to wait till the more advanced provinces take the lead.

I have so far endeavoured to show that the boycott movement even in its mildest form—a form in which it has been approved for Bengal by the last two Congresses—is entirely unsuited to these provinces. Our extremist friends, however, preach a boycott of the most sweeping character. They are not content with the boycott of British goods. They would have nothing to do with anything British including British institutions. They would have you make the Government of the country impossible. They talk of passive resistance that charming expression which means so little and suggests so much. But in asking you to sever your connection with the Government they recognize the importance of discretion as the better part of valour, and confine themselves to your giving up honorary offices which carry no emoluments with them. It is difficult to see why the question of filthy lucre should at all weigh with us in carrying out a patriotic duty but our friends are too keenly alive to a sense of the ludicrous to push their propaganda to its logical outcome. One gentleman goes the length of saying that he would prefer "anarchy with plenty" to "peace with poverty." "Anarchy with plenty" is indeed an original idea. Perhaps the man of plenty meant by the gentleman is the freebooter and the cut-throat. There are similar statements [which] owing to their inherent absurdity carry their own refutation with them.

The only wonder is that they should be seriously made. I for one tremble to think of the condition of things which would prevail if all our Government and aided schools and colleges were to be closed, all Municipal and District Boards abolished, and the elected element of the Legislative Councils done away with. Where shall we then be? The answer is plain enough; nowhere. We cannot even occupy the position we did at the beginning of the British rule when the institutions I have just mentioned did not exist. Remember the price you have been paying for upwards of a century of the few blessings that you enjoy. Remember the greater price you will have to pay if you throw away these blessings, apart from the inherent value of the blessings themselves. For these reasons and many others that can be easily adduced it is clear that while we must welcome the Swadeshi movement with open arms we must not think of talking up the ponderous weapon of boycott in our untried hands. We must confine ourselves to methods which are at all times perfectly constitutional and legitimate. I would go further and say that we must begin our work in these provinces in a spirit of sympathy with and trust in the Government.

Now, gentlemen, I do not hold a brief for the Government, nor am I a supporter of the present system, the shortcomings of which we are here to consider and call attention to. Far be it from me to recommend to you a policy of mean, cringing, fawning flattery of the powers that be. You are men and you must be manly. You have rights and you must stand like men on those rights. You have grievances and you must like men demand redress. Be brave, unbending, persistent in advocating and carrying out reforms. Fear no one however high he may be placed. Trust in the strength of your cause and support it to the death. Take a mighty resolve that India "shall suffer wrong no more" and devote all your energies to acquire the strength and the ability to protect the motherland from insult and injury. This strength and ability must come from within, at great sacrifice, and in the fullness of time. It does not consist in an impotent defiance of constituted authority. A respectful attitude towards the Government of the country is not only not

inconsistent with manliness, but is the very essence of the true and healthy manhood of a nation. While on the one hand you have grievances and wrongs that cry loudly for redress, you must not forget that you enjoy, on the other hand many great blessings under the aegis of British rule, not the least of which is the right you are at this moment exercising of assembling in public meeting to criticise that rule itself. In all gratitude we must acknowledge the rights and privileges conferred in the past, and with all the strength, that the justice and righteousness of our cause inspires in us, we must ask for more.

This is our first Provincial Conference, and when I say we ought to begin our work in a spirit of sympathy with the Government, I do not ask you to do any more than your plain duty as gentlemen. We are constitutional agitators and the reforms we wish to bring about must come through the medium of constituted authority. We are thus directly concerned with the Government. Now the least that the Government, which is after all human, will expect of you to use temperate and respectful language. Your speech should not be marred by excess, nor your demands by extravagance. Strong language is the surest indication of a weak case and should by no means be indulged in. You must make it possible for the Government to sympathise with your aims and aspirations, and you cannot do so unless you sympathise with the Government in the difficulties which it has to contend against. You may take it that the Government is not a bed of roses to sleep on. It has its own troubles and difficulties, and it expects you to realize those troubles and difficulties as much as you expect it to feel for yours. The attitude which I recommend for adoption by you is all the more necessary in the peculiar circumstances of these Provinces. Yours is a new institution and you have a new Government. Neither is committed to any definite policy towards the other. I implore you to so conduct your proceedings and to so frame your resolutions as not to compel an administration which has opened with such hope and promise to fight shy of you. Give it the chance to come to the rescue. But if it does not, why, go ahead. Move heaven and earth till you get what you fully deserve. If you cannot get it

in your life time, do not despair. The noblest legacy that you can possibly leave to your children and your children's children will be the fruition of your patriotic efforts in the cause of the motherland. All I beg of you is to adopt constitutional and not doubtful means, to be brave but not rude, to be dignified but not defiant.

Gentlemen, I should not have taken so much of your time in discussing Swadeshi and boycott, had not these very matters so violently agitated the public mind of late. It is of the utmost importance for us in our first Provincial Conference to declare in no uncertain terms the attitude we propose to take in reference to these matters. I have laid before you what according to my best lights consider to be the true position. It is for you to accept it or not as you please.

I now pass on to the most important problem we have to solve, I mean the Hindu-Mohammedan problem, which in this, more than in any other part of India, is the great question of all questions. No one has ever doubted the immense advantages which must necessarily accrue to both communities by a perfect union and a thorough understanding between them. Theoretically, there is absolute unanimity on the point. The true relation between the two communities was beautifully summed up in a single oft-quoted sentence by one of the greatest Indian Mohammedans of modern times, the late Sir Syed Ahmad Khan. Hindus and Mohammedans were, he said, the two eyes of India—injure the one and you injure the other. On another occasion, more than 20 years ago, the same great man is reported to have said: "We (Hindus and Mohammedans) should try to become one heart and soul, and act in unison; if united we can support each other; if not the effect of one against the other will tend to the destruction and downfall of both." It is true that in later years he felt it his duty to secede from the Congress movement, but the words I have quoted, which were uttered in 1884, were as true then as they will remain for all time to come.

Again you have recently had amongst you, a Mohammedan Ruling Sovereign, His Majesty the Amir of Kabul, to do

homage to whom Hindus vied with Mohammedans at every place he visited. This typical Eastern Potentate showed a breadth of view which would do honour to any Western Sovereign. His Majesty took in the whole situation at a glance and repeatedly emphasized the necessity of union and friendship between Hindus and Mohammedans. When he was at Calcutta he recited a Pashtu couplet which means "there is no lane, no street, no place where Hindus and Mohammedans can not be friends."

The sublime truth of these aphorisms is obvious, the glorious end to which they point is evident. Yet the pity of it is that we find no votaries of the sublime truth, no workers for that glorious end. And why? I must confess, gentlemen, that a confirmed optimist as I am, a feeling akin to despair comes over me when I think of what I consider to be the true reason why. Truth is often unsavoury but in this case it unfolds a distressing tale of shame for the leaders of both communities. Distressing must a situation be, the difficulties of which are clearly traceable not to the ignorant masses but to the educated classes. Go to any village in any district which is inhabited both by Hindus and Mohammedans and you will find them living together in perfect peace and harmony, exchanging social courtesies with genuine cordiality, and trusting each other with implicit confidence. Go to a large city and the condition of things changes. When the leaders meet in public or in private they practise the very refinements of courtesy and politeness, prompted no doubt by their good breeding and education. But the man who runs may see that there is a certain amount of distrust of one in the other, a vague apprehension that one is hatching some vile plot to injure the other. The ignorant and illiterate of both communities take their cue from the leaders, whose feelings are necessarily reflected on the masses, with whom they find expression in open hostility.

But while the leaders are largely to blame for this animosity, Government officers of high rank cannot be entirely absolved from all share in it. At the annual meeting of the Bengal Landholders Association, held on the 17th instant, the Maharaja of

Darbhanga only echoed a common feeling in these provinces when he said :

“It is impossible to ignore the fact that there is undoubtedly a strong belief, erroneous or otherwise, entertained by some of our people that an attempt is being made in certain quarters to play off one community against the other”. I do not believe that the attempt in all cases is a deliberate one, but we are all familiar in our own provinces with Collectors, Commissioners, and even Lieutenant-Governors who have been either pro-Hindu or pro-Mohammedan (mostly the latter) in their own time, and have done a great deal more to widen the gulf between the two communities than the individual action of the members of those communities could possibly do. It is neither just nor generous to ascribe any motives other than honourable to the gentlemen who have shown special tendencies and inclinations of this nature. There is much in the language, literature, and past history of both communities that commands the respect and admiration of the world to this day. It might be that a zealous student and admirer of the literature of one community, with the best of motives, evinced an interest in the members of that community. It might be that a strong and active officer in high place, from a pure sense of duty to reward merit, and without the least notion of helping one community at the expense of the other, inaugurated reforms which adapted themselves more readily to the circumstances of one community than those of the other. And, lastly, it might be that an officer in high place, beginning with no special inclinations of his own, but succeeding, we will say, a pro-Hindu predecessor was made to feel that he should do something for the Mohammedans, and thus became, towards the close of his official career, a pronounced pro-Mohammedan. All this from the particular point of view of the officer concerned might be perfectly fair, but the fact remains that strong likes and dislike of this nature in the powers that be can only tend to promote racial antagonism and jealousy. No real good is done to either community by those who appear to favour it. A few appointments thrown open or a small concession made to a particular class can neither bring about the

political regeneration of that class, nor can it annihilate the solid progress made by the other. The alternation of a pro-Hindu with a dozen pro-Mohammedan officers works out the law of compensation almost accurately. Any preponderance of one class over the other brought about by their action readjusts itself within a few years, at the end of which both stand in very nearly the same relation in which they stood before there was any such preponderance. But the sting it leaves behind remains, the animosities it creates continue, and the destructive game is kept up from generation to generation to retard our national growth. And all this simply because in the general scramble for Government patronage those who ought to know better choose to look upon each other with suspicion and play into the hands of the authorities, who are not in hurry to behold the grand spectacle of a united India. The real root of the mischief lies in the reason assigned by Sir Henry Cotton in his *New India* for Sir Syed Ahmed's sudden change of attitude towards the Congress movement. Sir Henry says :

“His (Sir Syed's) acute sense of political opportunism was prompt to seize the practical advantage which would accrue to the interest of a minority which dissociated itself from any political demonstration distasteful to the authorities. He, therefore, threw the whole of his influence into the scale against the growing national movement. He counselled his co religionists to refrain from political agitation and as a body they followed his advice.”

A policy which recommends the adoption of opportunism of any kind must necessarily be a shortsighted policy, but when we consider the attitude of the authorities towards the Congress in the early years of its existence, the adoption of such a policy for a time may well be excused even in a man of Sir Syed's acuteness. The times however are now completely changed. The perfect legitimacy of the Congress movement has achieved the sanction of no less an authority than the Secretary of State for India and other eminent British statesmen. There is, no doubt, our old friend, the Anglo-Indian Press which still tries

to scoff at the grand national movement, and having exhausted its stock arguments threatens "to descend with fire and sword" upon us. But we attach no more importance to the exploits of the would-be editor-warrior's arms than we do to the venom which flows from his pen. We are now quite used to various types of plague, and the existence of an Anglo-Indian press cannot add perceptibly to our burden. Putting aside the Anglo-Indian press we find that there is substantial agreement in high official and non-official circles as to the legitimacy of the Congress movement. The reason, therefore, which induced Sir Syed to dissociate himself and his co-religionists from that movement, and to adopt a policy of political opportunism does not exist any longer. That policy itself has been tried for over 20 years by the followers of the great Sir Syed, with the result that they find themselves no better off at the present moment than they were when it was adopted. What is more, our Mohammedan friends themselves no longer feel inclined to follow Sir Syed's advice "to refrain from political agitation," and have already started a congress of their own asking for the same rights and privileges for which the Hindus have been crying themselves hoarse for the last 22 years. They will, however, have nothing to do with the Congress of all India. They have assumed a new name—the All-India Moslem League—but a rose will smell as sweet, call it by any name you like. The principle, that this is an age of political agitation, has been conceded by our Mohammedan brethren. As I have already said, the reason which compelled their great leader to resort to the makeshift policy of opportunism has ceased to exist; that policy has itself been tried and found out to be illusory. What then, in the name of common sense, it is which after all these trials and experiments does not permit the flow of natural sympathy between the "two eyes of India"? What is it which still prevents long-separated brothers from embracing each other in a loving embrace, and putting out their united strength in the service of a common mother? It is nothing but the same old mad race after the empty bubble of official favour which bursts in the hand that catches it.

Let us put an end to this unseemly struggle which, at best, can only lead to the personal aggrandisement of the few, but

involves the wanton sacrifice of the dearest interests of all. Only bring the leaders of both communities together in a genuine spirit of co-operation with, and confidence in, each other and the whole mass of the Hindu and Mohammedan population of India will be welded together as to present an invulnerable front to a startled world. Go on with your petty bickerings and recriminations and both Hindus and Mohammedans will never emerge from the depth of political degradation to which they have sunk. And my Mohammedan friends, whatever you may do, beware of your friend—the Anglo-Indian press which is booming you at the present moment for its own ends. The moment you show signs of real national life it will surely threaten to “descend with fire and sword” upon you.

Attempts have been made in the past to bring the leaders of the two communities together but they have all proved abortive. The following question was put as far back as the year 1895 by Prince Sir Jahan Kadr Mirza Mohammad Wahid Ali Bahadur in the Council of the Governor-General of India :

“Will the Government state whether they have suggested or will suggest to Local Governments the initiation of schemes for the promotion of friendly relations between the Mohammedan and Hindu Communities at all principal places in the Empire, and specially at those places where in late years friction has actually taken place or riots have occurred ?”

The answer to the question was given by Sir Antony Mac-Donnell in the following terms :

“The duty of the Government is to preserve peace, to extend impartial toleration to all creeds, to maintain the lawful liberties of all its subjects, and to repress all persons or classes of persons who infringe such liberties or insult the religion or wound the religious feelings of others. The duty of moderating excitement raised by religious feeling and of promoting a desire for reconciliation in cases in

which discord has arisen rests upon the leading members of the different religious bodies themselves. But the Government has endeavoured, and as occasion offers, will endeavour, to interest the people in themselves coming to an amicable settlement of such disputes. With this object the Government has in the North-West Provinces and elsewhere favoured the appointment of committees of reconciliation for the settlement of religious differences, but the successful action of such committees rests, as may be inferred from what has already been said, with the leaders of the conflicting creeds of sects."

What is said here of religious differences applies with equal force to political differences. I do not know what has become of the committees the appointment of which was "favoured" by the Government of India so long ago as the year 1895. No information is available as to whether these committees were ever formed, and if so, what was the work done by them. What is certain is that no such committees exist at the present moment. They are perhaps not now necessary for the amicable settlement of religious disputes, which happily have not been so frequent of late years as they used to be. But the appointment of similar committees or associations for the purpose of arriving at an understanding on political question of the day is a crying want. There need not be any thing separate and distinct from the local committees I have recommended in connection with this Conference. Hindu and Mohammedan leaders in every district should be invited to join these committees, and as a pledge of joint and harmonious action in things political, they must take a solemn vow that the followers of one will do nothing to hurt the religious susceptibilities of those of the other.

So far it is simple enough, but the difficulty begins when we come to consider the points of difference between the two classes. These relate mainly to (1) public services and (2) representation in Councils, Municipalities and District Boards. In order to secure an efficient public service it is evident that we must have the very best men that the service can attract, and the Hindus therefore ask the Government to admit only

such men as by fair and open competition prove themselves to be the fittest. To this our Mohammedan friends have two objections : first, that competition is not in all cases a safe and convincing test, and second, that theirs being a backward community they cannot have an equal chance with the more advanced Hindus. As to the first objection I quite agree with my friends in thinking that all that is best in a man is not necessarily brought out by competition. But human ingenuity has so far failed to devise a better test. Competition is the only test adopted in England and most other western countries for first admission into all services. That is the test prescribed for admission into that greatest of all services in the world, the Civil Service of India, which has produced some of the most distinguished builders of the British Empire.

As to the second objection, I do not admit that my friends the Mohammedans are so backward in the march of progress as they imagine themselves to be. True they are not yet in a line with the Hindus in high education but they are coming up steadily, and have already given to the country some of its best administrators, judges, lawyers and reformers. In primary education both Hindus and Mohammedans are equally backward. The last census shows that out of every 10,000 of the Hindu and Mohammedan population, respectively, in these provinces there were only 297 Hindus and 282 Mohammedans in 1901, who were literate. The difference of 15 per 10,000 is not much to speak of. The real disparity is not in quality but in quantity. Out of every 10,000 of the entire population of these provinces in 1901, no less than 8,532 were Hindus while only 1,412 were Mohammedans, and the rest were followers of other religions including Jains, Sikhs, Aryas and Buddhists, who, though dissenters from orthodox Hinduism, are generally looked upon as Hindus. With such a disparity of numbers it is impossible to expect the same or nearly the same results of high education in both communities. My own belief is that as both communities continue to advance in education at the rate they are doing, the present ratio between the educated members of each will be very nearly maintained. This will be due only to the overwhelming numerical superiority of the

Hindus over the Mohammedans, and not to any backwardness on the part of the latter. There is, therefore, no real ground for objection to the introduction of the competitive test on the score of backwardness. Our Mohammedan friends will never be more prepared for it than they are now, and the sooner they join the Hindus in asking the Government to do away with the system of nomination the better will it be for all concerned. Nomination, gentlemen, is only a euphemism. The plain English for it is favouritism and jobbery.

Public service is not after all the end and aim of national existence. It is past high time that both Hindus and Mohammedans turned their attention to openings other than those afforded by the public service. There are not enough posts in the gift of the Government to enable it to employ all the qualified men of either community even to the total exclusion of the other. A large majority of the young men of both communities must in any case look either to the over-crowded professions, or what is better to the openings offered by the vast resources of their own country, which unfortunately have so far been totally neglected. Employment under the Government is really not worth all the energy that is being bestowed on it. The Hindus can very well afford to make concessions to the Mohammedans if the two will meet together in an amicable spirit. Mutual concessions and sacrifices are the only means of bringing about a satisfactory solution of the difficulty. It is not impossible to have a competitive test and yet secure to each community not less than a certain proportion of offices. It is not impossible to devise means to lessen the stringency of the competitive test in the case of Mohammedans. What is wanted is that the leading Hindus and Mohammedans should meet together in a spirit of give and take. At such meetings Hindus must not insist on the ratio which their numbers bear to those of the Mohammedans; nor must the latter totally disregard the overwhelming numerical superiority of the former.

The demands of some of our Mohammedan friends in the matter of representation in Councils, etc., seems to be rather

extravagant. They ask for Mohammedan electoral colleges and claim equal representation of the two communities in spite of the vast disparity in numbers. We all recognise the necessity and propriety of safeguarding the interest of minorities, but it would be subversive of all principles of representations if majorities were to be totally disregarded and sacrificed to minorities. It is needless for me to enter into a detailed discussion of the subject as it is impossible for us in this Conference to arrive at any understanding in the absence of those of our Mohammedan friends who have chosen to keep aloof from it. All I need say is that in this matter, as on the question of Public Service, it is easy enough to devise means to protect the interest of Mohammedans if only Hindus and Mohammedans will meet in a spirit of conciliation and mutual concession.

Gentlemen, I have so far trespassed upon your time and attention with what I may call matters of our own internal economy. I felt it was necessary to set our own house in order before launching out in quest of reforms from without.

You will have the privilege of hearing able speeches in support of the various resolutions which will be brought up before the Conference. I do not, therefore, propose to do more than briefly refer to some of the more important questions which we have to consider.

Before dealing with those questions however, it is our duty to gratefully acknowledge what has already been done by the Government for our benefit. Within the last few days important announcement has been made of the action already taken by the Government and that proposed to be taken in the near future. The salt tax has been further remitted and now stands at Re. 1 per maund, for which we are truly grateful. Let us hope that the next step will be the total abolition of this tax which, while it exists, will always press heavily on the poor.

Next comes the promulgation of a new scheme for famine relief. This consists of the creation of a permanent fund for

each province liable to be affected, by providing a fixed annual grant up to a certain maximum, which will be credited to every such province and may be drawn upon by it in seasons of distress. Provision is also made to meet half the expenditure on this head from Imperial revenues if the accumulated fund to the credit of a particular province is exhausted by reason of a visitation of exceptional severity. The annual grant to these provinces is Rs 4½ lakhs and the maximum prescribed is Rs. 30 lakhs. This is certainly an equitable arrangement, and a considerable improvement on the existing system, which often prove provincial Governments to the verge of insolvency ; and we must be thankful for it. But benevolent as the arrangement is the remedy it prescribes is not sufficient. Something more has still to be done. What we are anxiously looking forward to is such relief in times of prosperity as would enable the people to be better prepared to face adversity when it comes, and this can only be achieved by lightening the burdens of the cultivator by a reasonably large reduction of the Government demand on land.

Again, there is the great educational reform which is about to be introduced. Lower Primary Education is to be made free throughout India. The first inkling of this reform was given by the Honourable Mr. Baker in his Financial Statement laid before the Viceroy's Council on the 20th Instant. It was announced that, notwithstanding the absence of bulge provision for fee expenditure which the whole-sale abolition fees in Primary Schools would entail, the Secretary of State had given an assurance that he would be prepared to carry any amicable scheme into effect in the course of the year if it was financially practicable. The announcement was followed with commendable energy by a circular letter from the Government of India to all the local Governments and administrations, pointing out to them the desirability of proceeding *per saltum* in this matter and inviting their opinions and suggestions. Strictly speaking, the matter has not yet proceeded beyond the stage of proposal, but there can be little doubt that it will soon be an accomplished fact. This is certainly one of those reforms for which we should be deeply grateful to the present Liberal

Government. Free education is second in importance only to education which is free as well as compulsory. When we find that in a country like England free education without first being made compulsory was not considered to be sufficient, we cannot expect the Indian masses to take kindly to it, of their own free will and without any compulsion from above. Having regard to the fact that the proposed scheme will apply only to existing schools which are by no means too numerous, it will not I venture to think make a very considerable difference in the expenditure involved if education is also made compulsory for boys and girls of a certain age inhabiting the villages where Primary Schools exist. This is of course the beginning of the reform. We have yet to see the scheme extended to areas where schools do not exist at present. We have yet to see education made compulsory to all classes through India. But, gentlemen, Rome was not built in a day and we must not be impatient.

To other great and much-needed reforms are also known to be on the Government anvil. I mean the expansion and reform of the Legislative Councils and the separation of the Executive from Judicial functions. We do not yet know what shape these will take, but the hysterics into which the Anglo-Indian Press, and some Anglo-Indian members of Parliament who sympathise with that press are working themselves over the proposed reform, is the surest indication that an important change for the better is near at hand in these directions. We know that the despatch of the Government of India on the question of reform in the Legislative Councils is already on its way to England. But we need not wait and watch for further developments. We must go on pressing over demands, the reasonableness of which may now be taken to be established beyond any doubt.

These are the more important reforms which have recently emanated from the Imperial Government. I must not omit to mention and thankfully acknowledge the efforts of our Provincial Government in the same direction. These consist chiefly of contributions towards the agricultural development

scheme, the improvement of the mechanical class and the supply of machinery at the Roorkee College, the founding of a new chair of biology at the Muir College and the setting down of a sum of Rs. 25,0000, for "meeting the cost of such measures as may be found possible" to assist the indigenous industries of the provinces. The Provincial Financial Statement was laid on the Council table only on Saturday last and comes up for discussion tomorrow. I do not propose to take the wind out of the sails of my friends who are on the Council by entering into a discussion of the various points raised by the Financial Statement. But I may be permitted to draw your attention to three more items of expenditure on improvements which appear to me to be somewhat remarkable.

These items are :

Cost of a new train for H.H. the Lieutenant-Governor	Rs. 70,000
Extension of the Government House Garden at Lucknow...	...	Rs. 1,50,000
Improvements in the new Circuit house at Dehradun	Rs. 75,000
	Total ...	Rs. 2,95,000

Compare this total of nearly Rs. 3 lakhs with the allotment of Rs. 25,000 for the industrial progress of 48 millions of people. While we must be thankful for small mercies we cannot help being struck by the contrast which these figures bring out so prominently. But these are not recurring charges and we must not grudge the Ruler of our Province a few expensive luxuries befitting his exalted position. Let us content ourselves with the hope that much larger sums than these will be forthcoming in the near future for the industrial advancement of the people and other necessary reforms.

I now pass on to the question you have to consider which are very important and cover somewhat extensive ground. Provincial Finance, Local and Municipal Finance, Land Revenue, Education, Legislative Councils, the Public Services, the Administration of Justice, the Swadeshi movement, Consti-

tution of the N.W.P. High Court at Allahabad and the Judicial Commissioner's Court at Lucknow, the *Begar* System, Irrigation, the Excise Administration, the sufferings of third class passengers on Railways, all claim your very serious attention. I have already referred to some of these in noticing the action recently taken by the Government. It will unduly prolong this address if I attempt to offer my remarks on each and every subject that will come up for discussion before you. I will therefore only say a few words on the question of Provincial Finance and Education which in these Provinces seem to me to be inseparably connected.

Introduction of reforms in any direction is largely a question of ways and means. However necessary a particular reform may be, you cannot initiate it if the funds at your disposal will not permit the expenditure required. Provincial Governments have under the present contract system to make the two ends meet with such share of their own revenues as the Government of India choose to allot to them. Now the way in which these provinces have been treated by the Government of India in this matter is little short of a public scandal. We contribute the largest share to the Imperial revenues and receive stinted grants in return which are utterly inadequate for our growing needs.

The result of the scanty allowance is that we cannot march with the times in Education, Sanitation, Local Self-Government and other departments of domestic administration. We have had the fullest sympathy of the Local Government and the various heads of departments in these provinces at the unfair treatment accorded to us by the Government of India. They have from time to time pleaded our cause strenuously though without success, while we have all this time been patiently submitting to the existing state of things without a word of protest. Even the *pioneer* in noticing the subsidy given by the Government of India to the Government of the United Provinces to cover the cost of famine relief is compelled to say :

“The Government of India has been moved to show a little consideration of the distressful Provinces which are a model of

orderly government and which have been milked in the past with a grim remorselessness which is too often the lot of patient merit.'"

The first and the foremost care of the Government of a civilized country is to provide proper means for sanitation and education so essential to the physical and intellectual existence of the people. And yet in these very matters we lag far behind not only other countries but even the other provinces in India for want of necessary funds. If any thing is yet known with any certainty about plague it is the fact that it visits localities the sanitary condition of which is not at all that could be desired ; and yet Local and Municipal bodies have hitherto been left severely alone to contend with the epidemic by adopting such measures as their limited means would permit. The result is the terrible rise year after year in the figures showing the ravages of the fell disease to which we are now getting accustomed.

In educational matters you have had a stout champion of your cause in the late Director of Public Instruction, Mr. T.G. Lewis. As long as 1901-02 he enumerated in his annual report what he then considered to be the most urgent education needs of the provinces. To carry out the reforms and advances, recommended by him Mr. Lewis estimated an additional 20 lakhs a year, and pointed out that even this increase would only bring the total expenditure from public funds on education, including university, professional, technical, general, primary and secondary instruction, with the outlay in buildings and all the cost of direction to $1\frac{1}{2}$ d per head of the population per annum. This scale of expenditure is already exceeded in most, if not all, of the other provinces, but the Government could not see its way to sanction it for the province which pays more and receives less than any other.

Returning to the subject three years later in his report for 1905, Mr. Lewis again says :—

"I have felt it my duty to invite the attention of the Government again and again to what has struck me as the

prime cause of all shortcomings ; the root of the evil unquestionably is the utter inadequacy of the Educational allotments and their smallness in comparison with sums spent on the same objects in other parts of India...My proposition expressed in general terms is no longer regarded as a matter for controversy. But one thing is clear, and that is that the true state of affairs is not yet fully grasped ...Of all the large divisions of India the United Provinces remain the least favoured, receiving only Rs. 80 per thousand of the population for expenditure on education. At the other end of the scale stands Bombay which finds Rs. 245 per thousand of the population for the same purpose."

This was the state of things two years ago. Mr. Lewis proceeds :

"To remove the inequality and to raise the United Provinces up to the Bombay standard of liberality we need to increase our public expenditure on education from 30 lakhs to 117 lakhs."

After pointing out this manifestly unjust inequality, Mr. Lewis continues :

"If these figures are true it will not do to put them aside because they are startling. It will be necessary to consider them, to become familiar with them, to acknowledge their irresistible logic, to take action to redress any existing inequitable inequalities that may have to be admitted when every possible allowance has been made for circumstances that may justly be held to modify the case...The acknowledged educational needs of India cannot be said to be satisfactorily met so long as the excessive deficiencies of the province which stands second of all the provinces of the Indian Empire in size and population remain unnoticed and unremedied."

A year later in his last report before retiring Mr. Lewis again returns to the charge and gives us the following summary of the actual situation :

“The lapse of eight years had left the United Provinces where it was at the beginning, still at the bottom of the list, save for the small and, newly created North West Frontier Provinces and even that, in its initial stage of existence, nearly as well off. It is true that during the interval the public expenditure per thousand of the population increased from Rs. 44 to Rs. 80 ..but in Bombay which heads the list the corresponding increase was from Rs. 188 to Rs. 245.”

In the face of these facts and figures it cannot be denied that our provinces are most unfairly treated. It is high time that steps were taken to remedy this crying injustice, both by the action of the Local Government and that of the Government of India. Our contract with the latter must be so altered at the next revision which is to take place in the course of the year, as to provide greatly increased funds for educational purpose.

It seems to me that we owe a deep debt of gratitude to Mr. Lewis—a debt not as yet properly and generally recognized among us for the brave and manful way in which he constantly and insistently forced these facts upon the notice of the Government, and pleaded for something like justice to be done to our province in the allotment of funds for education. Mr. Lewis concludes the discussion of this subject in his last report thus :—“I have felt it incumbent upon me to deliver my conscience and say one last word before I go, in the interest of the people among whom it has been my fortune to serve, and whose claims appear to have been inadvertently overlooked.”

Would that the conscience of those who have the control of the purse strings were stirred in sympathy with the retired Director of Public Instruction.

On the subject of free education I have already referred to the letter of the Government of India addressed to the Local Governments. The movement in favour of free education is growing and spreading very rapidly. As Mr. Lewis has pointed out the total income from fees charged in primary schools is insignificant. it was only Rs. 58,431 in 1905-06 and as the

fee rates are substantially higher in the upper primary classes, it is probable that Rs. 30,000 would cover the receipts from the lower primary classes in which no less than 7/8ths of the pupils are found. It would therefore cost Government an absolutely insignificant amount to enable District Boards to make lower primary education free everywhere, and a trifle more to make primary education both lower and higher free throughout our provinces. Seeing how small is the cost in proportion to the enormous impetus it would give to education as a whole, we must urge upon the Local Government the imperative duty of cordially welcoming and supporting the move made by the Government of India in this direction. As to making primary education compulsory in selected areas it is our plain duty to make it quite clear to the Government that public opinion in these provinces is not only ripe for such a step but actually and earnestly demands that it should be speedily taken.

Let us now see how we stand in regard to female education. In reviewing Mr. Lewis' Report for 1901-02 in which he had urged that the funds allotted to female education in these provinces were, exactly as in regard to boys, altogether disproportionately less than in other provinces, the Government attempted to defend itself by remarking :

“The Director argues that there is less expenditure on female education in this than the other provinces, but money cannot be spent in any manner of spending it that will produce the desired result.”

Whatever may have been true in this remark when it was made in 1902, it is certainly not true today, as Mr. Lewis abundantly shows in his report for 1906. On the contrary, as he observes, there are now ways of spending considerable sums of money of good purpose in promoting female education.

There can be no doubt, and indeed our Local Government has fully acknowledged the fact, that the admirable report of the special committee under the presidency of Rai Bahadur G.N. Chakravarti, appointed to advise the Government on the most effective methods of extending female education in these

provinces, shows not only that there is a rapidly growing demand for female education, but also indicates well considered and effective ways of promoting it, and constitutes a most useful outline of the methods that ought to be adopted. To carry out the actual recommendations of the Committee in their entirety would, Mr. Lewis states, have demanded an additional charge of fully 6 lakhs a year, a sum by no means excessive for the object in view. But as such an outlay seemed beyond the resources of the Government. Mr. Lewis prepared a reduced and modified scheme which would have cost only half that amount, viz., three lakhs a year. But even that was too much, and the Government had to announce with regret that there were no funds at all available to make any additional allotment in the following year.

Here again we meet this miserable policy of starving education in these provinces, which has been so often exposed and as often condemned. It is largely, no doubt the fault of the hard terms of our contract with the Government of India—and as I have already said, we must press for revision of these on lines more just and equitable to our population and our taxation but our Local Government must also share in the blame. It is our duty to press this matter home to our rulers in every way and by every means in our power. Without additional funds nothing can be done either for general or for female education. As regards the latter, our Government is already committed to a sympathetic attitude ; it remains for us to bring enough pressure to bear upon it to transform empty sympathy into an open purse, and rouse the Government to carry into effect, at the very least, the reduced and modified scheme for the promotion of female education prepared by the late Director on the lines laid down by one of the most able and influential committees which have ever dealt with this question.

Lastly, we must not forget that our direct share in this good work is large and immediate. It is our task, first, to stimulate public feeling interest, and second, to give to Government that active and sympathetic help without which it is impossible for the question of educating our women, a question so vitally important for our motherland, to be satisfactorily solved.

The subject of technical education and training in India seems to me to be one of the most vitally important topics that can engage the attention of this Conference. Its importance lies not only in its intimate bearing upon the commercial and material prosperity of our country, but quite as much, if not more, in what I believe to be its enormous significance for our whole national life. For so long as our rising generations, especially those of the upper and more intelligent classes grow up to look to Government service as their chief and most desirable means of livelihood, with only the law, and in a less degree medicine as possible alternatives, so long does it seem impossible for a true spirit of independence and self reliance to be developed in these most important sections of our community. If our young men continue to look for their bread and butter to service under Government, it is obvious that all their lives they will continue dependent upon others, looking to those above them in the official hierarchy for favours, for promotions, for their very bread ; and hence unable to stand on their own feet, unable to act or operate freely, unable, in a word to be free and independent. And remember that this state of things will continue however large the number of posts, and however exalted those held by Indians may be. So long as our educated classes are in these shackles, so long can no real national life flourish and no independence of attitude and feeling be achieved. Moreover in all modern states, the real effective power and influence tends with every day to pass more and more away from those classes, who seek after Government appointments, and to fall into the hands of the classes who look for no favours from superiors or even from the Government but stand, strongly and squarely, upon their own feet, relying on their own skill and energies for their livelihood and position. But such a class can be formed only from landholders and from men engaged in commercial and industrial pursuits ; and in all these, technical education and training are of the first and paramount importance, since the days are long gone by when rule of thumb and untrained intelligence sufficed to cope with the conditions of industrial success.

It is, therefore, specially important for us, as a conference to leave no stone unturned to obtain every possible opportunity

and assistance for the youngmen who will follow us in life, to qualify themselves to fill up this great gap in our national life. It seems to me of supreme importance for the future of our motherland that this should be clearly and fully realised by each one of us. It is useless shutting our eyes to the facts, or imagining that we can build up a nation from men who are of necessity ever looking to an official hierarchy for what they need or desire.

Fortunately the Government has evinced a desire to move in this direction, and by establishing the new technical classes at the Roorkee College and keeping up an industrial school at Lucknow, it has already given proof of the reality and sincerity of its desire to help us along this road. But it is we who must tread that road, we who must enable the efforts of Government to bear good fruit, we who by our earnest sympathy and our active help in educating public opinion must give life to the movement and supply the force necessary to make it live and prosper.

We must, therefore, set before ourselves an immediate and practical aim, and ask for a fully equipped technical institute to be established in these provinces, and at least one technical school in each division. This is not much to ask and we cannot be contented with less. And if our Government pleads lack of funds we must point out again and again how very meagrely, compared with other provinces, the United Provinces are served in respect of education, and press our just and reasonable claims unceasingly on the attention of Government.

Gentlemen, I am afraid I have now taxed your patience to its utmost limit. But I crave your indulgence to allow me to say one word more before I resume my seat. The work before us is neither more nor less than that of building ourselves into a nation which shall take its proper place among the great nations of the world. This is more easily said than done. It implies the building of a national character, the sinking of all differences between individuals and classes where the good or the honour of the country is at stake, the building of a common platform where all races and religions may meet without

difference of opinion. In a word it means the social, political, and industrial development of the country.

The question then arises what progress have we made in this work of nation building? My own answer to the question is that very little has so far been done. But I am more particularly concerned at present with two answers to the same question other than mine. These are diametrically opposed to each other and go to opposite extremes. While on the one hand our Anglo-Indian friends maintain that nothing at all has been done, and that there are not even the germs of nationality to be perceived anywhere in Indian life; some of our Indian friends on the other hand act in a way so as to lead us to believe that the work is nearly done. To my mind both these views are as utterly absurd as they are mischievous. To my Anglo-Indian friends I say that if you only open your eyes you will not fail to notice that there are forces at work which require only marshalling and directing to produce and present to the world, in the fullness of time, a great and glorious nation. True the masses are ignorant, and there is a diversity of religions and races in every province of India. But it is idle to contend that there is not in every city and township even of our own backward provinces, an ever increasing number of men of all religions and races fully imbued with the national spirit, and quite capable under favourable conditions of leavening the whole mass of the population. To my Indian friends of the new school I say that while an impartial observer will recognize the existence of these forces, he will be bound to confess that they do not by themselves go to constitute a nation. To the great English people I say that these forces which are steadily yet surely working out the salvation of India are of your own creation. You have not only created them but you have allowed them together such strength and volume that you have put it beyond your own power to arrest or check them. In all gratitude we acknowledge that England has so far fed us with the best food that her language, her literature, her science and art, and above all her free institutions could supply. We have lived and grown on that wholesome food for a century and are fast approaching the full age of maturity.

We have outgrown the baby garments supplied to us by England and naturally demand not only manlier garments but a freer scope for our increasing activities in the very spheres of knowledge in which we have been brought up. Let the present liberal Government take note of a warning given thirty years ago by a conservative Viceroy. In the course of a remarkable speech in the Council Chamber Lord Lytton said :

“The Government of India is an eminently conservative Government and I trust that it will ever continue to be so ; but to repeat an aphorism, the soundness of which is proved by the staleness of it, improvements really required by change of circumstances are the best foundation for a conservative policy and in no way opposed to it. No administration is really conservative unless its policy be vigilantly, though cautiously, remedial. Timely remedy from above is the only sure prevention of violent revolution from below. Destiny is a fair player, and never checkmates a nation, a Government or a class without crying check. It is the interest as well as the duty of those concerned to heed that warning and shift their pieces accordingly. In politics, as in all things else the survival of the fittest is an inexorable law, and those institutions which cannot or will not, spontaneously adapt themselves to the organic growth of the circumstances to which their functions were originally fitted, are doomed, by the salutary order of the Universe to a premature extinction.”

Gentlemen, destiny has so far played a fair game all round. It has gradually brought about the ‘change of circumstances’ referred to by Lord Lytton, and it demands improvements required by that change. It has cried check to the Anglo-Indian Bureaucracy which moves too slowly to adapt itself to the ‘organic growth of the circumstances’. It has cried check to that class of our countrymen who try to move faster than the ‘organic growth of the circumstances’ would justify. Let both heed the timely warning and “shift their pieces accordingly.”

Let neither attempt to avert or delay the consummation of the glorious work of Destiny and with it the realization of the

prophetic inspiration of Macaulay contained in the memorable words :

“Whenever the day comes it will be the proudest day in English History. To have found a great people sunk in the lowest depth of slavery and superstition, to have so ruled them as to have made them desirous and capable of all the privileges of citizens, would indeed be a title to glory all our own.

That proudest day in English History, when a glory all its own will be the just heritage of the British race, is no longer a dream. Destiny has for years been bringing us nearer and nearer to that day. Let not the Bureaucracy shut their eyes to the glorious dawn that is just beginning to break. Let not our countrymen mistake the glory of that dawn for the grandeur of noon-day sun. Let both unite to dispel all passing clouds from the horizon. Let both “bow down and hail the coming morn.”

ALLAHABAD LEADERS AND POLITICAL AGITATION*

Sir,—The recent pronouncements of His Honour the Lieutenant-Governor of these Provinces at the Durbar held in Allahabad go to show that there is considerable misapprehension in official circles as to the attitude adopted by the leading members of the educated Indian community of Allahabad in reference to certain incidents which happened in this city some months ago. As I cannot reach the class of people I wish particularly to address myself to except through your columns, I beg the favour of your allowing me space in an early issue of your paper to lay the facts as they happened before the public. In the course of his speech referred to above His Honour is reported to have said :

“But the city of Allahabad was invaded in the early part of the year by a number of irresponsible politicians who had

*A letter to the editor of *The Pioneer*, Allahabad, written dated 22 November, 1907 but appeared on 28 November, 1907.

no concern with and no interest in these provinces, and whose sole object appears to have been to inflame the residents of your town with feelings of hostility to the Government. I do not believe for a moment that they obtained any sympathy from the citizens of Allahabad. But how many people came forward to disavow them and their proceedings? Very few I am afraid. Yet their cowardly method of endeavouring to pervert the mind and excite the passions of the students of Allahabad had very evil effects on the youth of what is not only the capital of the provinces, but also its university town. I cannot help thinking that, had voice been given to the opinion which did, I believe, condemn the methods adopted by those men and their proceedings been denounced in public by some of the sober and respected leaders to your community, much of the harm done to your boys might have been prevented."

I am not concerned with the character of the politicians referred to by His Honour or the motives which may or may not have actuated to "invade the holy city of Prayag," what I am interested in is the statement that their views "did not obtain sympathy from the citizens of Allahabad" and I take the opportunity of thanking His Honour for the gracious acknowledgement of that important fact. The charge I have to meet, however, is not of "disloyalty", but of a want of "active loyalty" in the "sober and respected leaders of the community". Now it is not very clear whom His Honour had in mind when he spoke of the "sober and respected leaders of your community"; but he could hardly have meant the so-called "natural leaders", who it is well-known are not in touch with the students of the schools and colleges of this, or for the matter of fact any other, "University town". I take it, therefore, that the persons referred to are those who are respected by the students and whose word carry weight with them. What these men did was not their business to advertise, nor perhaps that of the Secret Police to report, but in view of what has fallen from His Honour it has now become necessary to inform the public fully on the subject. The facts are these. The first "attack" on the good citizens of Allahabad was delivered from the South by

Mr. Bal Gangadhar Tilak, the well-known extremist leader of Poona. He addressed the students and did some harm to them, but the mischief was confined to a very limited number, and found expressions in a few silly speeches made by some at the *Magh Mela* to miscellaneous and indifferent audiences. Then came the redoubtable Mr. Bepin Chander Pal [sic] from the east with his gospel of anarchy. "Better anarchy without the British Government than the present peace and plenty with it" was the text he preached. The view of Messrs Tilak and Pal were very well-known, and not one of the residents of Allahabad or of any note who was then known to interest himself in public affairs held out any encouragement to them. A correspondent of yours describing Mr. Pal's meeting said: "The leaders were conspicuous by their absence". They were, however, not idle. The students were not allowed to assimilate the passion administered to them by the apostle of anarchy, and were treated immediately after to large doses of the most potent antidote that could be imagined. Before Mr. Pal could boast of any converts to his faith, we found in our midst no less an exponent of moderate views than the Hon. Mr. Gokhale, who delivered a series of three lectures dealing with the whole political situation in the usual masterly manner to crowded audiences which included almost the whole of the student population of Allahabad. I had the honour of presiding at the first of these lectures, the subject of which was "the work before us". The greater part of the speech is reported in the *Indian People* of the 7th February last; and will amply repay perusal. I give below a few important extracts which will speak for themselves:

"The goal of self-government within the Empire involved a minimum disturbance of existing ideas, and it meant proceeding along lines which they understood, however difficult the progress might be; such a goal, moreover, enlisted on their side all that was high-minded, freedom-loving, honourable in England, and there was much in that country that was high-minded, freedom-loving and honourable. Despite occasional lapses, and some of the most lamentable lapses, despite prolonged reactions, inevitable in known affairs, the genius of the British people, as revealed in

history, on the whole made for political freedom, for constitutional liberty. It would be madness, it would be folly on their part to throw away in the struggle that lay before them enormous advantages."

Mr. Gokhale proceeded to consider the means by which the goal was to be reached. He could, he said, point out no royal road. A vast amount for work in various fields was necessary, but one thing they must be clear about, and that was that the goal being what it was their reliance must be on what was called constitutional agitation. The question had often been asked what was constitutional agitation. He would attempt to frame an answer to that question. Constitutional agitation, by methods which they were entitled to adopt, to bring about the changes they desired through the action of constituted authorities. But the idea that they should leave the authorities severely alone and seek to attain their goal independently of them was inadmissible and absurd.

"Political privileges could not be held for the mere asking and they had cost other people prolonged struggles. The more interest of their struggle would be entirely missed, if they judged of the value of their efforts by tangible immediate results. The way some of his friends spoke of their disappointments made him almost wish that the few liberties that they enjoyed had not come to them as the spontaneous gift of the far-sighted statesmen, but had to be struggled for and won by their exertions."

The subject of the second lecture was 'Swadeshi'. It was presided over by Ramananda Chatterjee, late Principal of the Kayasth Pathshala and a gentleman held in high esteem, especially in the student world. It is a pity that this lecture was never reported, but the extracts I have given from the first lecture will convey a fair idea of the general trend of the second. "A few words to the students" was the subject of the third lecture, and the students did indeed muster strong to listen to it. It was presided over, as the fitness of things demanded, by the Hon. Pandit Sundarlal, the unofficial Vice-Chancellor of our University. It is a thousand pities that

this speech also was not reported, but no one who had the good fortune to be present is likely to forget the thrilling appeal made to the students to serve the best interests of their country by confining themselves to their proper function of acquiring and assimilating knowledge and giving due respect to their teachers, to the men who were the recognised leaders of their society, and above all to constituted authority.

Shortly after Mr. Gokhale had delivered the message of peace and goodwill to the residents of Allahabad and proceeded up-country on a like errand, we were "invaded" by one Mr. Haider Raza, a gentleman hailing from the West, and reputed to possess considerable powers of persuasive speech. He tried his best to undo the good work done by Mr. Gokhale, and did attain a measure of success. He held what was described at the time as mass meetings in the limited space afforded by the Railway Theatre hall. Those who had seen their wild theories demolished by the practical commonsense of Mr. Gokhale's powerful addresses once again began to waver. They tried to play the same game with the United Provinces Conference, which was shortly to hold its first sitting at Allahabad, as has recently been played with the Indian National Congress at Nagpur. But they had tough customers to deal with here, and found themselves quickly ignored, and all their tall talk and idle threats completely unheeded.

It was at this juncture that our fourth and last visitor came from the North. He was no other man than Lala Lajpat Rai, over the recent release of whom the whole country is now rejoicing. But for the initial mistake made by him in coming here at the invitation of the students without reference to any of those whom he himself recognised as the local leaders and fellow workers in the same cause he would certainly have been received with all the honour due to him for his devotion to his country, the purity of his life and the sincerity of his opinions, however much one may differ from them—an honour to which his recent deportation has only enhanced his claims a thousand fold in the eyes of every educated Indian, be he a moderate or extremist or neither. But where principles are involved, persons, however great, do

not count. We had accepted the principle that students were to be allowed no active part in politics. Lala Lajpat Rai, however, in accepting the invitation of the students, seemed to us to have departed from that principle, and therefore we kept aloof. He delivered several addresses to the students, at which, to quote your correspondent's words, "the leaders were conspicuous by their absence". He spoke in Hindustani, but I have not seen any report of his speeches anywhere. It is, therefore, not for me to say what attitude he recommended to the students to adopt in reference to politics in general, but I was informed that the advice he gave them as to their behaviour to the leaders of their community and the Conference they were about to hold was excellent. The result was that behaviour of the students during the session of the conference was all that could be desired. Lastly, came the Conference itself, at which I had the honour to preside. In the course of my address I dealt with the new propaganda at some length and tried to the best of my ability to disabuse the public mind of the mischievous teachings of our "invaders". The full text of my address was published in the *Indian People* of Allahabad, the *Advocate* of Lucknow, and many other Indian papers in different parts of the country.

An *Urdu* translation of it was distributed widely and published in many vernacular papers. I would beg your indulgence only to quote the following passages which bear more or less on the remarks made by His Honour the Lieutenant-Governor :

"I have so far endeavoured to show that the boycott movement even in the mildest form—a form in which it has been approved for Bengal by the last two Congresses—is entirely unsuited to these provinces. Our extremist friends, however, preach a boycott of the most sweeping character. They are not content with the boycott of British goods. They would have nothing to do with anything British, including British institutions. They would have you make the Government of the country impossible. They talk of 'passive resistance', that charming expression which means so little and suggests so much. But in asking you to sever

your connection with the Government they recognise the importance of discretion as the better part of valour, and confine themselves to your giving up honorary offices which carry no emoluments with them. It is difficult to see why the question of filthy lucre should at all weigh with us in carrying out a patriotic duty, but our friends are too keenly alive to a sense of the ludicrous to push their propaganda to its logical outcome. One gentleman goes to the length of saying that he would prefer "anarchy with plenty" to "peace with poverty". "Anarchy with plenty" is indeed an original idea. Perhaps the man of plenty meant by the gentleman is the free booter and the cut-throat. These and similar statements, owing to their inherent absurdity, carry their over reputation with them. The only wonder is that they should be seriously made. I for one tremble to think of the condition of things which would prevail if all our Government and aided schools and colleges were to be closed, all Municipal and District Boards to be abolished, and the elected elements of the Legislative Councils done away with. Where shall we then be? The answer is plain enough. Nowhere.

Take a mighty resolve that India 'shall suffer wrong no more', and devote all your energies to acquire the strength and the ability to protect the Motherland from insult and injury. This strength and ability must come from within, as great sacrifice and in the fullness of time. It does not consist in an important defiance of constituted authority. A respectful attitude towards the Government of the country is not only not inconsistent with manliness, but is the very essence of the true and healthy manhood of nations. While on the one hand you have grievances and wrongs that cry loudly for redress, you must not forget that you enjoy, on the other hand, many great blessings under the aegis of British rule, not the least of which is the right you are at this moment exercising of assembling in public meeting to criticise that rule itself. In all gratitude we must acknowledge the rights and privileges conferred in the past and with all the strength that the justice and righteousness of our cause inspires in us we must ask for more.

We are constitutional agitators and the reforms we wish to bring about must come through the medium of constituted authority. We are thus directly concerned with the Government. Now the least that the Government, which is after all human, will expect of you will be to use temperate and respectable language, your should not be marred by excess nor your demands by extravagance, strong language is the surest indication of a weak case, and should by no means be indulged in. You must make it possible for the Government to sympathise with your aims and aspirations and you cannot do so unless you sympathise with the Government with the difficulties which it has to contend against. You may take it that the Government is not a bed of roses to sleep on. It has its own troubles and difficulties, and it expects you to realise those troubles and difficulties as much as you^e expect to feel for yours.

It must be borne in mind that all that I have described above was said and done long before the public had any idea of the deportations made in May last and the repressive measures that the Government has since adopted. I have merely stated the facts with only such opinions as were necessary to introduce other facts. It is for the public to judge how far the charge of indifference and inactivity is sustainable against the leaders of the educated community of Allahabad. If the charge cannot be met except by forming a deputation to wait at the Government House with a gushing address of loyalty the Government can easily add another 'potent' measure to those recently placed on the Statute Book to amend the existing law relating to legal presumptions. As law-abiding citizens the members of the educated community will then submit to the inevitable, and be the first to come forward with a sincere assurance that they are not only disloyal, but have also committed no other offence against the criminal law of the land.

ON SOCIAL REFORMS*

Gentlemen ,

I must begin by thanking you for the high honour you have conferred upon me. But gratefully as I appreciate your kindness, I am afraid I cannot wholly congratulate myself on being selected to preside on this occasion. As I stand before you in this beautiful and historic city of yours, abounding in magnificent monuments of a glorious past, I feel more like an object of pity than envy. For was it not here that the greatest of the Mughal Emperors over 300 years ago engaged himself in "nightly debates in council and silent meditations in the loneliness of early dawn" on the very problems we have met to discuss? Was it not here that refusing to recognise the artificial barriers of caste, creed and colour, the great Akbar strove, and did not strive in vain, to bring what is now called the "congeries of races, nationalities and creeds widely differing *inter se* in a variety of ways" under the "umbrella of civilization"? Yes, it was here that in the forcible language of the gifted biographer of the mighty monarch "pious, simpletons and fanatics who lusted for blood but looked like men" were made to 'shake off the prejudice of their education, break the threads of the webs of religious blindness, and see the glory of harmoniousness.' The same immortal writer, reflecting the views of his august master, asks :

"Have the religious and the worldly tendencies of men no common ground? Is there not everywhere the same enrapturing beauty which beams forth from so many thousand hidden places? Broad indeed is the carpet which God has spread and beautiful the colours which he has given it."

Nobler sentiment than this and more beautifully expressed, it is impossible to conceive. But it was not merely nobility of sentiment and beauty of expression that characterised the reign of this large-hearted and singleminded sovereign. He meant all he said and did all he meant. It was in these halcyon days

*Speech delivered as President of the Third United Provinces Social Conference held at Agra on April 18, 1909.

of India that the followers of the Koran extended their hand of fellowship to the votaries of the Vedas. We have the convincing evidence of unimpeachable historical facts that the process of the fusion of races and sub-races begun by Akbar, was considerably advanced in his own lifetime. That deadly enemy of all social reform, the previous system of caste, tottered to its very foundation before the enlightened conceptions and noble ideals of his *Din-e-Ilahi*.* Marriage before puberty was strictly prohibited, and re-marriage of widows highly commended. Other reforms, too numerous to relate, were earnestly taken in hand and vigorously pushed forward. Three hundred years have since rolled by, but where are we? As the train which brought me here steamed past the noble pile of building adjoining the Agra Fort Station, I was forcibly reminded of what there was behind those silent walls. There were the *Dewan-i-Khas* and the *Dewan-i-Am*, there were the scenes of the "nightly debates" and the "silent meditations" of which I have spoken. Those smouldering, yet living walls seemed to mock at me and say, "You miserable handful of mortal clay, how dare you trespass on this land of immortals and venture to talk of questions which were solved for you three centuries ago but by the solution of which you have failed to profit"

Now, gentlemen, who can deny the truth and the perfect justice of the accusation? It is true that the healthy influences of progress set on foot by the genius of Akbar received a rude check during the reign of his own great-grandson. It is true that we are not responsible for the fanatical bigotry which, only half a century after the death of Akbar, reigned supreme in this unfortunate land, and not only made all progress impossible, but sowed the seeds of dismemberment in the palmiest day of the Empire itself. I grant you that the period of insecurity that followed the death of Aurangzeb was not congenial to advancement of any kind; but what about the century or more of *Pax Britanica*, under the aegis of which we have enjoyed every facility for social reform. No new *Din-e-Ilahi* has indeed been promulgated but religious toleration,

*A set of religious doctrines, based on religious toleration, derived from different religions, was promulgated by Akbar in 1582.

security of life and property, and above all the absolute equality of man and man at least in the eye of the law, have for more than 100 years been firmly established. Individual effort and united action have had the fullest and freest scope. But what have we achieved? The canker-worm of caste is still eating into our vitals. The purdah system and the backward state of female education, still disgrace our social organisation. Child-marriages are the order of the day, and though some widows have recently been re-married—thanks to the Brahma* and Arya Samajes** and various widow re-marriage associations—there are still thousands upon thousands of helpless, friendless, forlorn widows doomed to lives of perpetual misery.

Social reform has no doubt claimed our attention from time to time, and there is now a vast amount of literature on the subject comprising the thoughtful utterances of some of the greatest Indians of our time. Indeed, so far as discussion goes, the various subjects which group together under the comprehensive head of social reform have been so thoroughly thrashed out, that little remains to be said to convince the most orthodox stickler after established custom and usage, of the pressing need for a change. A study of this literature will show that controversy has so far raged not so much upon the nature as the extent of the necessary change, and the manner in which it is to be introduced. Opinions also differ as to the relative importance of the different branches of social reform, and of social

*Brahmo Samaj was founded by Raja Rammohan Roy in 1828. It led a socio-religious movement in the country and called for reform in Hindu social and religious customs and rites. It believed in one God, omnipotent, omnipresent and formless, opposed idolatry and appealed to public charity, piety, benevolence, strengthening the bonds of union between men of different religions, persuasions, castes and creeds. The Samaj strove to break the caste barriers, launched a movement for the prohibition of Sati, child marriage and advocated education of women, and widow-remarriage. It was a powerful movement which set in motion forces of reform ushering in an era of renaissance in India.

**The Arya Samaj was founded in 1875 in Bombay by Swami Dayanand Saraswati who sought to purify Hinduism and launched a crusade against social evils among Hindus. Belief in one God and the infallibility of the Vedas were the main tenets of the Samaj.

reform generally when considered with political reform. National Social Conferences have, of late years, been held in conjunction with the Indian National Congress, and numerous caste and class Conferences have been organised on the same lines throughout India. These have, in their own spheres, done very good work, but without in any way attempting to minimise the importance of these bodies, of the honest and patriotic endeavours of those who took part in them. I venture to submit that the output of actual reform, as distinguished from mere talk, has been very small indeed. The reason of this is to be found in the initial mistake of under-rating the value of social reform, and assigning it a place lower than that of political reform. I know I am here treading upon delicate ground, but unfortunately for me my convictions in this respect are so strongly and deeply laid that I must with due deference, take this opportunity of recording my entire dissent from some of the most eminent thinkers our country has produced. The other day I was reading a speech of that great pioneer of Indian Reform, the late Mr. Justice Ranade, a truer and nobler son of India than whom has never lived. Imagine my surprise and disappointment when I came upon the following passage :

“These reforms have all been initiated and carried out during the past seven years or more by the same earnestness of spirit which, working on a lower sphere, makes this Conference necessary and possible from year to year as an humble sister of the National Congress.”

It is not quite clear why the work of social reform should be put on a lower sphere than any other work, but what I respectfully, and at the same time strongly, take exception to is the description of Social Conference as “an humble sister of the National Congress.” Social reform in my humble opinion is the much-despised parent of political reform and not merely its humble sister. It is impossible for any community of men, however large and influential it may be, to obtain political emancipation before it has attained that height of social elevation which compels the respect of the best ordered, highly civilized and self-respecting communities of the time. Our

great ambition is to build a United Indian Nation. Can we expect to achieve that ambition by obtaining political concession alone? Suppose all the seats in the Executive Council of the Viceroy and those of the Governors and Lieutenant-Governors, when they come into existence, as we hope and trust they soon will, were occupied by Indians—suppose all the members of the Supreme and Provincial Legislative Councils were the elected representatives of the people—let us go even further ahead and suppose that we attained the goal of our aspirations, the colonial form of self-government—would all that, without purging the many social diseases that your body-politic suffers from, convert you into a United Indian Nation? It is no use arguing that we have enough men of light and leading amongst us who would adorn the Councils of any Empire. There have always been, and will always be, men in this country whose towering intellect and irresistible force of character will command the admiration and respect of all ages to come, as they have undoubtedly commanded the admiration and respect of ages that have gone by. The existence of a handful of such men among hundreds of millions of ignorant and superstitious masses never did and never will make a nation in the true sense of the word. There is no process of legislation or diplomacy by which these millions, with all their diversities of caste and creed, could be fused into a harmonious whole. And before they are so fused together there can be no Indian Nation. I have assumed a state of society with its members possessing the fullest possible political privileges, and shown that the mere possession of those privileges cannot bring us any nearer to the realization of our ideal than we are at present. Now, let us assume the converse case—a society adorned with every desirable social and moral virtue. Imagine for a moment that there was no caste system in India, that Hindus and Musalmans, and the numerous subdivisions of those two great communities, sank their differences and met together as children of a common mother; that all joined in paying that respect and consideration to women which is the birthright of their sex; that the ladies of India instead of being shut out from all intercourse with the outside world behind the prison walls of the *zenana*, were properly educated and took their rightful

places by the side of their husbands, brothers and other relations in the struggle of life ; that there were no longer in the population of India the children of premature mothers and undeveloped fathers. Suppose we reached such a social, moral and physical perfection, could any power on earth keep us from obtaining the fullest political privileges enjoyed by the most advanced nations of the world ? No, all the powers of the world put together could not do it.

The two states of society, I have assumed above, may be very difficult if not impossible to conceive, but extreme cases are always safe tests of the soundness or otherwise of an argument. My point is that social reform, in which I include moral and physical reform, must either precede or go hand in hand with political reform.

I have shown that the first case I assumed, *viz.*, that of a highly developed political organisation without its being preceded by, or accompanied with, a corresponding expansion of social, moral and physical virtues, is hopelessly impossible. On the other hand, a perfect social system free of the abuses I have mentioned must, in the very nature of things extort the full measure of political privileges. Such being the relation between social and political reform, you cannot neglect the former or assign it a position of secondary importance, if you wish to pursue the latter to its legitimate goal. It is more appropriate, therefore, to call social reform the revered mother of political reform than merely her humble sister.

Gentlemen, you will excuse me for taking up your time with what may, at first sight, only appear a wrangle about words. It is, in my humble opinion, of the highest importance, especially in these days of Council reforms, and other political concessions, to clearly appreciate and bear in mind that political agitation is not the be-all and end-all of our existence. You have only to glance through the voluminous blue-books that have recently been issued on the subject of those reforms, to be convinced that the reason why you have got so little of representation after so much fuss about it, is to be traced to your own shortcomings as a nation. You will find the opinions of leading

English statesmen and Anglo-Indian officials summarised at page 8 of Vol. I, and you will see that from the late Mr. Gladstone down to Lord MacDonell, the one theme they all harp upon is the diversity of "races, classes and interests". Had we assigned the mother of political reform her proper place in the household, and started on the campaign with her blessings upon us, we should today have been rejoicing over greater triumphs, than we are able to congratulate ourselves upon.

Next in importance to a true appreciation of the real value of social reform is the question, how are we to proceed with it? As I have already said every branch of the subject has already been so thoroughly discussed, that it is too late in the day to think of any new or original arguments in support of the various recommendations made by our great reformers and the resolutions passed at the numerous conferences. I do not believe that there are men now who have any reasonable doubt about the crying need for reform. If there be such, I have no hesitation in advising them for their own sake, for the sake of their country and for the sake of all that they hold nearest and dearest to themselves, to retire into the jungles and pass what remains to them of life in solemn meditation. To those who agree with me in thinking that the time is ripe for reform, I say waste no more time in words, begin the real fight with an earnestness and determination worthy of the noble cause. The work before you is beset with difficulties I admit, but there is no difficulty that you cannot overcome if you rise to the full height which the occasion demands. The path of the reformer was never known to be strewn with roses. But we have now reached a point from which further advance is not so difficult as it was some years ago. What was at one time put down as the ravings of a madman, is not listened to with rapt attention. Things from which a former generation indignantly turned away, are not only tolerated but commended. As the circumstances have changed, so must we modify our tactics; and instead of merely meeting in conference as a general advisory council to give gratuitous advice to various caste institutions, we must put our heads together as practical men, devise means

to establish a common platform for the different castes and take our stand on that platform like determined men. At the second Social Conference held in conjunction with the Indian National Congress at Allahabad in 1888, the late Mr. Justice Ranade referred to the difficulties of reconciling the conflicting regulations of different castes and proceeded to say :

“The difficulties referred to above make it impossible, [to] some extent, for us all to adopt, as in the political Congress, definite resolutions on particular subjects. Meeting as we do here to-day, as members subject to different caste jurisdictions in social matters, it will be hopeless to expect that our resolution will carry the weight which the resolutions of the Congress are in a position to secure for themselves. It is on this account that we have to confine ourselves to recommendations from the general body to local and caste associations, which these latter are to take into their consideration and give effect to within their own sphere, in such directions as they deem convenient or necessary.”

This was at best a weak plea for the existence of the “general body” even in 1888, but whatever justification there may at the time have been for such an extremely modest statement of the claims of an institution known by the high sounding name of the “Indian Social Conference” there is no warrant for it now. More than twenty Indian summers have since passed over our heads, and that is not an inconsiderable length of time even for a nation to mark a further stage of advancement. Most of you will remember the little tea-pot storms which were raised in the eighties, over foreign travel and widow re-marriage. In spite of this the more daring souls amongst us continued to go or send their sons to foreign countries for various pursuits ; and widow remarriages, few and far between as they were, continued to be celebrated in different communities. Opposition naturally began to lose its intensity and offensiveness, till at last we have now arrived at a stage when the news of such an occurrence, so far from in the least ruffling the calm surface of society, is received with general satisfaction by all sensible men. The time for limiting your functions to the making of mere

recommendations is, therefore, long since past. I have no doubt that if you had the good fortune of listening to the late Mr. Justice Ranade from my place on this platform, you would have heard nothing very different to what I am now submitting before you. However that may be, I am now talking to you with the fullest responsibility for every statement I make, and with the strongest determination to act up to what I say. I would not let any local or caste association usurp jurisdiction over me in matters which affect the general weal of all castes and communities. To repeat a well-known aphorism "I am an Indian first and a Brahmin afterwards" and I decline to follow any custom or usage of the Brahmins, however sanctified it may be by age or authority, if it comes in the way of my duties as a true Indian. I am assured, however, by those who know better (and it is particularly gratifying to me to be thus assured) that there is really nothing in true Brahminism which would conflict with a Brahmin's duty as an Indian. That great Brahmin of Brahmins deeply learned in the sacred lore of Brahminism, to whose saintly character, gigantic intellect and single-minded devotion to his country we owe some of the noblest conceptions of our duty to the motherland, I mean the late Mr. Justice Ranade, denounced caste as "the main blot on our social system" and went on to say that "the great fight has to be maintained here and not on the outskirts." Foreign travel and widow re-marriage met with his unqualified approval. Infant marriage and the *pardah* system received their condemnation at his venerable hands. Female education found in him one of its staunchest champions. In the speech I have already referred to, he said :

"It is a fortunate thing that most of the social evils complained of in these days were unknown in the days of our highest glory, and in seeking their reform we are not initiating any foreign models but restoring its ancient freedom and dignity in place of subsequent corruption "

What right then has any one to tell me that, when I humbly subscribe to these very articles of faith and only advocate a step in advance necessitated by a change of circumstance and

surroundings, I am doing anything which it is not strictly within my province as a Brahmin to do. And what is the step in advance that I beg you to take? I beseech you to free yourself from the thralldom of caste in matters which affect the public weal, and in doing so not merely to confine yourself to passing resolutions but to act upon those resolutions like men, regardless of narrow-minded opposition from your caste fellows. Let local and caste associations work to eradicate evils which are peculiar to their own systems, but let them not intermeddle with questions of national importance. In regulating your relations with members of other castes these local and sectarian bodies are assuming a jurisdiction over those other castes which they have no right to do. It is only for a Conference like this, where the different castes are represented that any rule of common action can be legitimately laid down. How can you expect a caste association to do away with the system which is the very foundation upon which it rests? You might as well appeal to the Pope to abolish Catholicism. It is for this Conference to take it upon itself to determine the relations of its members as between themselves, whatever the class or creed to which they may belong. If this is not to be, I do not see the utility of holding these Conferences. As consultative or advisory bodies, their assistance is not now required. I have never heard of any instance in which a local or caste association has either recognized your authority or acted on the gratuitous advice you have been offering for the benefit of any passerby who may choose to avail of it. It has no doubt been customary for some of these associations to send in reports of their work during the year and I am bound to say that work has, in some instances, been very commendable. But it is high time that we ceased to be a mere Post Office, and undertook to do something more practical, something more lasting. Let us show that we really mean what we say by pledging ourselves individually to a strict adherence, in actual practice, to the resolutions we pass on paper.

The proper education of our boys and girls is of course the first requisite for every reform. and in this respect we are fortunate enough to possess earnest workers who need no

resolution of this conference to stir them up. The special business of a gathering like this is to carry the war into the very heart of the enemy's camp and not to waste powder and shot on the outskirts of the battlefield. Let us therefore begin at once, and in all earnestness, to remove the two ugliest blots on our social system—caste and pardah. These are the two evils which have dragged us down the social scale and made us the laughing-stock of modern civilization. Instead of trying to work out an unwieldy programme, embracing the minutest details of life, let us concentrate our energies on the root cause of the whole mischief. Let us educate our men and women, break down the barriers of caste and purdah and the rest will follow as certainly as day follows night. In these matters I recognize no authority that lays down the opposite view and it is these very matters which I have referred to as affecting the public weal and, therefore, beyond the jurisdiction of any local or sectional association. Year after year, you pass resolutions dealing with such questions as excessive expenditure on marriages, the marriages of innocent children, and the re-marriage of widows : you discuss the advisability of foreign travel, of the readmission of converts into their old religion, of ameliorating the condition of the depressed classes, and you advocate temperance and other kinds of social purity. But, gentlemen, all these questions would become out of date, once your men and women are properly educated and caste and pardah become the sad memories of a sadder past.

It is a waste of time and energy for a national gathering like the present to sit in solemn conclave over marriage expenditure and the like. You may as well begin by laying down rules to control the kitchen expenses of your fellow countrymen. Marriages are the only important occasions when the poor women we have shut up behind the pardah are allowed to assert themselves. Who can blame them if they want to make the most of the one opportunity of their lives, regardless of expense. Educate them and let them have a glimpse of the outside world. Education will teach them to live within their means, and direct contact with the world will afford them ample opportunity to bring into action those great virtues which

they have inherited from the same mothers who gave birth to the greatest of your men. Will they then find their only amusement in running up the marriage bill ?

Next take early marriage. Here again it suits the selfishness of men to attribute the evil solely to their womenkind to whom of course they must yield in matters relating to marriage. This I do not hesitate to stigmatize as the most ungenerous argument that was ever used by man to hide his sins. Marry a young girl before she has had time to open her eyes, shut her up behind the cruel walls of the zenana, make her a mother before she has ceased to feel the want of the tender care of her own mother, kill every true instinct of womanhood in her and hide your own weakness by saying that your wife will not consent to put off the marriage of her infant son or daughter till he or she attains the age of puberty. What chance have you given your wife to consider the pros and cons of such a marriage ? And why should you, lord and master of the poor weakling who slaves for you night and day and feels the force of your ison will at every turn, why should you yield on this one subject of the marriage of your dear son or daughter to the untrained wishes of your slave who knows not what she says ? Men who have to resort to such a subterfuse, and you know as well as I do that their number is legion, are guilty of the greatest sin that was ever committed against God and men. By their own weakness they perpetuate one of the greatest evils, and who can tell how many of the brightest intellects that might have shone in various walks of life have perished at their hands ? Great as the evil is, does the remedy lie in passing a resolution prohibiting infant marriages ? No, the remedy must, in order to be effective, be applied to the root of the disease. The root is want of education and existence of purdah—the remedy, education and the lifting up of purdah.

We will now take the other items of the programme simultaneously, *viz.*, foreign travel, re-admission of converts and the condition of the lower castes. Suppose you knocked the caste system itself on the head, would you still require any great argument to convince your countrymen that foreign travel is

highly desirable, that re-admission of converts is an absolute necessity, and that the condition of what are now the lower castes calls for immediate amelioration. As to the remaining items I need hardly trouble you with arguments to show that reform in those directions is bound to follow in the wake of education. It may occur to you to ask why it is that I do not confine myself to the question of education alone and leave caste and purdah to die a natural death under pressure of influences which a general education of men and women is bound to set on foot. Well, gentlemen, I am free to confess that my heart sinks within me when I realise the reason why I feel constrained to deal with these questions independently of education and to put them in the very forefront of the programme. The reason is simple enough, however painful it may be to have to admit it. (You) well know that education has so far signally failed to grapple with the difficulties of caste and purdah. Most of us have come across highly educated and cultured men who agree with us in theory but whose hearts strangely enough fail them when the time comes to put their theories into practice. There are some few equally educated and cultured who, though convinced of the many evils that these two backward institutions have brought upon us would still justify their existence on the ground of their antiquity. There is yet another class of educated men, who know of no reason why these institutions should exist, but some how or other cannot reconcile themselves to the idea of seeing them perish. And lastly, there are the old women of both sexes who live in constant dread of their grand-mothers and mothers-in-law. With such men who include in their number some of the highly gifted and respected leaders of your community how can you possibly expect education alone to show any practical results. After all education can but enlighten the mind. That it has done but caste and pardah have outlived the enlightenment of the mind. You must therefore employ other means to uproot the evil. But what are those other means? The answer is afforded by the well-known copy-book maxim, "Example is better than precept." A breach wide enough to admit you all has already been made in the stronghold of the enemy. Rush in and dethrone the tyrant. It is not a moment too soon to

begin the attack. In all conscience we have waited long and waited in vain.

In view of what I have already submitted the position we have to face is this. There are serious social evils in our system which prevent us from taking our proper place among the nations of the world. We have two classes of general bodies comprising members of all castes and creeds, *viz.*, the Indian Social Conference and the various Provincial Conferences to deal with those evils from a national point of view. We have also numerous caste associations which have the same object from a comparatively narrow or sectarian point of view. The national bodies are obviously more important than the sectarian bodies but as I have shown above they have not yet appreciated the full force and weight of their responsibility. This they ought at once to be made to do. For reasons I have already mentioned I would put the Indian Social Conference on exactly the same footing as the Indian National Conference with regard to Provincial Conferences and would found district associations and committees affiliated to the Conference of the Province in which they are situated on the same lines as the District Congress Committees now exist. I would further enlarge the jurisdictions of the Indian and Provincial Conferences and transform them from mere advisory councils to responsible institutions having the power under proper safeguards to bind the district committees with their resolutions. The real work of reform will, however, have to be done by the district associations and committees because bodies which meet but once a year cannot possibly carry on the work so efficiently as those that can meet as often as they like. All these associations and committees will direct their energies principally to female education and the evils of caste and purdah. They will help in the opening of new girls' schools and strengthening those that already exist, as also open clubs where facilities for inter-dining between members of different castes will be afforded and amusements for both sexes provided. Other reforms will also receive the attention due to them. Careful records and registers of all reforms accomplished within the year will be kept and the results forwarded to the Secretary of the Provincial Conference

whose duty it will be to lay them before the Conference when it meets. Such is the outline of the scheme I would commend for your acceptance. We cannot of course lay down any rules for the Indian Social Conference and I have mentioned it only to show how the whole scheme would work. But we can lay down rules for ourselves, and though it is not for me to anticipate your resolutions, I am anxious to draw your attention to the necessity of establishing district associations and committees on the lines I have indicated above.

It may perhaps be asked why it is necessary to have district committees when there are so many caste associations already in existence. As I have said before I do not mean to detract in the least from the good services of these associations, but being professedly sectional they cannot be national. On the district committees I would have so far as practicable representatives of all the castes and creeds in the district which no caste association will permit.

Gentlemen, the subject of social reform is as delicate as it is difficult. I cannot presume to say I have been able to do justice to it. All I can say is that I have tried to do my duty honestly and fearlessly, and if in doing so I have unintentionally offended any one I can only hope he will forgive me.

SPEECH ON BUDGET PROPOSALS FOR 1910-11*

I am free to confess if it were given to me to have the pleasure of a private interview with the Hon'ble the Financial Secretary—a pleasure which for causes beyond my control I have so far been compelled to deny myself—I should at the first mention of the budget have held up my hands in common with the more fortunate and privileged of my honourable Colleagues who, we are told, have actually gone through that edifying process. I am also free to confess that in doing so I would have shared much of their ignorance of the technicalities

*Abstract of the Proceedings dated 25 April, 1910 of the Council of His Honour the Lieutenant-Governor, United Provinces of Agra and Oudh assembled for the purpose of making Laws and Regulation, 1910.

and little of their knowledge of the intricacies of so dreadful a thing as the budget ; and, but for the kindly encouragement and wholesome advice given by the Hon'ble the Financial Secretary in his speech at the last meeting of the Council, I might perhaps have treated the council today to a spectacle not very unlike that witnessed by the Hon'ble member at his private residence. It is by adopting his suggestion, that is, by disregarding the technicalities and intricacies, that I am encouraged to submit to the Council a few observations of general character.

The most striking feature of the budget is the recent provincial settlement with the Government of India. It is not a new feature, I admit, and has in the past called for strong criticism from hon'ble members. So far as I am aware, the cogent and convincing arguments adduced to show how grossly inadequate and unjust our allotment is, have never met with a single note of dissent in this Council. But the subject is so important and our grievance so real that I feel it is our duty to continue from year to year to call the attention of the Government of India to it till such time as the full measure of justice due to us is attained. Provincial Governments in matters of finance have been likened by some to shorn sheep left out in the cold and by others to fat sheep who having eaten too much have rolled on their backs and are unable to stand on their legs. But whether as a class they are the one or the other, there can be no doubt that this province is treated as the black sheep of the flock under the care of the Government of India. It is unnecessary for me to detain the Council on this point with well-worn arguments which are familiar to hon'ble members. All we ask for is equal treatment with the sister provinces, all of whom, except the Punjab, are much better off than we are. If the Government of India cannot at present see the way to put us on the same footing with the sister provinces by increasing our share of our own revenues from $\frac{3}{8}$ to $\frac{1}{2}$, the very least it might do for us is to relieve us of a proportionate part of the burden of the charges of collection, the whole of which, under the present arrangement, falls on us. Even if this last concession is made to us for the present we shall have some 50 lakhs a year to meet some of our crying wants.

The next remarkable feature of the budget is the abnormal rise in the receipts from court-fee stamps. The revised treatment for 1909-10 puts the total receipts from all kinds of stamps at 110 lakhs, and out of which no less than Rs. 80,86,000 are accounted for by court-fee stamps. The Hon'ble the Financial Secretary in this connection remarks :

It will be seen that the bulk of the additional income has been obtained from court-fee stamps and the great increase of litigation indicated by an increase of Rs. 21,68,000 under the head is a rather serious matter, the exact causes of which it may be desirable to ascertain.

From a purely professional point of view one is tempted to demur to the statement, but having regard to the general poverty of these provinces there can be no doubt that an abnormal increase in litigation is a very serious matter indeed, and it is certainly most desirable not only to ascertain the causes which have led to it but also to devise means to control if not altogether prevent, the operation of those causes. But the fact remains that there has been an abnormal rise in the revenue due to increase of litigation, and one naturally feels curious to know how this windfall of nearly 22 lakhs, half of which, is the provincial share, has been utilised. The item not being earmarked, it is impossible to trace it on the expenditure side of the financial statement. In other words it has not been applied to any specific object, but has been absorbed by the general expenditure. By natural association of ideas this circumstance leads one to think of that department which has contributed this large addition to the provincial exchequer, and once your attention is directed to the department it is easy to take in the whole of it at a glance from the lowest munsifs to the highest court of last resort for these provinces in India. And in what condition do we find them? Their needs are well known to and fully recognised by the Government. There are definite recommendations of the Greeven Committee for the improvement of the subordinate Judiciary which have been fully approved by the Government, but which, we are told, can only be carried out by instalment. Then there is His Majesty's Court of Judicature for the N.W.P.—a high-sound-

ing name indeed, the mere mention of which recalls to mind the best traditions of British Justice. We find that August tribunal housed in a rickety old barrack with cracked walls sinking foundations and not even room enough to move about. In answer to certain questions I had the honour to put at the last meeting of the Council, the Hon'ble Mr. Stuart was good enough to quote certain passages from the correspondence which passed between the Government and High Court on the subject. The upshot of that correspondence was that while the Government fully recognised the need, it could not in the near future find such a large sum of money as would be required for a new and thoroughly up-to-date building. The Government therefore first suggested certain additions and improvements in the existing building and then the building of a separate block, but neither of these suggestions commended itself to the Hon'ble Court and in their last communication they said :

“The Court deprecates the spending of a large sum of money on extension of the present building, which can never afford suitable accommodation, and considers that the question can be satisfactorily settled only by the creation of a new building”.

It is impossible to disagree with the sound sense of this remark, but we are told by the Hon'ble Mr. Stuart “the present position of provincial finances does not justify the consideration of a proposal to construct an entirely new building.” The position therefore is this. The High Court and the Subordinate Courts must go on contributing the lion's share of the provincial revenues from court fees for the benefit of the other departments of the state, but must not claim anything for their own needs, however necessary and urgent they may be. I am aware that the unproductive departments of the state must be maintained by the productive ones, but in spite of my limitations in regard to matters relating to finance, which I frankly admit, I cannot assent to the proposition that the productive departments must be starved in order to feed the unproductive ones. It seems to me that the various departments in these provinces form a sort of a joint Hindu family consisting of a new bread-winners and a number of idle mouths. The bread-

winners must starve themselves to feed the idle mouths. India is the only country in the British Empire, if not in the whole civilized world, which levies heavy tax on justice in the form of Court fees. It is bad enough that such a tax should exist. It is infinitely worse that after being levied it should be applied to purpose other than those connected with the administration of justice.

There is yet another aspect of the question which was also brought out in answer to a question I had the honour of asking at the last meeting of the Council. The Hon'ble Mr. Goument told us that there are seventeen public offices under the Local Government at present in Allahabad which are located in hired houses, and that no less than Rs. 14,237 per annum is paid by the Government for house rent. We were also told by the same hon'ble member that the question of constructing Government buildings to accommodate these offices was under the consideration of the Government. The suggestion I conveyed in my question was that the existing High Court building might be utilized to accommodate these offices and a new building be constructed for the High Court. Now a recurring expenditure of Rs. 14,237 per annum roughly represents at $3\frac{1}{2}$ per cent a capital of over 4 lakhs, which will provide at least half the cost of a new building for the High Court. But I fear I am poaching on the grounds of the Hon'ble the Financial Secretary and the Hon'ble Mr. Goument and will not carry my calculation further. I merely mention it to draw the attention of those hon'ble members to this aspect of the matter. My point is that the need for a new and up-to-date High Court building is so great that funds should be found for it with the least possible delay. If in spite of the large windfalls the Government is having from court fees and in spite of the fact that money is likely to be forthcoming for the construction of new buildings for other public offices the state of provincial finances will not justify the building of a new High Court, then there is nothing for it but to go to the Government of India and ask for a special grant. Think of the palatial buildings, the magnificent piles of noble architecture, in which the Calcutta, Bombay and Madras High Courts are lodged. Think

of the enormous recurring expenditure of the annual exodus to the hills. Think of the High Court, N.W.P., broiling on the plains with a shaky roof over its head.

It may strike some of the hon'ble members that I am overstating the case. I do not admit that I am. At any rate the urgency of the need is fully recognised by your Honour, and I earnestly beg you to devise means to remove the long-felt want.

The next matter closely connected with the administration of justice which is noticeable in the budget statement is the expenditure on police. The police is no doubt a very useful department—though I frankly admit that if it were necessary for me to investigate crime I for one would employ other agency than the police as it is now constituted. But I recognise the fact that no Government could exist without an efficient police, and fund must be found to maintain a proper police force. There is, however, such a thing as over-policing a province and I venture to think that our provinces are over-policed. It is unnecessary for me to go into the corresponding figures of police expenditure in the other provinces. Those figures were brought out and the disparity was clearly shown in the course of the budget debate in the Viceroy's Council, and I take it that the hon'ble members have followed that interesting and instructing debate. It cannot be denied that we spend more on the police than any other province except Burma though ours is the most well-behaved of all provinces in India,

One cannot rise from a study of that part of the financial statement which deals with the expenditure on education and sanitation without a feeling of despair. There is so much wanted and so little done in these directions. Compare an expenditure of over a crore of rupees on the police with the paltry 29 lakhs on education and 18 lakhs on sanitation. As other hon'ble members are sure to take up these points more fully I will not trouble the Council with details, but content myself with joining those hon'ble members in the earnest prayer that in future much larger assignments may be obtained for those essentially necessary purposes.

Before I resume my seat I beg your Honour to allow me to give expressions to the deep sense of gratitude felt by the public at your Honour's benevolent efforts to promote the cause of technical education and improve the home industries of the provinces. The assignments of the medical college and various technical schools and other useful institutions, either secured by your Honour from the Government of India or made from the provincial funds, will always be gratefully remembered as one of the chief features of your Honour's rule. It is earnestly prayed that your Honour may from time to time find ways and means to give further effect to your benevolent intentions.

VOTE OF THANKS TO WILLIAM WEDDERBURN*

Ladies and gentlemen,—It is hardly necessary for any one to support the resolution put before you by the Hon'ble Mr. Gokhale, but the Allahabad members of the Reception Committee feel that they would be wanting in their duty if they did not participate in the honour of associating themselves with Mr. Gokhale in this particular resolution.

It has often been said, gentlemen, and with great truth, that the greatest honour that we, as Congressmen, can do to any man is to elect him as president of the Indian National Congress (cheers). But in the case of Sir William Wedderburn I can say without fear of contradiction that it is the Congress which has been honoured by his acceptance of its Presidency. Gentlemen, it is not merely to do you that honour, great as it is, that at his age and in his state of health he has run the risk of a long voyage and come to you. He has come to you with a mission, with a duty to perform. He has come to you, gentlemen, to add one more valuable service to the long list of invaluable services he has already rendered to you and to your country. His mission, gentlemen, is a noble one. It is a mission of peace and of goodwill. The two eyes of the fair maiden of the famous aphorism of Sir Syed Ahmed had so far

*Vote of thanks proposed to the President of the Indian National Congress, Sir William Wedderburn, was seconded by Motilal Nehru at the Allahabad Congress held in December, 1910.

lost their brilliancy and their power of vision that they took the maiden to the brink of an awful precipice. Sir William came at this juncture to restore the blessing of sight to both the affected eyes, to save the fair maiden from falling headlong over the precipice. This is a high mission and a noble mission. What success will crown his efforts has yet to be seen, and I confess we are not without misgivings, as to it. But whatever the final result may be, it is satisfactory to note that a beginning full of happy augury, has already been made in this Congress hall.

We have expressly declared what indeed was never denied and in clear language freely conceded to our Mahomedan brethren all that they are entitled to. Now, gentlemen, the resolution that we have passed relating to the Council Reform is a resolution which carries with it the reminiscences of at least a quarter of a century. It was the very first resolution which was placed before the first Congress,—no, I think it was the third resolution—but at any rate it was placed at the very first Congress. And ever since we have been working upon national lines for the good of the motherland and not on sectarian lines for the good of this or that community. Hindus, Mahomedans, Parsees and all others have always been welcome to join in the common service, to the common mother, but, gentlemen, is there one in this vast gathering who is not painfully aware that the co-operation and sympathy of any very considerable number of Mahomedans has not been with us. True it is that we have had with us a noble though a small band of Mahomedan gentlemen who have the best interests of the country at large at heart. We must do all honour to these gentlemen, but at the same time we cannot shut our eyes to the fact that the great bulk of the Mahomedan community has so far stood aloof from us and has recently given birth to what is known as the Moslem League. Now, gentlemen, the propaganda of this League do not tally with ours and the conflict which has risen, therefore, if it is continued, to sap the very root of the noble tree which was planted by the Congress twenty-five years ago and which has since been tended with care—loving care—by Congressmen in all parts of India. There can be no question, gentlemen that you can have no place among

the nations of the world if these differences between the Hindus and the Mahomedans are not made a thing of the past. Sir William Wedderburn by the sacrifices he has made, and those sacrifices have been most ably laid before you by my friend, the Hon'ble Mr. Gokhale, has shown to you that there is no price too dear to purchase national unity between these two great communities (cheers). Gentlemen, Sir William Wedderburn has taught you a lesson, has taught all of us a lesson and that lesson is : "I fix your eyes steadfastly on the goal of your ambition and do not allow yourselves to be led away by paltry and temporary advantages gained by one community over the other". (hear, hear). That I take, gentlemen, is the lesson he has given us by presiding over this Congress. It is difficult for me to express the sentiments of the Reception Committee, especially of the Allahabad Members of that Committee after the speech on the Hon'ble Mr. Gokhale. It is difficult for any one to find words after speeches like those of Babu Surendranath Banerjea and Mr. Gokhale and therefore I will not detain you any further but will conclude by remarks requesting you to join in my prayer that Sir William Wedderburn may be spared to us for many a long year to come (cheers) to present his useful career (cheers). As the President cannot put this proposition to vote, I ask you to carry it with acclamation.

LOYALTY AND DEVOTION TO THE BRITISH THRONE*

I rise to add my humbly support to this resolution, not because I consider it needs my support, but because I am actuated, more or less by reasons which have been given by my friend the Hon'ble Mr. Abdur Rauf. I feel that I would be wanting in my duty if I allowed this most important occasion to pass by without saying a few words. As Your Honour is aware, this is a resolution which has already not only been adopted by the unanimous voice of India, but has been

*Abstract of the Proceeding dated 14 September, 1910 of the Council of His Honour the Lieutenant-Governor United Provinces of Agra and Oudh assembled for the purpose of making Laws and Regulations, 1914.

translated into deeds the parallel of which it is difficult to find. In this reign the appearance of the common enemy has done more to bring together the different and distant parts of the Empire than any amount of legislation in this Council would have done. It has cleared the political horizon and the occasional mists which arose around the undoubted loyalty of Indians of any class or community, and specially of that much-maligned and little-understood class 'the educated community'. It is true that this class has differed from the Government on questions of internal administration, but it stands to-day, in the presence of an external foe, as steadfast in its unflinching loyalty as any other section or class of the Indian population. It is a glorious spectacle, as the Hon'ble Dr. Sunder Lal has put it, to see the prince and peasant, rich and poor, educated and uneducated vying with each other in paying homage at the foot of the throne and in offering all their wealth in the service of the Empire. This glorious spectacle has been the theme of general comment, of general conversation, of newspaper articles, and of thoughts generally expressed in all ways and forms of society. And only till the other day the day before, yesterday—there was no doubt in any one's mind that this general outburst of enthusiasm for service to their king and their country was nothing but spontaneous, nothing but true. It was impossible to conceive that this unanimity of feeling, this common desire to sacrifice all their wealth for the country and for their king could be attributed to the machinations of a few wirepullers or agitators, or that could it be the handiwork of persons who have behind it no nobler desire than that of gaining some petty political status in the future. I have, Sir, no hesitation in saying that none but the most perverted mind can, for a moment, entertain such an idea, which I call a malignant and malicious idea. It is, I am afraid, not customary to answer newspaper criticism in the course of debates in this Council; but from the criticism which has appeared in a recent issue of the most important, in fact the leading daily of these provinces, is the criticism of a nature which calls for an immediate answer not of the usual irresponsible kind and anonymous in its nature, but in open Council and uttered with full responsibility for every word that is said: The writer calls

this spontaneous outburst of loyalty a manufactured article put in the market for an unsophisticated government to pay too high a price for it. The chosen leaders of the people are discredited ; and why ? Because 'if we were to attach complete credit to all that we hear to-day the Government might safely send every regiment, European and Indian, away to fight the Germans, securely trusting the internal peace and order of the country to the volunteers and the Bar associations'. Now, let me tell this writer, whoever he is and however highly placed he may be, that but for the venom which he and others like him have been spurting from time to time, there would have been a better understanding between the Government and the people ; and it would not only have found it possible to send every regiment, British and Indian, away to the front to fight the Germans, but the three hundred millions of British subjects in India could easily have been utilized to overpower the German hordes and, if necessary, to overrun the whole of Europe. It is inconceivable that any same writer could himself believe in the view which have been expressed here. It is true that while there is every gratification in the mind of the public for being allowed to take part in the defence of the Empire, it is not un-mixed with a tinge of disappointment at their utter inability to do more, at their utter inability to do all that they would be capable of were they not suffering from certain disabilities. Then the writer, not content with the wholesale condemnation of Indian character, discredits the fighting qualities of the Indian troops and says :—'The need is for more men, but it is a need above all for one brand—the trained British soldier, the man who will hold his ground against odds for three days running and turn the defence into attack if the chance offers on the fourth. It is no disparagement to Indian troops to say that even when trained and led by British officers a very small proportion of them come up to this standard. If they did the British would not be in India. Things, however, being what they are, the question is whether the Government in this country is giving Sir John French the kind of help he wants to enable him to tide over the dark period until the second line of British colonials is ready to take the field, or is it treating the war as a means of meeting the "aspirations" of the

Indian people'. In his anxiety to crush the very aspirations the writer forgets the history, if he ever studied it to any purpose. Any school boy would tell him that the British owe their Empire in India as much to their Indian troops as to the British-born soldiers. But it is useless to consider its criticism any further. The most charitable view that one can take of it is to attribute it to a diseased state of mind. Now, whatever our reviler may have to say, we have cast our lot with the British. In their success lies our success: in their failure our humiliation and despair. We cannot, even if we were not actuated by any nobler motives, even if we confined ourselves to self-interest, have wished otherwise. No one can have such crass ignorance of the things as they are as to attribute to Indians a suicidal dislike of the British Government. I say again, and I repeat it, that I am voicing the opinions of all inside this chamber and outside it where there is a true Indians heart beating. I say that we do homage to our Sovereign Lord with the same sincerity of feeling, with the same genuineness as any other community, as even the sons of England itself would do. We say, we stand or we fall with the British Government, and it is impossible to conceive any other motive for the loyalty and for the offers which the Government has received. I support this resolution, and I beg Your Honour will pardon me if I have used strong language. But, as I have submitted, I think many of us, although they may not use such strong language, feel very very strongly with me upon this point, and this is my sole object in touching upon this matter".

AMENDMENT OF CONSTITUTION OF U.P. LEGISLATIVE COUNCIL*

It was in July last that Your Honour was pleased to accord permission to me to move a resolution in this Council on the desirability of a thorough revision of the Council Regulations. Honourable members will remember that this

*Proceedings dated 18 December, 1915 of the Council of His Honour the Lieutenant-Governor United Provinces of Agra and Oudh assembled for the purpose of making Laws and Regulations, 1915.

resolution was actually on the agenda of the meeting of the Council held at Lucknow on July the 19th. After I submitted that resolution, it was pointed out to me by some of my Muhammadan colleagues for whom I have the greatest respect that my resolution covered controversial grounds, and in deference to their wishes I approached Your Honour to obtain leave to withdraw that resolution with liberty to move it at a later date.

I am sorry that the notice of the present resolution which is before that Council did not reach me in time to enable me to give notice of my own resolution, and it is thus that I find myself in a somewhat awkward position. While I fully agree with the honourable mover that an amendment of the regulations, which he seeks, is not only highly desirable but is urgently called for, at the same time I am convinced that what he asks for is too little and that what is needed is much more. We are all aware how the regulations which are now in force suddenly sprang up into existence without the public or their representatives being in any way consulted or their opinions being invited. It was soon after these regulations were published that attention was drawn in the Imperial Council to their defects. I think that it was our representative in that Council, the Hon'ble Pandit Madan Mohan Malaviya, who moved the resolution drawing attention to the point. The debate that ensued showed conclusively that there were many matters about which the regulations needed amendment, but as is the fate of all the non-official resolutions opposed by the Government, that resolution was defeated. The regulations have now been in force for two consecutive lives of the Council and the experience gained by the non-official elected members fully justifies the criticism to which they were subjected when they first saw the light. I think it is high time, as the honourable mover has said, that a thorough overhauling of the regulations be made. My only trouble is that the resolution now before the Council is in a limited and restrictive form which prevents me from enlarging upon it and I fear that I shall be ruled out of order if I go beyond it. While therefore addressing myself only to that aspect of the question to which the honourable mover has confined his resolution, I wish the Council to under-

stand clearly that there are other equally, if not more important matters which require amendment. But restricted as the resolution is, I welcome it as coming from one of my Muhammadan colleagues ; for it makes my position clear and removes from my path the bogey which under the name of controversial matter is so often trotted out to suppress criticism in these days and I consider myself free when the time arrives to raise the larger question to which I have alluded.

Now turning to the debate, I find that there have been two dissentient notes in this Council. One came from the Hon'ble Raja Tasadduq Rasul Khan, for whom I have the highest regard. But I think the Hon'ble Raja Sahib has not been able to appreciate the nature of the amendment which the honourable mover asks for. His objection is that it is not desirable in the present state of the relations between the Hindus and Muhammadans to have a majority of elected members, because it may be that there are certain matters on which there are differences between the two communities which might be carried by the majority to the detriment of the minority. Now my simple answer to that is by giving a majority of elected members you are not giving a majority of Hindu elected members. The majority that is asked for by the honourable mover is a majority of Hindu and Muhammadan elected members combined. However small the Muhammadan minority may be, it is sure to be taken under the protection of the Government if any attempt is made by the Hindu majority to encroach upon the rights and liberties of the Muhammadan minority. The Muhammadan minority coupled with the official minority will always form a majority of the total number of members and it can never allow any preponderance of Hindu members over it to have its own way ; even if it is conceivable that all the Hindu members, or at least the greater number of them, will be so self-interested as to have no regard at all for the rights and feelings of their Muhammadan colleagues. So I submit that the objection of my friend Raja Tasadduq Rasul Khan is not justified by the terms of the resolution.

I now come to the objection of my friend the Hon'ble Saiyid Abdur Rauf. When I heard his speech I felt that I was not in the year of grace 1915, but that we were living in some days gone by when the principles of election were not fully understood. The Hon'ble Saiyid Abdur Rauf's objection is that minorities must be represented in equal numbers with the majorities, and until that time comes, i.e., the Muhammadan elected members are equal in number to the Hindu elected members, it is not desirable to have a majority of elected members consisting of both communities. It has often been said that minorities require protection. No reasonable man will deny this. But the protection of minorities does not convey the idea of the destruction of majorities. If there are minorities they must have special treatment. But the question which is raised by my friend hardly arises on the issues under discussion. In fact, what I have said in answer to the objection of the Hon'ble Raja Tasadduq Rasul Khan applies equally to the remarks of my friend the Hon'ble Saiyid Abdur Rauf so far as the point in issue is concerned. Then my friend further says that the keeping of the right of nomination in the hands of Government would result in this—that the Government would be able to nominate members out of the minorities and thus equalize their number. But what is to be the number of the representative of any particular community does not come within the scope of this resolution, and if there is anything which can be considered controversial it is this aspect of the question, which should have been avoided by the Hon'ble Saiyid Abdur Rauf as it was by others who took part in the debate. It was this very question of numbers which was put forward as a serious objection to my proposal when I was going to move it, and I yielded to the wishes of my Muhammadan friends by withdrawing it for a time. The intention of the honourable mover is not to ask the Government to fix the numbers. The whole argument is therefore irrelevant to the issue. The Hon'ble Saiyid Abdur Rauf further says that there are people who would like to come in by the dubious method of nomination rather than through the open door of election. My answer is that such gentlemen have no business in the Council and they had better stay at home. I for one would

rather be in the Council by the suffrage of the people than be here by the sufferance of the Government. It was from the beginning an accepted proposition that the principle of election was to be the guiding principle upon which the reformed Legislative Councils are to be constituted. You, Sir, had the distinction of being one of the signatories to the very first despatch of the Government of India on the subject of constitutional reforms. In that despatch the Government of India were of opinion that there should be a non-official majority not only in the Provincial Council but also in the Imperial. It was the Secretary of State, if I am not mistaken, who drew a distinction and said that, while he was in full agreement with the Government of India that the Provincial Councils should have a majority of non-officials, there should in his opinion be a permanent majority of officials in the Imperial Council. The principle was thus recognized, so far as the Provincial Councils were concerned, by those who first conceived the idea, and it has been recognized by those who are now taking part in this Council—at least by a majority of them. I submit that it is quite out of place to raise any question as to election being a better method of coming to this Council. Of course, as was pointed out by the honourable mover, I fully agree that nomination will be necessary in order to have experts or representatives of certain particular communities. But even there to a certain extent it may be done by election.

On these grounds I support the resolution.

BRITAIN AS THE ARBITER OF INDIA'S DESTINY*

We are passing through times which do not admit of hollow conventionalities and if I follow, the usual practice of beginning by thanking you for the high honour you have done me in electing me to preside over your deliberations on this momentous occasion it is because I do not regard it as a mere conventionality. I consider it the proudest privilege of my life to have the confidence of my countrymen at a period of storm and stress and believe me, gentlemen, when I say that words

*Presidential address at Special Provincial Congress, U.P. dated 10 August, 1917.

are too poor to give adequate expression to the depth of feeling your generosity has stirred in me. My only chance of being able in some measure to justify your choice lies in the hope that you will overlook my shortcomings of which I am but too painfully aware, in the same generous spirit in which you have called me to the responsible duties that lie before me.

Dadabhai Naoroji

Our first and foremost duty on this occasion, when men of light and leading in the province have assembled to assert their national rights, is to offer our humble tribute of respect to the sacred memory of the great pioneer of Indian Nationalism who has only recently passed away after a long and glorious career of selfless devotion to the cause of the Motherland. I mean the great political *Rishi*—the Grand Old Man of India—Mr. Dadabhai Naoroji. He showed us the path leading to our political salvation, he trod that path with unfaltering step so long as his health and strength permitted and when disabled by the infirmities of advancing age he shone in his retirement as a beacon light warning us of the shoals and breakers ahead. The G.O.M. is no more in flesh, but the noble spirit which has parted with the body it inhabited is with us and shall continue to dwell with us urging us on to the fulfilment of the message of affection and devotion he gave to the country while presiding at the Congress of 1906 in the simple words 'be united, persevere, and achieve Self-Government.' Let us bear these words of hope in mind and proceed to business.

The Special Provincial Congress

We have found it necessary to hold this Special Provincial Congress on the opening of the fourth year of a devastating world-war which so far from showing any abatement of the ghastly horrors attending it is continuing to draw nation after nation into the vortex. Our own country has played and is playing a most honourable part under the flag of our King Emperor—a part which has opened the eyes of the world to our real importance and the great destiny which lies before us. Why then is it that instead of eschewing politics altogether, as

our critics would have us do, we are not only continuing the agitation on the old lines of existing political institutions but are multiplying those institutions and holding special and extraordinary meetings all over the country? There is no escape from one of the two alternatives; either those who are responsible for the agitation have all gone mad or there is solid reason behind it. Now, gentlemen, who are the persons who are leading this agitation? If there ever was any doubt about their identity it has now been cleared up by the joint meeting of the All-India Congress Committee and the Council of the Muslim League held in Bombay on the 28th and 29th July last and by the firm and clear representation they have jointly and unanimously addressed to the Viceroy and the Secretary of State for India. Both these bodies have long outlived official suspicion and distrust and it is too late in the day now to question either the perfect legitimacy of their character or the strict propriety of their methods. It may here refer to the appreciation accorded by no less an authority than Mr. Austen Chamberlain to one of these sister institutions as recently as May 1916. 'The Indian National Congress', he said, 'is an independent unofficial body. In ordinary times it is highly critical of the Government. The expression by its President and the resolution of loyalty which was passed may be taken as representative of the feeling of the great bulk of the Indian people.' The other independent unofficial body, the All-India Muslim League has since joined forces with the Indian National Congress and the two together now stand on the same platform firmly united. Are the members of these national bodies which represent the best intellect and culture of the country so hopelessly insane that they are persevering in an agitation which is not only wholly unnecessary but positively harmful to themselves. If there be any who entertain such an idea all I can say is that it is high time for their friends to take care of them. The first of the two alternatives I have mentioned being thus unthinkable there is no getting out of the second.

The more thoughtful of our official critics feel the difficulty of believing that there is no real cause for the successive waves of enthusiasm which are surging through the length and

breadth of the country but they are unable to make up their minds as to where to look for the true reason. This is easily explainable by the peculiar working of the official mind. It starts with the presumption that the bureaucracy can never go wrong and naturally enough refuses to test any act or policy which bears the hallmark of a Government secretariat as being the likely source of the trouble. The result is that where the situation is to our minds clearly traceable to an act or policy of the Government the official mind convinces itself that the root of the trouble must lie somewhere in the people themselves. This attitude of mind has been graphically, described by Mr. Gokhale in his own inimitable manner and I cannot do better than quote the words of that great apostle of Self-Government. 'My quarrel,' he said, 'is less with the official than with the system—this bureaucratic system, this monopoly of power by officials. Many of these officials are no doubt conscientious men who are trying to do their duty according to their lights. But I content that these lights are dim. Their highest idea of British rule is efficiency. They think that if they give India an efficient administration the whole of their work is discharged. But this really is not the whole duty, nor even the main duty which England has professed to undertake in India. You have pledged your word before God and man to govern India so as to enable the Indian people to govern themselves according to the higher standard of the West. If your policy is not directed to this end I shall consider you have failed.

The theory of efficiency has been ridden to death in almost every department of the Government and is answerable for many ills that the body politic suffers from. Until recently officials, high and low, firmly believed that an efficient administration bringing in its train security of life and property was all that Indians had any right to expect, and given what the officials thought was such administration Indians ought to remain content. It is now no doubt slowly being realised that something more is necessary and that the association of the people with the Government of the country is to a certain extent desirable. The tardy steps which have been taken in that direction having so far failed to bring about any real

progress, all that is considered necessary to meet the requirements of the case is vague promises of something more being in contemplation to be given effect to in the near future. This done there appears to be no reason whatever for discontent and if agitation is still persisted in, it is taken to be a sure sign of evil influences at work among the people. It is impossible to spot these influence for the simple reason that they do not exist and a policy of general repression is the inevitable result. The laws of the land are brushed aside and recourse to it as a very special measure had to be designed for an entirely different purpose.

Sir James Meston

I must here gratefully acknowledge the cool headed statesmanship of the Government of Sir James Meston in this particular. The policy so far followed in these provinces stands in marked contrast with that adopted by certain other Provincial Governments and our thanks are due to this Honour for the trust and confidence he has reposed in us by allowing us a free hand in the ventilation of our legitimate grievances in a constitutional manner. Trust begets trust and I feel sure that I am echoing the general sentiment of this gathering when I say that it shall be our special care in these provinces to see that the practical wisdom of the policy of non-interference with public rights pursued by Sir James Meston is fully justified by results. There have no doubt been some cases in which the action of certain district authorities does not exactly fit in with that policy but such action must in view of the general policy be attributed to individual dispositions and predictions. It is indeed an irony of fate that we should be called upon to congratulate ourselves on being allowed to exercise the most elementary right of public meeting and freedom of speech but seeing what is happening around us we have reason to be thankful of the exceptional treatment we enjoy.

I must also take this opportunity to acknowledge the courteous opening speech delivered by Sir James Meston at the last meeting of the Legislative Council of these provinces. Here again one finds a pleasing contrast with similar utterances

in other Provincial Councils. His Honour's speech is a frank avowal of the state of mind which prompted it. He had been fully convinced of the perfect legitimacy of our aspirations even before he came to us as our Lieutenant-Governor and he took the earliest opportunity of publicly declaring his conviction in reply to the address presented to him by the United Provinces Congress Committee, in the course of which he remarked that our ideal of Self-Government pursued by constitutional efforts must command esteem as a lofty and legitimate one 'though he was then of opinion that it was a long way from realisation'. During his recent visit to England as one of the representatives of the Government of India at the Imperial War Conference, his Honour was impressed with the high compliment paid to India by the dominion members of the Conference in admitting him and his colleagues to their consultations and also with the general trend of opinion in England which he found favourable to Indian aspirations. He was satisfied and thought that we ought also to be satisfied. But on his return to this country he found that the reverse was the case and was genuinely perplexed and distressed at it. 'There is' he told the Council, a note of suspicion and mistrust such as I have never heard before during my service in this country. The cross currents of thought and speculation which compose this feeling are too complex for me to analyse even if many of them were not invisible and intangible, but running through them all there seems to be a fear that the Government of this country is in some way preparing a policy of reaction. His Honour has here only partially realized the true state of public feeling. There is no question of merely 'preparing a policy of reaction'. What the public believe, and as I shall show later on, rightly believe, is that a policy of reaction is already in full swing. Sir James Meston very properly refrained from saying anything on the merits of what had been done or said in other Provinces but entered his 'protest against the assumption that behind these internments and these remonstrances there stands a determination to oppose India's national hopes and aspirations'. Now, gentlemen, if we can persuade ourselves to believe that there is no occasion for the note of suspicion and mistrust which is clearly reverberating throughout the country

and no basis for the idea that opposition is being set up to the realisation of our 'hopes and aspirations' I confess we have no business to be here to discuss the situation in a special Congress. We therefore owe it as much to Sir James Meston as ourselves to explain clearly the currents of thought with which we are troubled and to show that they are neither 'invisible nor intangible'. With this object in view I beg your permission to state briefly the principal events of the last three years which render agitation necessary and compel us to carry it on with all the vigour we can command.

The Present Agitation

It is not necessary to take you further back than the beginning of the great world war which is put forward as furnishing the chief reason why we should exercise the virtue of patience. Sir James Meston, in the speech I have just referred to, foresaw without endorsing it 'a line of criticism which will enquire why India's insistence for new political rights became most clamant at a time when England was most pre-occupied'. My short answer to that criticism is, firstly, that the present agitation is the direct and natural outcome to the events which have happened since the beginning of the war and most of the issues it raises are issues which must be dealt with during the continuance of the war ; 2ndly, that India does not stand alone in her demand for her political rights which is by no means more clamant than the demands made in England and the Colonies to which no objection is raised on the score of preoccupation. Let us now see if the facts bear out the answer I have given.

When England embarked on this war of humanity and stood forth before the world as the champion of the liberties of small and weak nations, a thrill of pride at our connection with her ran through the whole country. Prince and peasant alike were affected by the general enthusiasm, and offers of men and money began to pour in from every direction. The genius of Lord Hardinge at once realized the supreme need of the hour and those offers were freely accepted on behalf and in the name of the King-Emperor. Soon after our brave men.

reached the various theatres of war to which they were despatched. Soul stirring accounts of their brilliant valour on the battle-field were flashed across the seas not only to India but to the whole civilised world. The heroism of our men and the magnificent help in money and material rendered by all the classes of the people appealed to the great English democracy as nothing else could, and leading men in England in the fulness of their gratitude poured out their hearts to us in Parliament and in the press. I could easily detain you here for the rest of the day if I were to read to you extracts from the grateful appreciations of prominent British statesmen and writers which appeared in the columns of the leading British and Indian papers in those days. For obvious reasons I shall content myself by quoting only a few of them and in doing so I must give the first and foremost place to the message of His Majesty the King-Emperor read by Lord Hardinge at a meeting of the Indian Legislative Council in September 1914. His Majesty was graciously pleased to say :

“Amongst the many incidents that have marked the unanimous uprising of the populations of my Empire in defence of its unity and integrity, nothing has moved me more than the passionate devotion by my Throne expressed both by my Indian and English subjects and by the Feudatory Princes and Ruling Chiefs of India and their prodigious offers of their lives and their resources in the cause of the realm. Their one-voiced demand to be foremost in conflict has touched my heart and has inspired to the highest issues the love and devotion which, as I well know, have ever linked my Indian subjects and myself”.

The Rt. hon. Mr. Asquith said :

“We welcome with appreciation and affection their preferred aid to the Empire which knows no distinction of race or class, where all alike are subjects of the King Emperor and are joint and equal custodians of our common interest and fortunes”.

General French said :

“One of the standing features of this, as of every action fought by the Indian Corps, is the stirring record of the

comradeship in arms which exists between British and Indian soldiers.... The Indian troops have fought with utmost steadfastness and gallantry whenever they have been called upon.... At their own particular request, they have taken their turn in the trenches and preformed most useful and valuable service”.

The Marquis of Crewe said :

“It is perhaps even more striking, certainly no less gratifying, that those representing the various races in India, races representing a civilisation of almost untold antiquity, races which have been remarkable in arms, and the science of Government, that they should in so whole-hearted a manner rally round the British Government, most of all round the King-Emperor at such a moment as this, and I am certain that the House will desire to express through those who are entitled to speak for it its appreciation of their attitude and its recognition of the part they have played”.

Mr. Charles Roberts said :

“It was clear that India claimed to be not a mere dependent of, but a partner in the Empire, and her partnership with us in spirit and on the battle-fields could not but after the angle from which we should all henceforward look at the problems of the Government of India”.

Lord Curzon said :

“It would be an act of folly to refrain from using troops which were not inferior to, but in some respects the most efficient of, the whole army. The martial spirit in India is traditional and famous, and why, when we wanted every man we could get, should we refrain from employing them, because the sun happened to have looked upon them and made them dark ? They would not fire on the Red-Cross badge ; they would not murder innocent women and children ; they would not bombard Christian Cathedrals even if to them they were the fanes of an alien faith. The East was sending out a civilized soldier to save Europe from the modern Huns”.

The Rt. hon. Mr. Austen Chamberlain said :

“And the people of India, Sepoys and Maharajas, villagers and highly educated public men, have given their support, because they are deeply convinced that in this war the British Empire is fighting in a just and righteous cause. The Indian people have a high sense of right and wrong. They saw that in this war the Allies were in the right, as they regarded the cause of the Allies as the cause of India”.

These are the pronouncements of some of the most prominent British statesmen. Let us now see what the leading organs of the British Press have to say about us.

The Times.—“It will be our part, when we have settled our affair with Germany, to see to it that as the years pass, she (India) takes an ampler place in the Councils of the Empire. Unsought, she has shown loyalty and devotion without stint. We have now to make her feel increasingly that she can best fulfil her destinies and attain her hopes within the British Empire rather than outside it. One of the greatest tasks that lies before British statesmanship in this country is to attach India freely and fully as a component part of the Empire”.

The Daily Graphic :—“Never before has India been brought so close to the heart of England, and both will gain permanently by the increased spirit of mutual confidence between Britain and India that German aggression has called into being... Here are men not of the same race as ourselves, knowing our language only as a foreign tongue, familiar with our traditions only at second hand, and yet one and all they come forward, with a loyalty that has rarely been equalled and never surpassed, to offer their blood and treasure in the service of England. Few have dared to hope for such a universal demonstration of loyalty from the numberless multitude of varied races that make up the 300,000,000 inhabitants of the Indian Empire”.

The Westminster Gazette :—“India recognises at this time that there is no other European Government which she could desire to have installed in the place of the British Raj. It is our part in return to see that she has full opportunities of working out her destinies and taking a position in the Empire

which satisfied her self-respect and her pride in her ancient civilisation”.

These extracts will serve as a fine specimen of the rest and I shall not trouble you with any more quotations.

Truly was it said that India's star was in the ascendant, but it was not realised at the time that it was destined soon to lose its lustre in the angry clouds which had begun to gather on the horizon just about the time when the world was at its loudest in praise of India's splendid rally round her King-Emperor. The thrilling accounts which reached India of the great achievements of her sons and the generous appreciation of those achievements by British statesmen, specially the marked alteration of the angle from which they began to view Indian problems, inspired new hopes in our minds. These hopes naturally found expression in the press and on the platform in India. We were, as I have shown, met with a sympathetic response in England. But this was too much for a certain section of the Anglo-Indian press whose occupation would be entirely gone if the closer connection between India and England based upon 'endurance of common suffering and devotion to the common cause' were allowed to bear fruit. The *Pioneer*, ever alert to seize the earliest opportunity to nip in the bud any attempt at recognition of Indian rights, had anticipated the danger which threatened its trade and had tried to avert it by a venomous article villifying the Indian soldier which appeared soon after the outbreak of the war. That attempt was exposed at a meeting of the United Provinces Legislative Council and proved abortive. For a time our friend had to be on good behaviour but was preparing for an insidious and, therefore, a more destructive campaign which was opened some months later and was joined in due course by other Anglo-Indian papers of the same stamp. It suddenly transpired that India's help to the Empire was not adequate, that the Indian politician had done nothing to help the King-Emperor to win the war, that the Indian soldier was not suited by his constitution to trench warfare in the cold of an European winter and so on. Deprecatory notices of this nature were reiterated in paragraphs and leaderettes for some time not only

in the Anglo-Indian but also in the Tory press of England and then the curtain dropped. Week after week there was no mention of India in connection with the war. India which, in the words of Lord Hardinge, had been 'bled white' in the service of the King-Emperor, ceased, as it were by magic, to claim public attention. An ominous silence ruled the land. Meanwhile, Indians continued to give what their poor country could afford and for the rest trusted in the sense of justice of the British democracy and the pledged faith of British statesmen. To the best of my recollection no controversial measure was introduced and no controversial question raised by any Indian member of the Imperial or Provincial Councils for a long time after the outbreak of the war; and when the United Provinces Municipalities Bill was referred to a select committee the Indian members on that committee made a joint and unanimous representation to his Honour, the President of the Council, to postpone the consideration of the bill on the ground that it was a highly controversial measure. Sir James Meston, however, decided to go on with the bill which was eventually passed in spite of considerable opposition. The sequel showed that the members of the select committee who had joined in the representation were quite right in their apprehensions. I mention this simply to show that the bitter controversy which arose in these Provinces over the Municipalities Bill was none of our seeking.

About the same time there was a far more important measure on the anvil of the Imperial Legislative Council. I mean the unfortunate Defence of India Act which has been the cause of many of our troubles. The Indian members of the Council were not remiss in their duty to point out serious defects in the proposed legislation and they showed clearly that it was liable to be put to an improper use but accepting the assurance given at the time by Sir Reginald Craddock loyally stood by the Government and allowed the bill to be passed into law with their unanimous support. Here was a piece of most objectionable legislation, but the anxiety of the hon. members not to withhold from the Government at war time any powers, however wide and unsupportable by the most elementary principles of legislation, was so great that they did not

raise any opposition to the passing of the measure. In putting the final motion that the bill be passed to the Council, Sir Reginald Craddock said :—“I think it is most gratifying to find how heartily and loyally—although the task is never a pleasant one—the hon. members have come to the help of the Government in this matter.”

The Defence of India Act thus became law and it was not long after that the fears entertained by the public came to be realised. Among the earliest victims it claimed were two worthy citizens and devoted public men, the brothers Syed Mohammed Ali and Shaukat Ali who were interned for some unknown and unspecified offence. Anywhere but in India there would have been such a storm of protest at this clear misuse of a special Act as would have made the country ring from one end to the other. But nothing of the kind happened here. The people did not know what to think of it, and waited for some definite information as to the nature of the offence charged, but no information has yet been vouchsafed.

Course of Repression

Two days before the passing of the Defence of India Act the spell under which the people lay was broken by a decision of the House of Lords which marked the starting point of agitation in these Provinces. That was a decision setting aside the strong recommendation of the Government of India backed by the unanimous voice of the country to constitute an Executive Council for the United Provinces. It was no longer possible to remain silent and the whole Province rose as one man to protest against the high handed action of a few noble Lords. The memorable special conference held in Allahabad on the 30th May, 1915 which was so ably presided over by my esteemed friend the Raja of Mahmudabad and was attended by all classes representing every possible interest, was the result. It will thus be seen that the people of these Provinces studiously avoided any demonstration of public feeling until they were forced to do so. They saw how unwilling the British aristocracy was to make even the poor concession of giving an Executive Council to the United Provinces, they noticed from

day to day how the claims and aspirations of the Dominions were as readily accepted as they were made how India which had for a brief spell come under the sunshine of British favour was suddenly left in the cold shade of neglect ; how legislation undertaken both in India and in England had the ever increasing tendency to encroach on their existing rights. The Defence of India Act was followed in England by the Indian Civil Service (Temporary Provisions) Act of 1915 and the Government of India Act of 1916. The first of the last two Acts was frankly aimed at preventing the larger proportions of Indians which was expected to enter the service by the continuation of the competitive examination on the old lines, by reason of the absence of British competitions at the front while the second put British Indian subjects of his Majesty on the same footing as the subjects of the feudatory and other neighbouring states in regard to public service.

These measures were followed by an unmistakable policy of repression in India. There were hundreds of internments under the Defence of India Act in Bengal, the orders relating to which never saw the light of the day. Free-born citizens were spirited away under executive orders without trial and sometimes without the knowledge of their friends and relatives. The Government of Madras which has recently carried the palm in repression began its campaign against Mrs. Besant by a demand of security for the New India Press which was duly furnished and, as was expected, quickly forfeited. Then came the demand of enhanced security for the same press and this was followed by similar demands of security from Mrs. Besant as the keeper of the Vasanta and Besant presses. Mr. Bal Gangadhar Tilak was next the subject of the attention of the Bombay Government. He was prosecuted under-Section 108 of the Code of Criminal Procedure for certain Home Rule speeches which he had made. It was a bold attempt by the Executive to run the gauntlet of a judicial trial and signal failure was the result. Mr. Tilak was acquitted by the Bombay High Court. Having failed in this experiment, the Government of Bombay reverted to the shelter afforded by the Defence of India Act and passed an order prohibiting Mrs. Besant from entering the

Bombay Presidency. The example set by the Bombay Government was followed by the Government of the Central Provinces and Berar and Mrs. Besant was excluded from that Province. These were the little incidents which were happening around us from March 1915 to about the end of 1916.

Let us pause here and consider what we were doing meanwhile. The Committee of the Indian National Congress and the Council of the All-India Muslim League were quietly meeting and coolly considering schemes of reform to enable them to formulate a reasonable demand. After much deliberation and anxious thought a modest scheme was jointly evolved by them and was awaiting final approval of the general bodies which were to meet in full session in December last. The interval was utilised by the Indian members of the Viceroy's Council, 19 of whom presented a Memorandum to the Government of India suggesting certain reforms on the same lines. This Memorandum evoked strong and hostile criticism from the section of the Anglo-Indian press headed by the *Pioneer* and went so far as to disturb the peace of mind of Lord Sydenham in his retirement in England. The noble Lord contributed a long article in the December number of the *Nineteenth Century and After* which was published under the sensational heading 'The Danger in India'. I shall here give only one passage which is not only a fair specimen of the rest but afford strong evidence, if not conclusive proof, that the note of suspicion and mistrust of which Sir James Meston complained in his speech at the last meeting of the United Provinces Council has not been sounded without solid reason. Lord Sydenham says : 'In the East the frankest policy is always the best. Let the Government plainly and at once re-affirm the principle that in no circumstances will any surrender or weakening of the paramount British power in India be tolerated, at the same time explaining clearly what the proposed revolution would entail. Let it be announced in firm language which cannot be mistaken that the constitution of the Legislative Councils, which as I have explained, provides full and ample opportunity for the expression of Indian opinion will remain'.

When a retired Governor of a Presidency publicly declares that we have already got more than we deserve and that our modest demands are revolutionary, when we know that the great British democracy on whose love of liberty we have been building our hopes knows nothing about us and is too pre-occupied with its own affairs to take the trouble to ascertain the true facts, when we know that there are noble Lords and Lordings busy at work in misrepresenting up to the great British public, we should be either more or less than human if we were to remain unaffected by what Sir James Meston calls 'the wave of impatience and distrust'. But what I have already stated represents nothing like the full measure of our disappointment. When we turn our eyes nearer home we find our Viceroy warning us against expecting any 'catastrophic changes'. This advice, coming as it did after the submission of the memorandum of 19 members of His Excellency's Council, could only be taken to refer to recommendations of that memorandum as 'catastrophic changes'. The same opinion was reiterated by Lord Chelmsford in an amplified form at the opening meeting of his Legislative Council in February 1917. Between the dates of these Viceregal Pronouncements orders were issued in the Punjab and at Delhi under the D. of I. Act putting these provinces out of bounds for Messrs. Tilak and Bepin C. Pal. We then find the Government of Madras again to the fore with an order prohibiting Mr. Wadia from delivering a speech which had been advertised, Mrs. Besant from presiding over the meeting at which Mr. Wadia was to speak and the newspapers from publishing the speech. I pass over the attitude of the Chief Commissioner of Delhi towards the Indraprastha Hindu Girls' School, the speech of Governor Sir Michael O'Dwyer in the Punjab Council and the Government of India's resolution on the Indian Defence Force with its disheartening reference to Indian 'pretensions', I also pass over Lord Pentland's now famous speech in the Madras Council in which after saying that Self-Government was 'the salt and strength of the British Empire', his Excellency declared that 'all thoughts of the early grant of responsible Self-Government should be put entirely out of mind', the press communique intended to explain that

speech by assuming that what we advocated was 'complete autonomy for India at the close of the war' and condemning such imaginary advocacy in unmeasured terms.

The Crowning Act

I now come to the crowing act of repression the internment of Mrs. Besant and Messrs. Wadia and Arundale. Who is this foreign lady? Mrs. Besant for whom we should so far lose our heads as to be prepared to run endless risks? Irish by birth she is by adoption as true an Indian as any born Indian can boast to be. I shall not speak here of her religious activities but with your permission will briefly refer to her educational social and political work. The Central Hindu College of Benaras shall ever remain a standing monument of Mrs. Besant's educational work in these provinces, but it is perhaps not so widely known that she is either the founder or inspirer of numerous other educational institutions. When the Central Hindu College was taken over by the Hindu University she founded the Theosophical educational trust which in the course of three years came to have 24 schools and colleges in all parts of India under its management, not to mention schools in England, France and America. A few days before her internment she launched into existence a scheme of National Education, formed a board of trustees, drew up the tentative curriculum and already made a beginning in the materialization of the scheme, all within a month.

Mrs Besant in Politics

It was in October 1913 that she first took an active part in the social and political life of the country. By the end of 1914 the *Commonweal* and *New India* attained a fairly large circulation.

Not content with editing a daily, weekly and two or three monthlies, she toured from place to place, lecturing on social and political reform, Boys Societies, Ladies' Associations, School and College anniversaries, every one of these she helped with her own characteristic energy. In Madras she found a

large population of students living in miserable lodgings, sometimes in houses of ill-fame. She founded the Young Man's Indian Association. She accepted no office, as her sudden entry into the field of politics had created some unjust and ungenerous suspicions. But she contributed nearly a lakh of rupees towards the building of the Y.M.I.A. She started several hostels in various parts of Madras. The Gokhale Hall and the splendid reading room, restaurant, and residential quarters for students bear testimony to Mrs. Besant's great love for students.

In the later part of the year 1914 she threw herself into the Congress movement. She brought her great personal influence to bear upon the question of the now famous compromise. She visited Mr. Gokhale, had several interviews with him and in the Congress of 1914 it was decided to refer the question to the All-India Congress Committee. The question was decided, the breach was closed in the year 1916 and the memorable session of the year 1916 at Lucknow was made possible. To this result Mrs. Besant contributed materially.

The publication of *New India* gave birth to a new political feeling in the Presidency of Madras. Mrs. Besant took a most vigorous part in almost all the meetings, District and Provincial Conferences which were held in all the more important centres. In the spring of 1915, she presided over the United Provinces Provincial Conference and the Bihar Students' Conference.

She carried on educative and propaganda work by the publication of political pamphlets and books. Nearly a dozen *New India* pamphlets and two dozen Home Rule pamphlets, two books, 'India a Nation, and 'How India Wrought For Freedom', form a no mean record of educative and propaganda work in addition to the magnificent service done by *New India* and to the very large number of lectures delivered by Mrs. Besant herself. The Madras Parliament started by Mrs. Besant has been doing most useful work, training the younger men in the discussion of Indian questions. Many important problems have been taken up, the most notable being that of

Panchayats and cooperation. The Madras Parliamentary transactions form a most useful addition to the political literature of the day.

In September, 1916, the Home Rule League was started by Mrs. Besant. A special page was devoted to it in *New India*. A Home Rule League office and shop were started in Madras and the sale of Home Rule literature had been very large, *New India* became practically the organ of Home Rule. There is however some fatality about the use of the term Home Rule. It is said that in connection with Ireland it has gathered more or less unpleasant associations about it, that it conveys less substance and more feeling than responsible Self-Government and so on and so forth. But surely we do not want Irish with Home Rule in India, and I confess I do not understand why we should fight shy of the term. We have laid down certain lines for ourselves, and formulated certain proposals for the Government. It is that which we want to have, call it what you like. The Home Rule League does not ask for more and the Congress and the Moslem League will not be satisfied with less. As I stated elsewhere, all three institutions are merely outward manifestations of the same political creed. If I may venture to offer a word of advice I would say : Let us call it Home Rule or responsible Self-Government, as it suits one's individual fancies, but let us all work with one mind, one heart, one inflexible determination to achieve the reforms which the Congress, the Moslem League and the Home Rule League have all agreed upon. I shall not detain you with the constitution and methods of this movement. It is well-known that Mrs. Besant who was herself a party to the Congress Moslem League scheme of reforms in December last, has since fully adopted that scheme without any alteration or reservation for the propagandist work of her Home Rule League ; and there is now no practical difference between the ideals of the Congress, the Moslem League and the Home Rule League. Nor is there any difference between the methods except that the youngest institution has more energy and enthusiasm and is pushing on its work with greater vigour. The whole point is what is the offence of Mrs. Besant for which she has been deprived of her liberty. Her request to formulate that offence

has been refused. Lord Pentland's utterances are full of vague hints about 'revolutionary agitation', 'unscrupulous attacks and insidious calumnies upon the existing administration' 'veiled menace and open defiance', etc. But his lordship failed to put his finger upon any thing that Mrs. Besant had written, said, or done which had a tendency to revolutionize the Government. He thought it necessary to issue a press communique to explain his speech but it has not yet occurred to his Government to set the whole agitation at rest by quoting chapter and verse for the charges made against Mrs. Besant. We in these provinces where her work has lain for the most part know her better. Her whole life is an open book to us which he who runs may read. We cannot be satisfied by a mere assurance that she has gone wrong, still less by the ever shifting ground taken in the House of Commons by Mr. Chamberlain in answer to questions. We will not accept any statement against her which is not fully substantiated. We hear much of loyalty in these days. It has been dinned into our ears so often in season and out of season that perhaps some of us have lost sight of the real meaning of the word. It is said and said truly that we are loyal to our King-Emperor but when that is said the whole meaning of the word is not exhausted. For loyalty is the finest word in the English language—loyalty to a friend, loyalty to a leader, loyalty to a cause—and it embraces many other beautiful things. Are we not going to be loyal to this lady who has been our friend, and our leader, and who represents our cause? I mean no disrespect to the other leaders who have laboured for the last 30 years for the same glorious ideals. All honour to them for their patient and ceaseless endeavour. It was they who laid the foundation for India's freedom and this rendered the superstructure we see rising today possible. They are of the Immortals who served have and suffered and shall live enshrined in the heart of future generations. But what shall I say of this noble lady coming from a far off land to serve and suffer for us? We must be fallen indeed if we stand by and see her deprived of her liberty because she served us too well. "Gentlemen, we are asked to be patient, to suspend all agitation till after the close of the war, to live in hope and trust. Are we

patiently to look on while our great benefactress in her old age and feeble health is pining away in her prison house at Ootacamund? Are we thus to reward her great love for our motherland? Better to die for shame than live in hopes of our betterment while she continues to suffer.

Gentlemen, I have already detained you at considerable length but the tale of our woes is not yet complete. The internment of Mrs. Besant and her worthy lieutenants was by no means the last act of repression. The right of public meeting has since been denied both in the new and the old capital of India, not to mention the petty annoyances to which the country has been subjected by various official acts, in different parts of India. The Calcutta meeting as you know was to be presided over by no less distinguished an Indian than Sir Rashbehary Ghosh—but distinguished and undistinguished have both come under the ban. Lord Ronaldshay has made a speech at Dacca on lines least encouraging to our aspirations while Lord Pentland who may be said to have been the first in the field has further signalled his rule by the latest act of repression, the deportation of Mr. Karandikar, sub-editor of *New India* from Madras. The future lies on the knees of the High Gods.

Further comment on the facts I have given is needless. Can any one in view of these facts say that our agitation is premature or that we have no substantial reason to entertain the fears and apprehensions which I frankly confess we do entertain. H.E. the Viceroy has not made any public announcement since the internment of Mrs. Besant, but the fact that Mr. Austen Chamberlain has expressed his approval of the action of the Government of Madras clearly shows that the intermediate authority of the Government of India is equally satisfied with that action. Besides, the actions of the Governments of Madras, Bombay and Calcutta are believed to be in conformity with the directions laid down in a certain confidential circular issued by the Government of India to all Provincial Governments. I have not had the privilege of seeing this circular but there is no doubt that much of the suspicion and mistrust, which now prevails is laid at the door of that parti-

cular circular. If it is not a document of the nature it is supposed to be its immediate publication would do much to allay public excitement. However, that may be, the fact remains that we must guide ourselves by the facts before us and the irresistible inferences that as reasonable men we must draw from those facts. These facts point to one course and one only, *viz.*, the vigorous continuation of the agitation on which we are engaged.

*What They have been doing in England
and the Dominions*

Let us now see if we are doing anything which other parts of the Empire have refrained from doing out of patriotic motives. While in India we are admonished not to raise controversial issues, and to concentrate on war work, in other parts of the Empire, especially in Great Britain the work of reconstruction and reform has been going on at a rapid pace. There is no department of national life in England which has not come under review, and in connection with which recommendations for improvement have not been made, Committees and Commissions have considered and reported on educational, industrial, social, economic and political reforms of far-reaching character. Only recently the Speakers' Conference made radical recommendations for electoral reform, which have been incorporated in a Bill called the Representation of the People Bill. The provisions of the Bill were described by Lord Curzon the greatest revolution since the Reform Act of 1832. They included such controversial subjects as that of women's suffrage. The question of the reconstitution and reconstruction of the House of Lords is also under consideration. Besides these numberless activities for reconstituting national life, which could not but have distracted attention from the immediate duty of vigorously prosecuting the war there were other activities which directly interfered with military preparations. Since the war broke out, there have been numerous strikes of coal-miners, ship-builders, engineers, munition-makers, and others for the purpose of securing for themselves better terms. Only recently, there was a general

strike of munition workers in almost all the industrial districts, and the situation became so grave and threatening that eight commissions had to be appointed to enquire into the causes of the labour troubles. There is quite a strong party of socialist and labourites which has been advocating immediate peace and interfering with the vigorous prosecution of the war. A Conference of this party, representatives of labour and socialist organisation in England was held not long ago at Leeds, and was attended by over 1,000 delegates, at which a resolution greeting the Russian revolution was passed, and it was also decided that Councils of Workmen and Soldiers on the Russian model should be established in every district. Conferences of such Councils have already met in three or four places, and recorded resolutions in favour of immediate peace. We all know what attitude Ireland has adopted in the struggle. Its rebellious attitude has been a source of great anxiety and weakness to the United Kingdom in the prosecution of the war, and yet steps have been taken to give it a form of Government to be agreed upon by its people. We know that, in South Africa, there was a serious outbreak at the beginning of the war, and that there is a party there which is advocating the establishment of a republic. In Australia, there were grave disorders when Mr. Hughes wanted to introduce conscription. Parliament had to be dissolved, and a general election held. In Canada, recently, a general election was decided upon to settle the issue of conscription. Canada, in the midst of the war, has raised the tariff against the United Kingdom, although the latter has been making large advances to it. In Australia, there were such serious strikes that the manufacture of munitions was considerably interfered with. They resulted in a grave coal crisis, and ships were prevented from sailing with urgent supplies for England. Whilst the Dominions have received advances from England of about 146 millions sterling since the outbreak of the war, all borrowing on account of India, in that country, has been stopped. On the contrary, India's reserve balances have been utilized to afford accommodation to Great Britain for the purpose of the war.

India's Attitude Correct and Helpful Throughout

Throughout, India has maintained the most correct and helpful attitude. We have avoided raising all controversial issues as far as we could. We have been asking for political reforms in the most constitutional and reasonable manner. The nature of our demands has been admitted to be legitimate and laudable. Nothing has been done to embarrass the Government or to interfere with war work. In the face of these incontrovertible facts who can have the courage to say that we are taking undue advantage of the pre-occupation of England ?

I hope, gentlemen, I have now fully justified the answer I gave at the beginning of my address to the line of criticism which Sir James Meston indicated in the course of his last speech in the Council.

Our Plain Duty

It now remains for me to say what is our plain duty in the circumstances. We claim to be reasonable men and as such we have through our great National institutions submitted a scheme of reforms to which we consider we are entitled as a first instalment towards the grant of full responsible Self-Government in due course. What we have asked for is to our minds the irreducible minimum of real power which ought to be invested in us. But we grant that we are not infallible. We are open to conviction and are prepared to negotiate on the basis of our scheme. It is not correct to say that we are asking for the whole loaf in the expectation of getting a slice.

It is equally incorrect to say that we are revolutionaries and will have nothing but full responsible Self-Government at once. Much powder and shot has been wasted by certain Provincial Governors to demolish this fanciful idea. It was never entertained by any responsible member of the Congress, Moslem or Home Rule Leagues. Our position has been clearly stated in the representation recently made by the joint conference of the National Congress and the Moslem League held at Bombay. That representation embodies our answer to the policy of

repression in a dignified and emphatic manner. It makes it clear that the newly awakened spirit is not to be suppressed by the Defence of India Act or the Press Act. It asks for the complete reversal of the policy of repression and the immediate release of the interned patriots while demanding that the Congress-Moslem League scheme of reforms be given effect to after the close of the war it invites the Government to publish its own proposals for public discussion. It insists on an authoritative pronouncement pledging the Government to a policy of making India self-governing member of the British Empire being made at an early date. We ask for no more and shall be satisfied with no less.

The most significant resolution passed by the joint session requires the various committees and councils of the Congress and the Moslem League to consider and report on the advisability of adopting a policy of passive resistance. Passive resistance, brother delegates, is the strongest weapon of the weak. But remember that it is a two-edged weapon and entails great suffering and sacrifice. It is only to be resorted to when all other means of protest fail, it is therefore a most significant sign that the leaders of the two great political bodies of India should be of opinion that we have arrived at a stage when it is necessary to consider the question and call for the opinion of the country. It is not for me to anticipate the final verdict of the Congress and the Moslem League and I shall therefore say nothing more about it.

One word more, and I shall have done. It is obvious that we can expect nothing from a foreign bureaucracy. Our interests are directly opposed to theirs, our gain cannot but be their loss. All power is at present centred in them, and it is only natural that they should be unwilling and indisposed to part with it or even a fraction of it, without a struggle. The great majority of these alien officials no doubt use that power in what they honestly conceive to be in the best interests of the country. But their conception of our rights and needs and of their own duties and privileges differs radically from ours. They are so hide bound by the precedents and the traditions of their service that they persist in the belief that the benevolent

despotism that was good enough for us a hundred years ago must be good enough for us today. They are devoted worshippers of the fetishes, prestige and efficiency and cannot understand that those high Gods cannot help to solve the grave issues that have arisen in this country. These bureaucratic rulers of ours are almost completely lacking in imaginative conception, sympathetic understanding, and intelligent enterprise. The natural craving of the human mind for liberty of speech and action is attributed by them to a contumacious desire to subvert all Government. They fail to realise how deeply interested we are in their maintenance and the permanency of the British connection with India, and accuse us of the suicidal folly of seeking to sever that connection. A serious conflict has thus arisen. Every step in advance that we take is in their view a step towards revolution. In these circumstances, who is to be the arbiter of our destinies? Who is to stand between the bureaucracy and us? What is our plain duty? Gentlemen, the great British democracy is the sole tribunal appointed by Providence to decide between us and the bureaucracy, and our plain duty is to press our case persistently and with unremitting determination before that tribunal by every possible constitutional means open to us.

There was some interruption here, to which the President said in reply :

“Gentlemen, I have considered these questions; I have thought over them. I have spent sleepless nights over them. Who else is the arbiter of our destinies if it is not the British democracy? Has any one ever heard of a man deciding his own case when it is opposed to an adversary? My point is. Here is a question arising between us and the bureaucracy, who is to decide it? If the answer is one of the parties shall decide it, I say it is trash; it is impossible; it has never been done; and it can never be allowed. There must be a third judge. You cannot say that one of the parties shall decide the question. It is the great British democracy who should decide it. If it is not the British democracy you say it is yourselves. Have the courage to say how you are going to decide it. Is there anyone in this audience who will stand face to face to

me and say that revolution is the process by which we will do it (Cries of 'no, no.'). How then are you going to decide it? By what means? What is the power in your hands? How are you going to force the bureaucracy? (Cries of 'by soul force'.) Our plain duty is, I say, to press our case persistently. The great British democracy is the sole tribunal appointed by Providence and our plain duty is to press our case persistently with undiminished determination before that tribunal by every possible constitutional means open to us. In doing so we must necessarily run the risk of abuse and misrepresentation. We must be prepared to run the risks and what is of even more importance, we must be prepared courageously to take the consequences of our activities, whatever may be the sacrifice demanded of us (cheers). If you had only the patience to listen to what I was going to say you would not have interrupted me in the manner in which you did."

The President concluded his address as follows :—

"If we cannot demonstrate to ourselves and our fellow subjects throughout the Empire that we earnestly and honestly believe in our cause, if we cannot convince them of our undying belief in ourselves and the greatness of our destiny as an integral part of this great Empire, we shall have deserved all the taunts that have been levelled against us by those who are opposing our movement of national uplift. But I am confident that we shall prove true to our faith and our people, and that, come what may, we shall not rest until we have achieved our goal."

WELCOMING THE SCHEME OF CONSTITUTIONAL REFORMS*

The Hon'ble Pandit Motilal Nehru said :—

I am practically in the same position as my friend the Hon'ble Saiyid Wazir Hasan, because I also belong to a political organization which has most distinctly expressed itself in

*Proceedings (dated 12 August, 1918) of the Council of His Honour the Lieutenant-Governor of the United Provinces of Agra and Oudh assembled for the purpose of making Laws and Regulations, 1918.

past years upon the subject in hand, and it is expected that by the end of this month both the organizations, namely, that to which I belong and also that to which my friend the Hon'ble Saiyid Wazir Hasan belongs, will again express themselves upon the same subject and more particularly upon the reform proposals. But, Sir, I take a somewhat different view of my duty under the circumstances, I think, as my friend does, that I am bound by the pronouncement of the body to which I belong, until that pronouncement is in any way modified, reconsidered or altered ; but at the same time we are here in order to discuss certain proposals on their merits, and I feel I am entitled to express my individual opinions upon these proposals, quite apart from what the opinion of the organization, as a whole will be when it meets. The only thing that I wish to make clear is that the fact of my taking part in this debate does not imply the surrender of any of the essential principles which have been laid down by the joint scheme of the Indian National Congress and the Moslem League. With that reservation, I think I am at liberty to take part in this debate.

As to the resolution which has been brought forward by my friend Rai Anand Sarup Bahadur, I am afraid it is difficult for me to support him. I have made, I can assure you, during the last half an hour or so, as genuine an effort as the framers of the report did in framing it, to summon all the faith and the devotion in me to help me in joining me in the hallelujahs with which this Council chamber rang, and I confess that my faith has broken down under the extreme strain put upon it. To express gratitude for all official acts, whatever their character, is the natural outcome of centuries of bureaucratic rule. Such gratitude I do not say is not sincere. On the contrary, I believe it is genuine and sincere, for the simple reason that the official act in question might easily have been worse. In that sense, of course, it is easy to agree with all that my friend the honourable mover of this resolution has said. But when he asks us to join with him in saying that it is a genuine advance and a substantial step towards responsible government, I feel it my duty to cry halt. The document before us is undoubtedly a most remarkable state document. That is the result of anxious thought and stupendous industry there

cannot be two opinions. The distinguished authors by their position deserve and are entitled to, our highest respect, and I yield to none in giving them their due. The lavish bestowal of time and energy, the masterful treatment of the subject, the clear reasoning and the abstract principles which have been laid down, all command my sincere admiration. But before I indulge in any effusions of gratitude I must find an honest answer to an honest question and that is—What have they actually done for me ? Or, in other words, have they redeemed the pledge given by the announcement of the 20th of August, 1917 ? My friend the Hon'ble Rai Anand Sarup Bahadur has answered that question in the affirmative, or rather assumed the answer in the affirmative ; but to my mind the true answer is to be found in the formidable list of modifications which are before the Council. It is there that we find the true measure of the approval or disapproval of the honourable members of this Council on the various proposals of the reforms. There can be no doubt that these modifications show a general, or I may say, a substantial agreement on one point, and that is, that a good deal is wanting in the scheme. And I say that without those wants being supplied it is no more than a shell : the kernel really lies in the modifications which are being pressed in this Council and elsewhere.

The Hon'ble Mr. Crawshaw has said that if you dive deep you will find gems of great value ; and that the more you dive the larger the number of gems you will find. I have, according to my own knowledge, tried to dive, and to dive deep ; but I have brought up nothing but disappointment. On this point, however, I must make myself clear. In so far as the principle that India will one day be a self-governing country is concerned, that is certainly established by the report itself. There is no question that sooner or later it is proposed to confer such a government upon India. But we are assembled here to-day to discuss, not the abstract principles, or even to attribute motives, to persons placed in high authority, but to consider practical proposals as practical men and to make such practical suggestions as we have faith in. To say that the report is a genuine effort is to imply that it might possibly have been other than genuine—a possibility, Sir, which I

discard. So I do not see how it is at all material for us to go into this question, and so far as it is a work of art and talent I have already said that it has my admiration. But the proposals which it makes, I submit, are of a halting nature. It stops just short of the very step which it says is being taken, because, when we come in the course of the debate to discuss the details, we shall find an illustration of what Your Honour very happily said the other day, namely, that reform must not be afraid of itself. That is just what we find the proposals to be, that is to say, they are afraid of themselves.

The honourable mover about the conclusion of his speech said that this Council endorsed the general policy of the reforms. I wish that his resolution were worded in that way, for if it were so worded it would have my heartiest support, because the policy is there, and there is no question that it is a broad-minded policy of courageous statesmen. But what is wanting is the execution of that policy. There is no question that the germs of improvement are there, and that it is an appreciable advance, but it has laid down a very complicated system, which, the more you go into it the more embarrassed you feel and the less easy it is for you to extricate yourself from it.

Let us examine generally what was the announcement of the 20th August. The announcement was that at first a substantial step shall be taken. That gave me the idea, and that would give any one the idea, that something, however little, was going to be actually parted with by Government in favour of the people. But when we come to examine what it is that has been given, we find that it is hedged in with so many limitations and reservations, so many checks and counter-checks, that it becomes a question of giving with one hand and taking away with the other. To my simple mind the easier thing would have been to say—We give you so much and will give you no more; there is an end of the matter. Whether it is more or less, whatever it is, here it is'. Then the only question would have been whether it is enough or not. But what is actually done is that a good deal of show is made, but the restrictions put upon it deprive it of all its value. The

keynote of the report is distrust of the people of India and a great sense of undefined dangers ahead. The Right Hon'ble the Secretary of State in the course of the debate in the House of Commons on the Budget anticipated that objection, when he said that the limitations on the scheme were due, not to distrust or to fear, but to facts and time. Now, Sir, either the facts justify or do not justify the giving of any actual responsibility ; either the time has come or it has not come for the giving of actual responsibility. If the facts justify and if the time has come, give us our due. If the time has not come and facts do not justify, then tell us so. What the scheme shows, however, is that neither the one nor the other has been done. On the contrary you will find that in certain places one could almost see that the authors begin to think that the announcement of the 20th August has gone a bit further than they would have allowed it to go if they had anticipated any of the difficulties. Passage are not wanting in the report to show that an attempt is made to put too literal an interpretation upon the announcement, and when we come to the action to be taken on it, there is no doubt that the spirit of the announcement is lost sight of.

For these reasons I am sorry that I cannot support the motion. I hope I have made myself clear. What I do not support is that it is a genuine and appreciable advance in the direction of responsible government.

APPOINTMENT AND TENURE OF MINISTERS*

May I suggest for the sake of convenience and in order to save time that I may be allowed to bring resolutions nos. 46 and 47 together ? Your Honour will see that 46 relates to the appointment of ministers and 47 to the tenure of office of ministers. The first resolution which stands in my name namely, 46, reads as follows :—

“The Governor shall nominate a chief minister from among the elected members of the Council and invite him to

*Proceedings (dated 12 August, 1918) of the Council of His Honour the Lieutenant-Governor of the United Provinces of Agra and Oudh assembled for the purpose of making Laws and Regulations, 1918.

form a ministry consisting of himself and two or more elected members”.

The second, namely, 47, runs thus :—

“Ministers shall hold office at the will of the Legislature and their salaries shall be voted by the Council every year”.

The reason why I have asked for permission to put these together is that I would not have been satisfied if 46 had been carried, and 47 not carried. What the report says on the subject is to be found in paragraph 218, where it is proposed that there should be one or more ministers, the number of which will depend on the number of subjects to be transferred, and that these will be nominated by the Governor. They will be chosen from the elected members of the Legislative Council. They will be members of the executive Government, but not members of the executive council ; and they will be appointed for the life-time of the legislative council and if re-elected to that body would be re-eligible for appointment as members of the executive. Now it is true that when I say that the ministry should consist of two or more executive members besides the chief minister that claim is based upon an earlier resolution which we shall come to by and by, namely, one in which I recommend that all subjects except police, law and justice should be transferred. What I mean is this that it will all depend upon the number of subjects to be transferred. In as much as my proposal asks that the great majority of the subjects shall be transferred, that is the reason why I propose that there should be one chief minister with two or more colleagues. That I believe is the constitution everywhere there is any responsible legislature in existence. The reason why the framers of the proposal have not made the ministry responsible to the Legislature and to their constituents is simply to make them irremovable for the term of the council. Now if they are to be at all responsible to their constituents I submit that it is necessary that the Legislature should exercise some control over them. I do not by this proposal mean that it should be open to the council to, for instance, pass a resolution dismissing the minister. What I do mean by this motion is the responsibility to the

Legislature, namely, that if there is a vote of censure, or if there is any measure, of a minister which is not carried through the council; the automatic result would be that he will resign. I find that my proposal is opposed to that which stands in the name of the Hon'ble Lala Sukhbir Singh and to that of the Hon'ble Saiyid Al-i-Nabi, where they ask that the minister should be elected by the Legislature and not nominated by the Governor. If there was only one minister, I would certainly plead for them, but when it comes to the formation of a sort of cabinet, it becomes necessary for the members of the cabinet to be such as to be able to work together, and it is impossible to impose office upon one man against his will and yet expect him to work harmoniously. So that if the matter were left purely to election the result would be that there might be a cabinet of three members who might or might not agree, yet they would have to form a cabinet and that would be a practical difficulty. I will therefore ask my friends to withdraw their resolutions in favour of mine if the two 46 and 47 are carried, and I will make a similar request to the Hon'ble Saiyid Raza Ali, who in his resolution 33 recommends that the minister, if defeated three times in the legislative council on matters relating to transferred subjects, should go out of office, which really means that he will be responsible to the Legislature. But it is not necessary that he should be defeated three times. Sometimes it so happens that the defeat is of such a nature that it is not necessary to resign. It will all depend upon the nature of the vote passed by the Legislature. For these reasons I commend these resolutions to this Council and I submit that having regard to the other proposal made by myself and by other honourable members it will be most convenient and practical to adopt these two resolutions.

It is no surprise to me to listen to adverse criticisms of the resolution that I moved from the quarters from which they have proceeded. To deal with the most formidable, *viz.*, the last speaker, I have the honour to say that I dispose of all the arguments by just one sentence. The honourable member says if all the other features of the scheme are to remain as they are, then my proposals are completely out of point. I

quite agree, but is it not a very big 'if' that he assumed? Would it not be well for the honourable member to look at my other proposals, of which this is a part, which I have attempted to suggest in place of the scheme. I refer to the other proposals not to commend them at present, but just to show that what I am proposing in resolutions 46 and 47 is only part of a bigger scheme which does not admit of the existing scheme which has been recommended. If the honourable member will read resolution no. 48 along with nos. 46 and 47 my scheme will be perfectly clear. No. 48 says :—'All administrative questions concerning transferred subjects shall be decided by the vote of the majority of ministers present'. It is not for me at present to defend all the various proposals that I have made. I defend the consistency of my position by saying that, if these are all adopted by the Council, the scheme that I propose would not only be thoroughly workable, but is a scheme which prevails all over the world. True it is, as my friend the Hon'ble Mr. Chintamani has pointed out, that I am assuming full responsible government in the transferred subjects. So I am, and so indeed I would expect things to be when the final Bill is presented to the Parliament; and in case it is not so I do not accept a single item of the scheme. As I have submitted, I am not only committed to the Congress-League scheme until it is altered by that body, but standing in the Council-chamber to-day I have a mandate to follow and that mandate was given yesterday by the Provincial Conference which was held in this city, to which the Hon'ble Pandit Gokaran Nath Misra has referred, and that body has passed the resolution as a whole.

Another objection taken is that the Governor along with the executive councillors and the ministers is intended by this scheme to form one single Government and not two Governments. I submit that, so far as that goes, the suggestion I make does not introduce any inconsistency, because it is open for the Governor to preside at the meetings of the ministers or the whole or both. But the most important alteration I propose is that the Governor shall be bound by the opinion of the majority of the ministers, while under the proposals, as framed by the authors, he is not bound. This makes all the difference.

Then it is said that under the circumstances responsibility to the electorate is secured. What is meant by responsibility to the electorate as given in the scheme? It simply means that for the first time the minister has nothing to fear from the electorate, because, at any rate, he is secure in his office for the whole life of the Council, and it is only when he thinks of re-election for the next Council that he need at all care for the electorate. I must admit that when I read that he is not responsible to the Legislature, but he is responsible to the electorate, it was with the greatest difficulty that I could understand it. After all I understood it as the Hon'ble Mr. Chintamani has understood it. It resolves itself into this. When a minister chosen by the Governor, acting with the Governor, having no interest in the electorate unless of course he wants to stand for another election at the end of his term, owes his appointment only to the Governor and the Council, I submit that those conditions are most highly demoralizing for any person who is appointed as a minister, so far as his accountability to the electorate is concerned. The only thing that the electorate can do to punish him is by not electing him for the next term. What I am pleading for is, if I may take the liberty to say so, the very A, B, C, of the constitution of responsible government. No doubt it will be said that you are not getting full responsibility and therefore something has to be devised. I agree to it, I say whatever you give us make it as full as you can, and in that sense, as I submitted in another connection, I would vastly prefer the suggestions made in the Curtis scheme.

Then the next point is that there is no party system at present. As to that my submission is that it is the hope of the framers of this proposal that there would be a party system in India at one time or another, and certainly you must have responsible government for some time before. In the ordinary course we could evolve any party, but I do not anticipate any difficulty of the kind which has been brought by the Hon'ble Mr. Chintamani. He says, suppose our ministers go out of office by an adverse vote, what happens next? Whom are you going to appoint in their place? There is no opposite party which will come into power. The simple answer to that is, I

want my chief minister to be a person who commands the confidence of the house. If one man loses the confidence of the house and goes out of office, is it not easy to conceive that there would be other men who would command the confidence of the house, even though the party system may not be fully developed ? This happens everyday where this system prevails.

My honourable friend says that if my proposal is accepted, two budgets will be necessary. I have already read my proposal. What I propose is that there shall be a single budget. But in the first place there shall be an allocation for the Government of India and an allocation for the reserved subjects on certain basis which I suggest. That done, the whole of the remainder is at the disposal of the ministers. What I am proposing is not so absurd as has been made out by the Hon'ble Mr. Chintamani. It is a good sound proposition which I proposed in the other resolution, *viz.*, that the budget shall be single one, that, after the setting apart of the share of the Government of India and what is to be spent on the reserved subjects, the rest is put at the unrestricted disposal of the minister.

My friend has also referred to the system of dyarchy or dual system of government, and that is the reason why I am not in a position to swear by the scheme which has been adumbrated in this report. I am making in my proposals a suggestion on a scheme, which is admitted by its own authors to be defective of a few modifications, which are offered to minimize the difficulties of defects of the scheme. The only plea that has been advanced and that has been admitted by the Hon'ble Mr. Chintamani is that the system which is being proposed in the report is not a system which is a recognized system, but it is a system which is devised under peculiar circumstances, and being for a transitional period it must be open to those defects. I admit it, and I say that when my proposals are embodied in that defective scheme the result will be to minimize the defects, though not to remove them. I cannot claim to perform the impossible. I know that the system is defective, perhaps I may remove some of the defects, but not all.

My friend the Hon'ble Mirza Sami-ullah Beg says that there is just one reason why we should not have a cabinet system in these provinces, and the reason advanced is that it is in vogue in other parts of the world. Now he says we are making a new beginning and we must not attempt to copy all other councils and institutions. I am not copying any institution. I am not asking anything to be bodily drafted from some known system into this system. I am only asking for the very elementary learning relating to responsible government. The one principle that has been admitted by the framers is that you have to be responsible to the electorates. That responsibility I say you definitely postpone for a term of three years.

The Hon'ble Mirza Sami-ullah Beg said that this resolution will go against another resolution of mine which has been accepted by the Council, with reference to the emoluments of the ministers. I am afraid that my learned friend has not understood what I meant. It is not a question of salary being reduced. It really means not the cutting down of the salary of the minister, but that the house has no confidence in him. It is not that the poor minister takes a reduced salary, but he simply resigns and no further.

The Hon'ble Pandit Jagat Narayan has drawn an analogy between the ministers I have in contemplation and those who are under the municipal board. I submit that this is a very far-fetched analogy. If having regard to the peculiar circumstances we recommended certain restrictions, or rather a certain safety and security, in the tenure of the office of the chairman of the municipal board, the same reasons will not apply when there is a question of liability to the electorates at every step. Then the Hon'ble Pandit Jagat Narayan thinks that he scored a great point by pointing out that I ask for a removable ministry, whereas in the scheme framed by me the executive is not a removable one. Here again I will ask my friend to look at the different conditions. The scheme by which the executive is asked to be removable is a very different scheme from what we are discussing here to-day. We are going to be given by dribblets. I say, whatever dribblets we are going to have, let us have the whole at one. It is perfectly certain that if you have a full responsible government the executive must remain irremov-

able, but how long irremovable? If my honourable friend goes deeper into that scheme he will find that there are provisions in that scheme also which show that after a time the executive may resist the will of the Legislature once or twice, but it cannot possibly resist it for the third time. However, it is not for me to suggest any other scheme or to attack any part of this scheme which I have moved. But I say that none of the objections that have been raised by the gentlemen whom I have already dealt with will really affect the position I have taken.

Then I come to the remarks made by the Hon'ble Pandit Gokaran Nath Misra. I thought he would accept the defeat which he received yesterday with a good grace, but my friend has reiterated the same reasons again and his great complaint is that you cannot in the very first life of the Council get any one prepared to accept office under such precarious circumstances as to be at the mercy of an inexperienced Council. In the first place I have no such lack of faith in the capacity of my countrymen and in the capacity of those who will enter public life and seek election at the polls. In the next place, I submit that would be one of the reasons for all responsible men to induce them not to exercise the powers vested in them except with the very greatest caution, and if they do exercise those powers without necessary care and caution, what would be the result? Well, there may be mistakes. But have not the Right Hon'ble the Secretary of State and the Viceroy themselves admitted that political capacity can only come by the exercise of political responsibility, and in the course of the speech on the occasion of the budget debate in the House of Commons Mr. Chamberlain said: 'Progress in India must be through gradual steps. All this wisdom, all this sagacity, all this experience in matters political by whatever country is only to be gained by mistakes, and if there will be mistakes, as they are bound to be, you must be prepared. As you learned by your mistakes, so allow them to learn by theirs'. It is said that you must learn to stand before you walk. I submit that we cannot learn to walk unless you give us the opportunity to exercise the function. If we keep lying down all the time, then good-bye to all benefits of exercise. I do admit that there will be difficulties in the beginning. There have been difficulties in all

countries, in all ages when such experiments have been tried. This is not the first time and this is not the first country in which reforms of this nature have been introduced. So far as Canada is concerned, we heard yesterday in the remarkable speech of the President that it was granted at a time when even the teachers in the school knew not reading or writing; when the French and the English Canadians could not meet together and talk out on any subject amicably; then their commerce and trade was going to rack and ruin. They must have made blunders; they must have muddled; they must have committed mistakes, and we only ask that if we do the same please do not condemn us. For these reasons I press the resolution for the acceptance of the Council.

SPEECH AT A PROTEST MEETING AGAINST THE BLACK BILLS*

Ladies and Gentlemen,

The great world war is over. The statesmen of small and great nations representing the people of their respective countries have now assembled in Paris to consider how to safeguard the natural rights of mankind in general from future aggression. Two of your distinguished countrymen have also been allowed the privilege of attending the Conference. They are both good men and true and I have to say nothing against them personally. But the fact remains that they are the representatives of the Government of India, and not of the people of India. They have their mandate, if any from the Government and not from the people. But this is another story. Much has already been said about the character in which our distinguished countrymen are taking part in the historic Conference

**The Independent*, February 5, 1919. The speech was delivered in Urdu. The two Rowlatt Bills (widely known as the Black Bills), empowered the British Government to set aside judicial procedures in dealing with political protest. They were introduced in the Imperial Legislative Council in February 1919. Mahatma Gandhi organised a country-wide satyagraha against this legislation. One of the two bills was passed and became the Rowlatt Act.

which is meeting in Paris and more will no doubt be said when the subject comes up again for discussion. This is, however, not the purpose with which we have assembled here today. The subject we have to consider is a much more serious one. You will presently have the rare privilege of hearing our distinguished visitor Mr. B.G. Horniman on the gravity of the situation which has been created by the recent action of the Government of India. I do not therefore propose to deal with it at any great length, and will content myself with a few general observations.

Who is India's "Self" ?

Ladies and gentlemen, as you are all aware the first principle which the wise men of the world have laid down for their guidance at the Peace Conference is that no nation, however strong has any right to keep in subjection another nation however weak ; that every people in the world have the right to choose how they will be governed and by whom. 'Self-determination' is the new word which has been coined to give expression to this idea which itself is certainly not new at least to this country. I am assured by both Hindu and Musalman scholars that the idea is to be found in their religious books in a more or less developed form. But I am not at present concerned with the age or the birth of the idea. The fact is that it took hold of our imaginations no less than 33 years ago when the Indian National Congress was started. It is this idea which inspires our demand for Home Rule or Swaraj. It is this idol of self determination which has found devout worshippers among all Indians, be they Hindus or Musalmans, Christians or Parsis. What then does it matter whether it is our old faith or a new one recently imported from Europe ? Do we commit a sin if we embrace a new faith which we honestly believe in ? But ladies and gentlemen, what is perfectly legitimate in other countries is often a sin in this unfortunate land of ours. Even words clearly understood in Europe to convey a certain meaning acquire altogether a different one as soon as we begin to use them. And so it has come to pass that "self-determination" to India is not determination by the Indian people, but determination by the Government of India—"self" has no reference

to us Indians—our “self” is the bureaucracy. It is by this inverted process that new repressive legislation is now proposed on the strength of the famous Rowlatt Committee Report and in these days of self-determination we are expected to allow it to pass into law as a measure urgently called for our own safety and well-being. As I have already said I shall not detain you by taking you through all the horrors which the two Rowlatt Bills embody. The provisions of the bills will presently receive masterly treatment at the hands of my friend, Mr. B.G. Horniman, and I shall only give you the broad features of those provisions in a very few words. But before I do so let me relate to you an incident which is somewhat pertinent to the question.

Parliamentary Tactics

As you are all aware the Right Hon. the Secretary of State for India was in our midst last year to see for himself what our real needs were and how they could be satisfied. You all know how Mr. Montagu and Lord Chelmsford gave their valuable time to the investigation which they took in hand. You have read the very able report which these distinguished gentlemen have prepared. I have no hesitation in saying that there is much in that report which shows a clear grasp of the situation though I am bound to say that the proposals it contains fall far short of meeting that situation. Unlike the Rowlatt Committee they met the public men of our country face to face and discussed with them the various proposals that they had made. I happened to be one of a batch of four who enjoyed the privilege of being admitted to their presence and were allowed to have their say. In the course of that interview Mr. Montagu was pleased to tell us that a certain proposal of ours seemed to be theoretically correct but that we had not sufficient parliamentary experience to judge of its workability in practice. We bowed our heads in acknowledgment of this obvious truth. How could we living under our benign Government have any parliamentary experience? But I made up my mind to do the best I could and gather such experience second hand by watching Mr. Montagu's own handling of Indian questions. Well, the first thing I noticed was the manner in which Mr.

Montagu dealt with the report of the Rowlatt Committee. His pet scheme of constitutional reforms almost synchronised with that report. He was bent on pushing his scheme through. He published his own report and kept back the other. When his report was sufficiently boomed by an ill-informed press and the psychological moment for the publication of the other arrived after the parliamentary process of "heckling" had been carried to an uncomfortable extent, the Rowlatt Report was made public. This was the procedure adopted against Lord Sydenham and others of his kind who considered that the Montagu Chelmsford Scheme went much too far. This was my experience No. 1. Then came the time not only to force the Reform Scheme upon those who considered it insufficient and disappointing but also to satisfy the Sydenhamites that there need be no real fear in giving what may be rendered nugatory at any moment. The Rowlatt Bills were accordingly prepared but before they were actually promulgated it was necessary to prepare the way for them. This was done by the unprecedented preferment of a most worthy Indian. I yield to none in my admiration of Lord Sinha and rejoice in his preferment as that of a personal friend. But when it comes to put it in the scales against national interests, I cannot but look upon it as the gold leaf with which the bitter pill of the Rowlatt Bills was coated. This was my experience No. 2. I think I may fairly claim after this that I have now acquired at least the rudiments of parliamentary experience. Ladies and Gentlemen, I have said enough about the gold leaf coating and now for the pill itself.

Law and Justice Set Aside

The first bill is to be a permanent measure applicable to all India and proposes to introduce certain innovations in the ordinary Criminal Law of the country, the Indian Penal Code and the Code of Criminal Procedure. Without going into each of these innovations I can confidently tell you that some of them are such as to subvert all notions of law and justice in any civilised country. But when we come to bill no. 2 we find no preference of conforming to any law whatever. It is frankly a measure which is designed to suspend the Criminal law of the land and substitute for it the will and pleasure of the executive.

Part I of this bill makes a show of some sort of a trial of the accused under conditions which would make it extremely difficult if not utterly impossible for him to have a fair hearing. It is, however, parts II and III which cast all principles of law and justice to the four winds of heaven and arm the executive with powers so wide that no man can consider himself safe. All that is necessary to assume these powers is to publish a notification in the Gazette that certain offences against the State are prevalent in a certain area. No sooner this is done the executive can do almost anything they choose with any individual. By putting part II into operation they cannot only suppress a movement which in their opinion is likely to lead to the commission of offences but subject any individual concerned with such a movement to various kinds of disabilities, *e.g.*, calling upon him to execute a bond to be of good behaviour, to abstain from doing certain acts, to report himself to the Police and so on. Part no. III goes a step further and puts the life and liberty of the subject entirely at the disposal of the executive. Any man may be arrested without warrant and detained in custody for a period of 15 days without proceedings of any kind being held. In the course of these 15 days a thing called the investigating authority is to consider the case within closed doors on such material as the police and the C.I.D. place before it and if this authority reports against the unfortunate man, he may be clapped into jail for one year. But, ladies and gentlemen, do not run away with the impression that the sufferings of the unfortunate man would end after one year. No such luck for the luckless individual. The order may be renewed at the end of the year and from year to year without any limit.

Such, ladies and gentlemen, is the nature of what is intended to be placed on the statute book in the name of law. Are we going to allow it to be passed over our heads with the feeble protest of passing a resolution at this meeting? No, we have to see to it that the bureaucracy, strong as it is, does not succeed in carrying this iniquitous measure through. I call upon you to organise an agitation the like of which was never known in this country to oppose these cruel bills. I call upon you to ask—nay to command (and you have a perfect right to command)—your representatives in the Imperial Legislative

Council to oppose the passing of this pernicious measure at all costs.

INDICTMENT OF BUREAUCRACY ON THE PUNJAB TRAGEDY*

Gentlemen,

Never have we met on this ground to consider a more serious question than the one which confronts us this afternoon. We have in the near and remote past raised our voice against legislative administration and other measures of the Government which we considered prejudicial to our interests. We have frequently met here to claim responsible government and the right of self-determination which we consider as our birth-right. We have often assembled here to denounce the Black Act, that ugly blot on the Statute Book which no amount of official special pleading or camouflage can cover up. In a word, we have met here often and to ventilate many grievances, big and small, but never have we been brought face to face with a question of such tremendous gravity and magnitude as the one we have to consider this afternoon. I may at once, tell you that it is a question which not only affects our liberties but affects our very life, our right to live and our right to breathe God's air. That is the real question before us. Now in concrete form, what does that question come to? It is a question which directly relates to certain incidents which have recently happened in the Punjab and certain contemplated legislation which is to be undertaken in regard to those occurrences. That legislation is also to be confined to the Punjab. Now it has been said in several quarters, responsible and irresponsible that is the affair of the Punjab, where do we of the United Provinces come in? Indeed a well known gentleman of the Punjab known to fame as the gallant knight of Tiwana has been recently assuring the Imperial Council that the Punjabis themselves make no grievance of it and that the trouble is due to certain outside busy bodies and agitators who have made it their business to exploit the grateful Punjab for their own political ends. (A Voice : Down right lie) Grateful

*Speech at Allahabad reported in *The Independent*, September 20 and 21, 1919.

Punjab,—grateful indeed— It is according to the gallant knight because in his opinion it has been saved at the very brink of the precipice and the authorities have by the promptitude of the action taken, rescued it from a dire catastrophe which threatened a recurrence of the dark days of 1857. As I have said, there is no doubt that the question directly relates to the Punjab although of course it is quite a different matter whether the Punjabis have or have no reason to be grateful for the treatment accorded to them. But I shall in a minute show that the question though it arises in reference to the Punjab is really one of all-India importance affecting the well being of the whole country, I shall in a few words tell you what it means and also what it implies. It means, gentlemen, that the people of India, not only of the Punjab but of India as a whole, have raised a clear-cut issue between themselves and the Government of India, and that of the Punjab. They view it as an issue between themselves and the autocratic bureaucracy which governs them. They frankly and freely declare that this bureaucracy has failed to fulfil the trust reposed in it by the British democracy. They charge the Bureaucracy with nothing short of oppressive cruelty in suppressing such disorder as did prevail in the Punjab. Now that, gentlemen, is surely not a question which by any stretch of language be said to be confined to this part of the country or that. If the Government has failed in its duty so egregiously in one province, what guarantee is there that it shall not fail in similar conditions in another Province? I have indicated the real question which is to be decided and it goes without saying that a question of this nature can only be decided by an independent tribunal, a tribunal which can hold the scales evenly between the parties and not a tribunal of the choosing of one of the parties. The people of India have raised a clear-cut issue as I have said and they offer to submit it to the judgment of an independent tribunal but to the judgment of no other. This is the meaning of the resolution which will be placed before you presently but it implies a great deal more. The necessary implication is that if the people succeed in making out their case, if they show that the bureaucracy has betrayed the trust reposed in it in dealing with the occurrences in the Punjab, then I say that they make out a case for the immediate replacement of the present bureaucracy by another

form of Government more suited to the times and conditions under which we live I shall not on this occasion dilate upon what the form of that Government ought to be because that is a very large question and has been discussed and will be discussed on many platforms. For my present purpose it is enough to say that the form of Government under which we live is not the form which can possibly continue if the people of India make out the charge that they deliberately, frankly, freely and openly bring against that Government. They know what will be the consequences if they fail to make out that charge. The issue has been raised in such an acute form that it must be decided either in favour or against the people of India, and they are perfectly prepared to take the decision given whatever it is, provided only that it is a decision arrived at by an impartial and independent committee of enquiry. The result of their failure is evident. It will be that the Bureaucracy such as it will have established its claim to continue to govern them such time as they are not able to render a better account of themselves. But if, on the contrary, the Bureaucracy fails, I say and I say without hesitation that it must go at once with all their littering paraphernalia of the bubbles which surrounds it, rich in rainbow colours as they are, a rainbow, which is, I fear, neither preceded nor followed by actual rain (laughter and cheers). But gentlemen, if they have to go, they must and this is the aspect of the question that I with particularity to consider. If you agree with me, you will adopt a resolution to that effect at this meeting.

Bogus Judges Not Wanted

Such a question must in the very nature of things be decided by real and not by bogus judges acting under the inspiration of one of the parties. Sir William Vincent in the course of a recent debate in the Imperial Legislative Council vehemently denied the charge that the Government of India was on its trial. He is perfectly correct in saying so if that charge is to be entertained by a committee appointed by the Government of India itself. It is inconceivable that the authority appointing the tribunal or committee or commission can be judged by that tribunal, committee or commission

and therefore it is that we want another kind of tribunal which can and will meet out even handed justice between the two parties.

"Information Not Available"

Now gentlemen, I wish to give you only a few facts but I am sure that those facts will bring home to you the undeniable truth of what I have been submitting so far. I maintain that the Government of India is not only the most interested party in this matter but it has behaved and is behaving in a manner which identifies it beyond doubt as not only a party but very unfair party. Indeed the way in which the Government of India has behaved would do little credit even to an ordinary litigant in a court and I shall establish it to your satisfaction by what has passed recently in the Imperial Legislative Council. Now what is the point of difference between the parties? The Government of India on the one hand seeks to justify what has been done in the Punjab by the Executive on the plea of necessity to maintain law and order. That is the case of the Government of India and the Government of the Punjab. The people of India on the other hand maintain that such disorder as there was, was the result of the ineptitude of the authorities themselves. It was created by the mishandling of the whole situation, by sheer incompetence if not by actual vindictiveness. That being the point in issue, how is each party to sustain his case. It can only do so by going into the facts into the actual circumstances in broad day light, unfettered by disabilities and restrictions. But what is the position the Government has adopted? The Government begins by appointing a committee of enquiry consisting of its own nominees. That committee has yet to assemble and even without limiting its functions you could not possibly expect that committee appointed and constituted as it is to do strict justice between the parties. But in order further to assure success the Government is now passing what is called the Indemnity Bill (shame.) but what is common parlance is known as the white-washing bill : It should like to ask what will it be that committee will have to decide after this legislation. Even if it comes to a finding that the Executive has been in error, what is to be done, what are to be the

consequences of such a finding, when the executive has already been exculpated by law? Now, look to the other side of the shield and see how the people have acted, what is that case and how it has been presented. The representatives of the people and I am sure you will all agree with me when I say that there can be no truer, no more genuine representative of the people than our friend the Hon. Pandit Madan Mohan Malaviya—this representative of the people has gone to the legislative council of India—not Government of India as party, you must remember, but the legislative council of India—has, freely and openly laid the case of the people in the form of a number of questions which most of you must have read. He has that to a certain extent, rather to a great extent, but let me warn the authorities, not to the full extent, told them that the case of the people is against them. He has given them an opportunity to admit, deny or explain the facts stated so that whatever the character of the enquiry it may be attended by less friction with regard to questions upon which there are real differences between the parties. But how does the Government of India behave? It is obvious what the functions of Government in the Legislative Councils are. A Government is bound to give such information as is of public interest as is legitimately sought for, a legitimate purpose, but the Government in this case, being actual party concerned, behaved not like a Government but like a very much interested party (cries of shame). Out of 92 questions submitted, it has accepted only nine to give some sort of answers to. It has reserved eight for further consideration and disallowed no less than 74 questions (shame.) and why because in its opinion it is not in public interest to answer them. (laughter) I will presently mention some of these questions to you and by mentioning only some, I do not in any way seek to minimise the importance of the rest but my time is limited and I cannot deal with all. It will be for you to say whether those questions are questions which should have been disallowed in the public interest. Let me first take the questions which have been allowed and answered. I am adopting this course as it will have the effect of explaining to you the case which the people seek to make. The very first question which was put had a number of subordinate questions to be answered.

It asked for a statement to be laid on the table showing among other things the number of persons actually arrested and detained in custody in connection with the recent disturbances in the Punjab classified according to town or village showing parentage, residence etc. of persons arrested or detained. What is the reply given? It is "Information not available", Gentlemen, you know that even in the case of criminal tribes who wander about from place to place when one of their number is arrested, as a large number of them are arrested, there are always records kept; the authorities can tell how many of them have been arrested, how long they have been kept in custody, and why they were eventually released. But in the case of respectable men arrested and detained, there is no information whatever. What does that signify. I say it is a confession of incompetence by the Government (applause.) Government gave full power to the police and the subordinate executive to catch hold of any one that they could lay hands on and the same government when it is called upon to give such necessary particulars as name, number and description of persons who were so arrested says unblushingly in the Council Chamber. "We have no information". Why are you there? I ask, "If you do not care to have such information let somebody else come into your place who would care." (Hear, hear cheers). Another part of the same question related to persons who had been arrested and released without trial. The answer was the same again, i.e., "No information is available." To play, with the liberties of the subjects may be a very interesting game to the authorities that be, but I make bold to say that such a pastime will be condemned by the whole of the civilised world. These answers were bound to evoke some supplementary questions from the Tribune of the people who put them. The Hon. Pandit Malaviya put this supplementary question.

"Not Known"

My Lord, with regard to the answers of the Hon. Member respecting para (4) of my question that information is not available, am I to understand that the number of persons actually arrested and detained in custody in connection with

the recent disturbances in the Punjab is not known to the Government? Look at the answer.

The Hon. Sir William Vincent: "That is correct. The number of persons arrested is not known to the Government of India" (cries of shame.)

The implication is, as is the case in all elusive answers—that it is not known to the Government of India, but if you go somewhere else, you will get it—the Government of the Punjab will probably tell you. Why should they bother if a few thousand of the King's subjects were arrested. The Hon. Pandit further pursued the same subject and asked, "May I request that the Government will be pleased to ask for that information and lay it on the table at the next meeting of the Council?"

The answer was a most refreshing one. It was, "I ask for notice of that question." (Laughter). Here is a request made, "If you have no information, will you please give it?" The answer is not yes or no but "We want time to consider, whether we will take the trouble or not. The Pandit then asked, "My Lord, with regard of part (c) the Hon. Member says that no information is available as regards the number of persons arrested but released without trial. Will the Government be pleased to ask for this information also and lay it on the table at the next meeting of the Council?"

The answer of Sir William Vincent was: "My Lord, these are really questions more for the local Council than for us; but we have met the Hon. Member so far as we have information. If the Hon. Member so desires, I will attempt to have the information collected."

Copies of Judgments

He thus placed the Pandit under a debt of gratitude as if it was not his business to get the information required. Then we have another question which was about copies. Pandit Malaviya asked if those people who have been convicted and sentenced and had applied for copies of Judgments and other

papers, were refused copies. The answer was that so far as the Legal Remembrancer of the Punjab was concerned he had returned the applications for copies because they should have been made elsewhere and so far as other authority were concerned it was said "Information is not available." Now gentlemen the information which was not available to the Government of India. I can give you in three words.

Copies were released (shame) and were refused in these words.

"Such copies cannot be granted, let the application be returned."

I have in my possession a number of original applications which were returned, and I would challenge anyone to deny that applications were refused. So the information which was not available to the Government is now available to the citizens of Allahabad. (Hear, hear and laughter.) After this the Hon. Pandit Malaviya humbly submitted :

"My Lord, I beg to ask a supplementary question, and I may with your Lordship's permission say here that the local Council is not sitting and that is why it has become necessary for me to ask so many questions here. With regard to the answer that from the material at present available Government are not in a position to give accurate information on this point, viz. as to the number of cases, in which summaries of memoranda of evidence and reasons for findings were recorded, etc., will the Government be pleased to ask for such information and lay it on the table at the next meeting of the Council?"

Sir William Vincent said, "I will ask for the information, but I do not undertake to lay it on the table at the next meeting of the Council?"

It is the most ordinary right of the murderer or thief to be supplied with the reasons why he has been convicted but that ordinary right has been denied to these respectable men who were arrested where they were found, and clapped into jail. As to these copies Pt. Malaviya pressed the matter

further, "I beg to ask, my Lord, if the Legal Remembrancer informed the applicants where they could obtain copies of the judgments."

The answer of Sir William Vincent was, "I have no information on the point. The Legal Remembrancer is an officer under the provincial Government."

It is true that everything is under provincial Governments except of course the few departments reserved under the Government of India.

Low Tactics

But is it not the duty of the Government of India to keep in touch with provincial Governments in matters of grave importance? Then there was a question put by the Panditjee whether, having regard to the fact that so many lives were lost in various places in Amritsar, Lahore, Gujranwalla, there was a single case in which a Police officer or military man was in any way injured. The answer was that no one was killed but that several of them were assaulted. Upon that a supplementary question was asked, "I beg to ask if the Government will be pleased to state the details of the assaults on magistrates, the police and the troops."

Sir William Vincent answered—"The details of these assaults will be placed before the Committee of Enquiry which will be appointed by the Government of India."

Is this the reply of the Government or that of a party—not only a very interested party but a party which does not mean to be fair to the other side? Gentlemen, these are tactics which every lawyer knows very well. They constitute a very low order of advocacy which is never resorted to when a case is in the hands of a responsible advocate. Information possessed by a party is generally withheld from the opposite party to gain an unfair advantage. It may also mean either that there is no information to give or that the information is in the process of growing information which is not there but is being manufactured somewhere.

Gentlemen, I am afraid I shall detain you very long if I go into all the questions. But I must humbly refer a few that have been disallowed in the public interest. The first question disallowed was whether the Government would be pleased to state if it was fact that some of the wounded on the Upper Mall, Lahore, who had been taken possession of by the Police, were removed to the Charing Cross Police Station and not to the hospital which was nearer, and that some out of this number died at the Police Station, without any medical aid? Will the Government be pleased to state the number of persons who so died at the Police Station, with their name and other particulars?

Gentlemen, can there be anything more serious than this? Here are persons who are wounded, who are incapacitated from doing any further mischief, who are actually in the custody of the police, and yet are not taken to the hospital which is near, but to the Police Station farther away where some of them die without any medical aid. The fact that such a thing happened, was put to Government and they were invited to deny it if they could. They said it was not in the public interest to admit or deny it. (Shame) Is anything more required to show that the attitude of the Government of India is that of the most interested and unfair party? Now if you would like me to give the answer, which the Government avoided, it is this: 'Yes, there were persons who were wounded they were taken to the Police Station and not to hospital which was nearer and they were allowed to die at the Police Station without medical aid. There may be some explanation of this but the Government has not given it. There are so many other matters and every one of them is most important leading to the same inference.

Jallianwala Bagh Tragedy

I will next take the question about the place called Jallianwala Bagh. According to the version of the Prosecution the witnesses examined in the martial law cases there were not less than 20 thousand people assembly in the place. I may inform you gentlemen that it is only called a Bagh by courtesy, not

even an apology for one, it is only an open space enclosed on all sides by buildings in the heart of Amritsar and is a very convenient place for the people to meet at a moment's notice. The 13th of April was the day of a great festival called the "Baisakhi" when a great annual fair is held in Amritsar and people flock there from all parts of the Punjab. Twenty thousand people—I take only the Government estimate and among them children and boys all clad in holiday attire wholly unarmed were as suited these on that fateful afternoon. The only question was whether they were there in contravention, of orders which has been passed in the morning that no meeting should be held or whether no such order had been passed, or if passed such order was not known to the persons assembled there? While this meeting was in the course of assembling, you know twenty thousand people from far and near can not assemble in a few minutes at any place, there was no obstruction, no information to any of them that it was wrong to assemble that afternoon. Not one of them was told that he was attending a prohibited meeting. I do not pause to discuss whether there was or was not a duly promulgated order prohibiting the meeting. Granting that there was, the question whether the people knew of the prohibition or not. Before taking the extreme steps of firing at them did any one tell them to disperse. Was sufficient time given to them to disperse? Those are questions which are to be gone into and will be gone into at some place or another. What happened was that this assembly was dispersed, as they call it in official language, by musketry. I happen to know a great many things about it but I do not think it prudent to tell you all about it just yet but I wish you only to take the fact that these people were fired upon. The Government report was that casualties were heavy. Now in answer to the question of Pandit Malaviya the actual number of the killed in Amritsar, including those killed in this Bagh is 301. The popular estimate is much higher but however that may be, the question put was. Were the people assembled entirely unarmed and were there children among them? Information was also asked about the names and other particulars of the killed and wounded. But these questions were disallowed in public interest? What business have

the public to know how many of them were killed and whether there were any children among them.

No Ambulance Arrangements

Now comes another question which has not been answered but which with your permission I shall take the liberty of answering for Government and they you can judge for yourselves what the attitude of the Government is. The question was whether there were any ambulance or first aid arrangements previously made by the authorities for the wounded on the spot, if not were any steps taken after the firing for the disposal of dead-bodies, and for the treatment of wounded? Gentleman, you are all aware that even in war when a wounded enemy soldier is taken prisoner the first care of the victors is to attend to his wounds. It is only a rule of common humanity that the suffering man may be friend or foe, should be attended. In fact instances are not wanting in history where enemy wounded soldiers have been given precedence in British hospitals to the British wounded and that is a thing which will always redound to the glory of the British nation. But what has happened here? An enormous crowd in which there, were children and boys, consisting of at least 20 thousand souls had assembled, may be in ignorance, may be in defiance of some order of prohibition, a number of soldiers were marched to the place; they took their stand upon an eminence and fired into the thickest of the crowd. I shall not say that they fired without any warning, because that is a disputed or disputable question which will have to be gone into, but they certainly fired without allowing time for such a huge crowd to disperse—they fired not one, not two, not three, but several rounds (cries of "Brutal" "Butchery.") Mr Malviya simply asked, Did you make any arrangements which you were bound to make, which it is usual to make even for your avowed enemies for the treatment of the wounded and disposal of the dead bodies of your own fellow subjects?" But the Government have seen fit not to answer the question. Well, gentlemen, you shall have my answer instead. It is this: Yes there were children in arms and boys in the crowd which were wholly unarmed and there were no ambulance arrangement whatever. Those of the

wounded and dead that could be removed before 8 o'clock by their relations, friends or members of the *Seva Samiti* were removed that night. But their number was so large that even half of them could not be removed before 8 o'clock. Remember 8 o'clock was the curfew hour. No man for any reason whatever was to be seen outside his house after that hour. If he did venture out, he was liable to be arrested, flogged and what not. There was in that gathering in the Jallianwala Bagh the bread-winner of the family, there was the rising hope of the family. Woe to him who went to look for the father, the brother or the son if he did not return before 8 o'clock. You can well imagine, the feelings of the mother, the wife, the sister, or the daughter who waited all through that dreadful night for the return home of the son, the husband, the brother or the father little knowing that he was either shot dead or left dying at the Jallianwala Bagh in the name of law and order. The people being thus forcibly shut up in their houses and unable to attend on their wounded or remove their dead one would except that the Government took some measures on behalf of the people. But nothing of the kind happened. You may take it from me that no doctor, no policeman, not even a municipal sweeper visited the place that night or the next day. The wounded of the afternoon were only relieved by death during the night and were removed the next morning by the *Seva Samiti*. Well, I ask after that do the Government of India still pretend that they can, with a clear conscience appoint a committee of enquiry of their own nominees to go into the ghastly and gruesome detail of the doings of the officials whom they seek to whitewash by their Indemnity Bill ?

Gentlemen, there are many more such instances but I have already trespassed on your time to a greater extent than I desired. I must, however, say this that I have seen things with my own eyes, heard things with my own ears and I am in a position to say those things in utter defiance of what other may say.

I have said enough to show the true nature of the Committee of Enquiry appointed by the Government of India. It

is a farce which the Govt. of India may if it chooses to go through but it cannot be productive of the result we seek, *viz.*, a judgment, a finding, an independent and impartial finding upon the merits of the case.

This is one part of our programme. I will now go to the next.

Indemnity Bill

Gentlemen, as I have said, the Government of India and the Executive are already in as secure a position as it might well be, but they are trying to make it doubly secure by introducing what is called an Indemnity Bill. I am fully aware, and I wish you also to know, that every declaration of martial law in every country has so far been followed by the passing of an Indemnity Act. It is in the nature of things that officers who had done things, under the stress of necessity for instance under the stress of a foreign invasion, should be indemnified, if they have gone beyond the strict legal limits. But the usual objects of an Indemnity Bill are far different from the objects of this present Bill. Gentlemen, the constitution of England does not, under any circumstances permit the invasion of individual rights. In case of necessity, in case of a foreign invasion, it often happens that in order to save the country it becomes necessary to invade the rights of individuals. No one can deny. no reasonable person can say that under those circumstances an Indemnity Act is not the most proper things to pass. But those are cases where the necessity for martial law is well established. Those are cases where the fact that private rights have been encroached upon is admitted—they were encroached upon because there was no other alternative to save either the country or the people. Here we have an admission on the part of Government itself that the necessity of every action that they have taken in the Punjab has to be enquired into. They have themselves appointed a Committee, however unsatisfactory it may be. There is the point conceded, that it is a case for enquiry and it is not a case which you can take as an established thing. But what does this Indemnity Bill say? It says in the preamble.

“Whereas owing to the recent disorders in certain districts in the Punjab and in other parts of India it has been necessary for the purpose of maintaining or restoring order to resort to martial law.” It assumes that it has been necessary to resort to martial law in the Punjab. If you settle by legislation that it has been necessary to resort to martial law, what is the business of the Committee, you are appointing. It means clearly you are excluding the question of necessity to have resort to martial law from the scope of the enquiry. If you are excluding that, I say, you are excluding the very foundation on which the enquiry is to be based. Unless that question is gone into and determined, you cannot possibly come to a right conclusion on any point. Next we have a very conscientious, a very just provision : “It is expedient to indemnify officers of Government and other persons in respect of acts, matters and things ordered or done or purporting to have been ordered or done for the purpose of maintaining or restoring order, provided (this is very important) that such acts, matters or things were ordered or done in good faith and in a reasonable belief that they were necessary for the said purpose”. Now gentlemen, no one in his sense can take any exception whatever to this but see how it has been frittered away later on. If any act has been done by an officer of Government in good faith or in a reasonable belief that it was necessary, there is an end of the matter. Nobody can find fault with it. Let us see what becomes of the good faith and reasonable belief when we go beyond the preamble, Sec. 3 says : “For the purposes of Sec. 2 a certificate of a Secretary to Government that any act was done under the orders of any officer of Government shall be conclusive proof thereof and all actions taken for the aforesaid purposes shall be deemed to have been taken in good faith and in a reasonable belief that they were necessary, therefore, unless the contrary is proved”. Gentlemen, I have not examined all the Indemnity Acts that have been passed from time to time, but I have examined a good number of them in this connection, and I did not find any such provision in any of them. True it is that they indemnify persons for all *bona fide* acts and acts done in a reasonable belief that they were necessary, although the judges may come to a different

conclusion. If they did act in a reasonable belief that they were necessary certainly the protection of the law should be extended to them. But for whom is it to prove that the acts were done in good faith or in a reasonable belief that they were necessary? Surely for the party who claims as exclusive privilege, for the person who was: "I did a certain act under certain circumstances which justify it." Any school boy will tell you it is for that man who pleads exceptional circumstances to prove them to the satisfaction of the court and not for the person whose rights have been violated. The next point to note is that the indemnity has been extended to acts which were done on or after 30th of March. It is explained in the statement of Objects and Reasons that the object of passing this Bill is to indemnify officers of Government and others for acts done *bona fide* in the course of martial law. But martial law was proclaimed on the night between 14th and 15th April and the Bill seeks to indemnify all acts done on or after the 30th March. What is the reason for this? Is it intended to cover these unfortunate occurrences at Delhi which happened on 30th March? But Delhi is a place where martial law was never promulgated, whatever the signification of making the 30th March the starting point may be it is wholly unjustifiable.

Summary Courts

There is another point of great importance. It is laid down here that the persons who have been sentenced by summary courts shall continue to be liable to confinement until the expiration of such sentence or until released by the Governor-General-in-Council or otherwise discharged by lawful authority? Now, gentlemen, most of you must have read the exposure of these courts, made by our friend Syed Hassan Imam. He has shown that these courts of area officers had absolutely no jurisdiction and that every judge, every magistrate and every officer who has passed any sentence of imprisonment or fine is either guilty of wrongful confinement or of extortion if the fine is paid. The Government has now seen, after punishing about 1,400 persons—that these convictions cannot possibly stand, that all officers who have passed

these sentence are amenable to ordinary courts. What they do ? They do not merely indemnify officers. They go on to say that not only shall our officers be indemnified, but those persons who are in unlawful custody, who have been illegally sentenced to imprisonment shall continue to serve those illegal sentences till they have served them out ? While I have been wasting my breath here, the Bill might by now have been passed in the Viceroy's Council and become law. I would not be surprized if it had become law. But I can say one thing, law or no law, I shall never consider it to be any law whatever. It does not deserve the name of law. If it is law, "it is law only for those and for such territories as are under the Government of India and not beyond them. The responsibility of the Government of India does not end in India itself, and I tell you it is our bounden duty to take this matter up wherever we find a competent authority, an impartial authority to do even justice between us and the Government.

Anglo-Indian's Attitude

Now what do our friends of the Anglo-Indians press say ? They say, 'Let by-gones be by-gones ; don't throw obstacles in the way of the present Lieutenant-Governor of the Punjab who is trying his best to restore the conditions, and good relations between the Government and the people.' Now, gentlemen, there is no doubt that the present Lieutenant-Governor of the Punjab is doing something for which he deserves our appreciation. But what is he doing ? I admit that he is doing all he can do. He cannot do any more ; but can that fact satisfy us ? He can only remit the sentences. He cannot set aside the convictions. It is a very great thing that you reduce the sentence of death to a sentence of two or three years' imprisonment. It is really something ; it is worth comenting upon ; it is worthy of praise. But what happens when a man who was sentenced to death was wrongly convicted, (A voice : vindictively convicted)—I accept the amendment—and was subjected to all the pains and sufferings of a condemned prisoner for a length of time ? If his sentence is reduced from death to imprisonment even of one day, where is justice done to the innocent man who is guilty of no offence ? What we want is

justice even to that man. We want an authority who can go into these questions whose powers are not limited. But let me ask my friends of the Anglo-Indian Press to be good enough to explain the psychology of their minds when the first news of the murder of seven Europeans reached the Press. I remember the tone in which they then wrote. Now that for each European life a hundred at least of Indian lives have been lost, our friends are in a position to talk philosophically, advise and to say "let by-gones be by-gones". How wise have they become after a surfeit of revenge. I have only to remind them that the ancient goddess of Nemesis still holds full sway over all people in all lands but I say on my own behalf and also on behalf of my countrymen that we seek no retaliation or retributive justice and what we seek is redress, redress for our wrongs which have been many any cruel. We say 'give us an opportunity to establish those wrongs and when we have established them give us our redress'. Now what is that redress? That redress is not to be measured by money; it is not to be measured by a few privileges; it is not to be measured by any scheme of reforms. The only redress that will satisfy us is an immediate change of the conditions which make it possible for such things to happen. It is the immediate departure of the bureaucracy.

PART II

**BRITISH COLONIAL INTERPRETATIONS
AND PRONOUNCEMENTS**

It might be concluded that we are contemplating an approach, at all events as far as the provinces were concerned, to English parliamentary government and an English constitutional system. Such a conclusion would be very wide off the mark, it would be wrong to leave the Indian public opinion under so erroneous an impression. India's destinies have been confined to the guidance of the alien race.

—Viceroy Lord Dufferin

DEFENCE OF IMPERIALISM*

The great test of Western Imperialism is Asia, where vast peoples live, the inheritors of civilizations as complex as our own, more ancient and more firmly rooted by enduring custom in the general life. The races of Africa it has been possible to regard as savages or children, "backward" in their progress along the same general road of civilization in which Anglo-Saxondom represents the vanguard, and requiring the help of more forward races. It is not so easy to make a specious case for Western control over India, China, and other Asiatic peoples upon the same ground. Save in the more recent developments of the physical sciences and their application to industrial arts, it cannot be contended that these peoples are "backward," and though we sometimes describe their civilizations as "arrested" or "unprogressive," that judgment either may imply our ignorance of the pace at which civilizations so much older than our own must continue moving, or it may even afford unconscious testimony to a social progress which has won its goal in securing a well-nigh complete adjustment between human life and its stable environment.

The claim of the West to civilize the East by means of political and military supremacy must rest ultimately upon the assumption that civilizations, however various in their surface growths, are at root one and the same, that they have a common nature and a common soil. Stripped of metaphor, this means that certain moral and intellectual qualities, finding embodiment in general forms of religion, law, customs, and arts of industry, are essential to all local varieties of civilization, irrespective of race, colour, climate, and other conditions ;

*From J.A. Hobson : *Imperialism—A Study*, Chapter V.

that Western nations, or some of them, possess these qualities and forms of civilization in a pre-eminent degree, and are able to impart them to Eastern nations by government and its accompanying political, religious, and industrial education. It certainly seems as if "humanity" implies such common factors. The ethics of the Decalogue appears to admit of a wide common application; certain rights of the individual, certain elements of social justice, embodied in law and custom, appear capable of universal appeal; certain sorts of knowledge and the arts of applying them appear useful to all sorts and conditions of men. If Western civilization is richer in these essentials, it seems reasonable to suppose that the West can benefit the East by imparting them, and that her government may be justified as a means of doing so.

The British Empire in India may be taken as the most serviceable test. We did not, indeed, go there in the first instance for the good of the Indians, nor have our various extensions of political power been motivated primarily by this consideration; but it is contended that our government of India has in point of fact conferred upon the people the benefits arising from our civilization, and that the conferring of these benefits has of later years played a larger and a larger part in our conscious policy. The experiment has been a long and varied one, and our success in India is commonly adduced as the most convincing argument in favour of the benefits accruing to subject races from Imperialism.

The real questions we have to answer are these: "Are we civilizing India?" and "In what does that civilization consist?" To assist in answering there exists a tolerably large body of indisputable facts. We have established a wider and more permanent internal peace than India had ever known from the days of Alexander the Great. We have raised the standard of justice by fair and equal administration of laws; we have regulated and probably reduced the burden of taxation, checking the corruption and tyranny of native princes and their publicans. For the instruction of the people we have introduced a public system of schools and colleges, as well as a

great quasi-public missionary establishment, teaching not only the Christian religion but many industrial arts. Roads, railways, and a network of canals have facilitated communication and transport, and an extensive system of scientific irrigation has improved the productiveness of the soil; the mining of coal, gold, and other minerals has been greatly developed; in Bombay and elsewhere cotton mills with modern machinery have been set up, and the organization of other machine industries is helping to find employment for the population of large cities. Tea, coffee, indigo, jute, tobacco, and other important crops have been introduced into Indian agriculture. We are gradually breaking down many of the religious and social superstitions which sin against humanity and retard progress, and even the deeply rooted caste system is modified wherever British influence is felt. There can be no question that much of this work of England in India is well done. No such intelligent, well-educated, and honourable body of men has ever been employed by any State in the working of imperial government as is contained in the Civil Service of India. Nowhere else in our Empire has so much really disinterested and thoughtful energy been applied in the work of government. The same may be said of the line of great statesmen sent out from England to preside over our government in India. Our work there is the best record British Imperialism can show. What does it tell us about the capacity of the West to confer the benefits of her civilization on the East?

Take first the test of economic prosperity. Are the masses of the people under our rule wealthier than they were before, and are they growing wealthier under that rule? There are some who maintain that British government is draining the economic life-blood of India and dragging her population into lower and more hopeless poverty. They point to the fact that one of the poorest countries in the world is made to bear the cost of a government, which, however honestly administered, is very expensive; that one-third of the money raised by taxation flows out of the country without return that India is made to support an army admittedly excessive for purposes of self-defence, and even to bear the cost of wars in other parts of the Empire, while nearly the whole of the interest on capital invest-

ed in India is spent out of the country. The statistical basis of this argument is too insecure for much reliance to be placed on it : it is probably untrue that the net cost of British government is greater than the burden of native princes which it has largely superseded,¹ though it is certainly true that the extortionate taxation under native rule was expended in the country on productive work or unproductive native services. Whether the increasing drain of wheat and other food-stuffs from India exceeds the gain from improved irrigation, and whether the real income of the 'ryot' or other worker is increasing or diminishing, cannot be established, so far as the whole country is concerned, by any accurate measure. But it is generally admitted, even by British officials strongly favourable to our rule, that we have not succeeded in giving any considerable economic prosperity to India. I quote from a source strongly favourable to our rule :

"The test of a people's prosperity is not the extension of exports, the multiplication of manufactures or other industries, the construction of cities. No. A prosperous country is one in which the great mass of the inhabitants are able to procure, with moderate toil, what is necessary for living *human* lives, lives of frugal and assured comfort. Judged by this criterion, can India be called prosperous ?

"Comfort, of course, is a relative term. . . . In a tropical country, like India, the standard is very low. Little clothing is required there. Simple diet suffices. Artificial wants are very few, and, for the most part are not costly. The Indian Empire is a peasant Empire. Ninety per cent of the people live upon the land. . . . An unfailing well of water, a plot of land, and a bit of orchard—that will satisfy his heart's desire, if indeed you add the cattle needful to him, 'the ryot's children,' as they are called in many parts. Such is the ryot's ideal. Very few realize it. An acre may stand for the *modus agri*, the necessary plot of ground. A man to an acre, or 60 men to the square mile, is the utmost density of population which India can comfortably support, except near towns or in irrigated districts. But

1. About three-eighths of the country is still under native government, with British supervision.

millions of peasants in India are struggling to live on half an acre. Their existence is a constant struggle with starvation, ending too often in defeat. Their difficulty is not to live *human* lives—lives up to the level of their poor standard of comfort—but to live at all and not die. . . . We may truly say that in India, except in the irrigated tracts, famine is chronic—endemic.”²

A century of British rule, then, conducted with round ability and goodwill, had not materially assisted to ward off the chronic enemy, starvation, from the mass of the people. Nor can it be maintained that the new industrialism of machinery and factories, which we have introduced is civilizing India, or even adding much to her material prosperity. In fact, all who value the life and character of the East deplore the visible decadence of the arts of architecture, weaving, metal work and pottery, in which India had been famed from time immemorial. “Architecture, engineering, literary skill are all perishing out, so perishing that Anglo-Indians doubt whether Indians have the capacity to be architects, though they built Benares; or engineers, though they dug the artificial lakes of Tanjore; or poets, though the people sit for hours or days listening to the rhapsodists as they recite poems, which move them as Tennyson certainly does not move our common people.”³ The decay or forcible supersession of the native industrial arts is still more deplorable, for these always constitute the poetry of common life, the free play of the imaginative faculty of a nation in the ordinary work of life.

Sir George Birdwood, in his great work on *The Industrial Arts of India*, written more than twenty years ago,⁴ gives a significant judgment upon the real meaning of a movement which has ever since been advancing at an accelerating pace: “If, owing to the operation of certain economic causes, machinery was to be gradually introduced into India for the manufacture of its great traditional handicrafts, there would

2. *India and its problems*, by W.S. Lilly, p. 284, : 5.

3. *Asia and Europe*, by Meredith Townsend, p. 102.

4. Now (1938) more than fifty years ago.

ensure an industrial revolution which, if not directed by an intelligent and instructed public opinion and the general prevalence of refined taste, would inevitably throw the traditional arts of the country into the same confusion of principles, and of their practical application to the objects of daily necessity, which has for three generations been the destruction of decorative art and of middle-class taste in England and North-Western Europe and the United States of America. The social and moral evils of the introduction of machinery into India are likely to be greater." Then follows a detailed account of the free picturesque handicrafts of the ordinary Indian village, and the author proceeds: "But of late these handicraftsmen, for the sake of whose works the whole world has been ceaselessly pouring its bullion into India, and who, for all the marvellous tissue they have wrought, have polluted no rivers, deformed no pleasing prospects, nor poisoned any air; whose skill and individuality the training of countless generations has developed to the highest perfection—these hereditary handicraftsmen are being everywhere gathered from their democratic village communities in hundreds and thousands into the colossal mills of Bombay, to drudge in gangs for tempting wages, at manufacturing piece goods, in competition with Manchester, in the production of which they are no more intellectually and morally concerned than the grinder of a barrel organ in the tunes turned out from it."

Even from the low standpoint of the world-market this hasty destruction of the native arts for the sake of employing masses cheap labour in mills is probably bad policy; for, as the world becomes more fully opened up and distant countries are set in closer communication with one another, a land whose industries had so unique and interesting a character as those of India would probably have found a more profitable market than by attempting to undersell Lancashire and New England in stock goods.

But far more important are the reactions of these changes on the character of the people. The industrial revolution in England and elsewhere has partaken more largely of the nature of a natural growth, proceeding from inner forces, than in

India, and has been largely coincident with a liberation of great popular forces finding expression in scientific education and in political democracy: it has been an important phase of the great movement of popular liberty and self-government. In India, and elsewhere in the East, there is no such compensation.

An industrial system, far more strongly set and more closely interwoven in the religious and social system of the country than ever were the crafts and arts in Europe, has been subjected to forces operating from outside, and unchecked in their pace and direction by the will of the people whose life they so vitally affected. Industrial revolution is one thing when it is the natural movement of internal forces, making along the lines of the self-interests of a nation and proceeding *pari passu* with advancing popular self-government; another thing when it is imposed by foreign conquerors looking primarily to present gains for themselves, and neglectful of the deeper interests of the people of the country. The story of the destruction of native weaving industry for the benefit of mills started by the Company will illustrate the selfish, short-sighted economic policy of the late eighteenth and early nineteenth centuries.⁵ "Under the pretence of Free Trade, England has compelled the Hindus to receive the products of the steam- looms of Lancashire, Yorkshire, Glasgow, etc., at mere nominal duties; while the hand-wrought manufactures of Bengal and Behar, beautiful in fabric and durable in wear, have had heavy and almost prohibitive duties imposed on their importation to England."⁶ The effect of this policy, rigorously maintained during the earlier decades of the nineteenth century, was the irreparable ruin of many of the most valuable and characteristic arts of Indian industry. "In India the manufacturing power of the people was stamped out by Protection against her industries, and then Free Trade was forced on her so as to prevent a revival."⁷

5. Cf. the careful summary of official evidence in Mr. Romesh Dutt's *Economic History of British India*, chap. xv.

6. *Eastern India*, by Montgomery Martin, Vol. III, Introd. (quoted Romesh Dutt, p. 290).

7. Romesh Dutt, p. 302.

When we turn from manufacture to the great industry of agriculture, which even now occupies nine-tenths of the population, the difficulty of alien administration, with whatever good intention, is amply illustrated. Not a few of our greatest Indian statesmen, such as Munro, Elphinstone, and Metcalfe, have recognized in the village community the true embodiment of the spirit of Eastern civilization.

“The village communities,” wrote Sir C. Metcalfe,⁸ “are little republics, having nearly everything that they can want within themselves, and almost independent of any foreign relations. They seem to last where nothing else lasts. Dynasty after dynasty tumbles down; revolution succeeds to revolution; Hindu, Pathan, Moghul, Mahratta, Sikh, English, are masters in turn; but the village communities remain the same.” “The union of the village communities, each one forming a separate little State in itself, has, I conceive, contributed more than any other cause to the preservation of the people of India through all revolutions and changes which they have suffered, and it is in a high degree conducive to their happiness and to the enjoyment of a great portion of freedom and independence. I wish, therefore, that the village constitutions may never be disturbed, and I dread everything which has a tendency to break them up.”

Yet the whole efforts of British administration have been directed to the destruction of this village self-government in industry and politics. The substitution of the individual ryot for the community as the unit of revenue throughout Bombay and Madras struck a fatal blow at the economic life of the village, while the withdrawal of all real judicial and executive powers from the zemindars or headmen, and their concentration in British civil courts and executive officers, virtually completed the destruction of the strongest and most general institution of India—the self-governing village.

Both these important steps were taken in furtherance of the new Western idea of individual responsibility as the only sound

8. Letter to the Board of Revenue, April, 1838 (quoted Romesh Dutt, p. 386).

economic basis, and centralized government as the most efficacious mode of political machinery. The fact that it should be considered safe and profitable suddenly to subvert the most ancient institutions of India, in order thus to adapt the people to English modes of life, will be taken by sociologists as one of the most amazing lessons of incompetence in the art of civilization afforded by modern history. Indeed the superior prosperity of a large part of Bengal, attributable in part at any rate to the maintenance of a local landlord class, who served as middlemen between the State and the individual cultivators, and mitigated the mechanical rack-rent of the land-tax, is a sufficiently remarkable testimony to the injury inflicted upon other parts of India by sudden ill advised application of Western economic and political methods.⁹

II

When we turn from industry to the administration of justice and the general work of government in which the ability and character of British officialism finds expression, we are led to further questioning. Is Great Britain able to Anglicize the government of India, is she doing so, and is she thereby implanting Western civilization in India? How much a few thousand British officials, endowed with the best ability and energy, can achieve in stamping British integrity and efficiency upon the practical government of three hundred million people of alien race and character it is difficult to judge. Numbers are not everything, and it is probable that these diffused units of British authority exercise directly and indirectly a considerable influence upon the larger affairs of government, and that this influence may sometimes permeate far down among native official circles. But it must be kept in mind that those few British officials are rarely born in India, have seldom any perfect understanding of the languages of the people, form a close "caste," never mingling in free social intercourse with those

9. The prosperity of districts under the Bengal settlement, as compared with other parts of British India, must however be imputed largely to the fact that this settlement enables Bengal to evade its full proportion of contribution to the revenue of India, and throws therefore a disproportionate burden upon other parts.

whom they govern, and that the laws and regulations they administer are largely foreign to the traditional institutions of the Indian peoples. When we remember how large a share of real government is the personal administration of detail, the enforcement of law or regulation upon the individual citizen, and that in the overwhelming majority of cases this work must always be left to native officials, it is evident that the formal virtues of British law and justice must admit much elasticity and much perversion in the actual processes of administration.

"No one can deny that this system of civil and criminal administration is vastly superior to anything which India ever possessed under former rulers. Its defects arise chiefly from causes extraneous to it. The unblemished integrity and unswerving devotion to duty of the officials, whether English or Indian, who occupy the higher posts, no one will call in question. The character of the subordinate officials is not always so entirely above suspicion, and the course of justice is too often perverted by a lamentable characteristic of the Oriental mind. 'Great is the rectitude of the English, greater is the power of a lie' is a proverbial saying throughout India. Perhaps the least satisfactory of the government departments is the police. A recent writer says, 'It is difficult to imagine how a department can be more corrupt.' This, too, may be an over-statement. But, taken on the whole, the rank and file of the Indian police are probably not of higher integrity and character than those of New York."¹⁰ Now one sentence of this statement deserves special attention. "Its defects arise chiefly from causes extraneous to it." This is surely incorrect. It is an essential part of our system that the details of administration shall be in native hands: no one can contemplate any considerable displacement of lower native officials by English; the latter could not do the work and would not if they could, nor could the finances, always precarious, possibly admit of so huge an increase of expenditure as would be involved by making the government of India really British in its working. The tendency, in fact, is all the other way, and makes for the more numerous

10. *India and its problems*, p. 182.

employment of natives in all but the highest grades of the public service. If it is true that corruption and mendacity are deeply rooted in all Eastern systems of government, and that the main moral justification of our rule consists in their correction by British character and administration, it is pretty clear that we cannot be performing this valuable work, and must in the nature of the case be disabled from even understanding where and how far we fall short of doing so. The comment made by Mr. Lilly upon Indian police is chiefly significant because this is the one department of detailed practical government where special scandals are most likely to reveal the failure of our excellent intentions as embodied in criminal codes and judicial procedure. One would wish to know whether the actual native officer who collects the land-tax or other dues from the individual ryot practises the integrity of his British superior official or reverts to the time-honoured and universal practice of the East.

How much can a handful of foreign officials do in the way of effectual check and supervision of the details of government in a country which teems with populations of various races, languages, creeds, and customs? Probably not very much, and *ex hypothesi* they, and so we, cannot know their failures.

The one real and indisputable success of our rule in India, as indeed generally through our Empire, is the maintenance of order upon a large scale, the prevention of internecine war, riot, or organized violence. This, of course, is much, but it is not everything; it is not enough in itself to justify us in regarding our imperial rule as a success. Is British justice, so far as it prevails, and British order good for India? will seem to the average Briton a curious question to ask. But Englishmen who have lived in India, and who, on the whole, favour the maintenance of our authority, sometimes ask it. It must, in the first place, be remembered that some of the formal virtues of our laws and methods which seem to us most excellent may work out quite otherwise in practice. The rigorous justice in the exaction of the land-tax and in the enforcement of the legal

claims of userers is a striking instance of misapplied notions of equity. Corrupt as the practice of Eastern tax-gatherers has ever been, tyrannical as has been the power of the userer, public opinion, expediency, and some personal consideration have always qualified their tyranny; the mechanical rigour of British law is one of the greatest sources of unpopularity of our government in India, and is probably a grave source of actual injury.

There is even some reason to suspect that Indians resent less the illegal and irregular extortion of recognized native autocrats, whose visible authority is familiarly impressed on their imaginations, than the actually lighter exactions of an inhuman, irresistible and immitigable machine, such as the British power presents itself to them.

It is pretty clear that, so far as the consent of the governed in any active sense is a condition of success in government, the British Empire in India has not succeeded. We are deceived by Eastern acquiescence, and our deception may even be attended by grave catastrophe unless we understand the truth. Mr. Townsend, who has brought close thought to bear upon the conditions of our hold of India, writes thus:—

“Personal liberty, religious liberty, equal justice, perfect security—these things the Empire gives; but then are these so valued as to overcome the inherent and incurable dull distaster felt by the brown men to the white men who give them? I doubt it greatly.”¹¹

The reasons he gives for his doubt are weighty. The agricultural populace, whom we have, he holds, materially benefited, is an inert mass: the active classes endowed with initiative, political ambition, patriotism, education, are silently but strongly hostile to our rule. It is natural this should be so. We have spoiled the free career open to these classes under native government; the very order we have imposed offends their instincts and often thwarts their interests. The caste system, which it is the boast of our more liberal laws and

11. *Asia and Europe*, p. 101.

institutions to moderate or disregard, is everywhere consciously antagonistic to us in self-defence, and deeply resents any portion of our educative influences which impairs its hold upon the minds of the people. This force is well illustrated by the almost complete failure of our energetic Christian missions to make converts out of any members of the higher castes. The testimony of one of the most devoted of Roman Catholic missionaries after thirty years of missionary labours deserves attention :—

“During the long period I have lived in India in the capacity of a missionary, I have made, with the assistance of a native missionary, in all between two and three hundred converts of both sexes. Of this number two thirds were Pariahs or beggars, and the rest were composed of Sudras, vagrants and outcasts of several tribes, who, being without resources, turned Christians in order to form connexions, chiefly for the purpose of marriage, or with some other interested views.”¹²

This view is borne out in the general treatment of Christian missions in Mr. Barrie's report on the census in 1891. “The greatest development (of Christianity) is found where the Brahmanic caste system is in force in its fullest vigour, in the south and west of the Peninsula, and among the hill tribes of Bengal. In such localities it is naturally attractive to a class of the population whose position is hereditarily and permanently degraded by their own religion.”

If British Christianity and British rule were welcomed by large bodies of the ryots and the low-caste and Pariah populations, the opposition of the native “classes” might seem a strong testimony to the beneficence of our rule, as an instrument for the elevation of the poorer working people who always form the great majority. Unfortunately no such result can seriously be pretended. There is no reason to suppose that we hold the allegiance of any large section of the people of India by any other bond than that of fear and respect of our external power. Mr. Townsend puts the matter in a nutshell when he

12. Quoted Lilly, *India and its Problems*, p. 163.

affirms : "There is no corner in Asia where the life of a white man, if unprotected by force, either actual or potential, is safe for an hour ; nor is there an Asiatic State which, if it were prudent, would not expel him at once and for ever."¹³ There are, according to this view, no psychical roots to the civilization we are imposing upon India : it is a superficial structure maintained by force, and not grafted on to the true life of the nation so as to modify and educate the soul of the people. Mr. Townsend is driven with evidently deep reluctance to the conclusion that "the Empire hangs in air, supported by nothing but the minute white garrison and the unproved assumption that the people of India desire it to continue to exist."¹⁴ It was indeed pointed out by Professor Seeley, and is generally admitted, that our Empire in India has only been rendered possible by the wide cleavages of race, language, religion and interests among the Indian populations, first and foremost the division of Mohammedan and Hindu.

But it may be fairly contended that the forcible foundation of our rule and the slowness and reluctance of the natives to appreciate its benefits are no proof that it is not beneficial, or that in process of time we may not infuse the best principles of Western civilization into their life.

Are we doing this ? Is the nature of our occupation such as to enable us to do it ? Apart from the army, which is the aspect of the Empire most in evidence, there is a British population of some 135,000, less than 1 to every 2,000 of the natives,¹⁵ living neither the normal life of their own country nor that of the foreign country which they occupy, in no sense representative units of British civilization, but exotics compelled to live a highly artificial life and unable to rear British families or to create British society of such a sort as to embody and illustrate the most valuable contents of our civilization.

13 *Asia and Europe*, p. 98.

14. *Asia and Europe*, p. 89.

15. At about 1900.

It is certain that the machinery of government, however excellent, can of itself do little to convey the benefits of civilization to an alien people. The real forces of civilization can only be conveyed by contact of individual with individual. Now the conditions of free, close, personal contact between British and Indians are virtually non-existent. There is no real, familiar, social intercourse on equal terms, still less is there inter-marriage, the only effective mode of amalgamating two civilizations, the only safeguard against race hatred and race domination. "When inter-marriage is out of the question," writes Dr. Goldwin Smith, "social equality cannot exist; without social equality political equality is impossible, and a republic in the true sense can hardly be."¹⁶

The vast majority of whites admittedly live their own life, using natives for domestic and industrial service, but never attempting to get any fuller understanding of their lives and character than is required to exact these services from them or to render official services in return. The few who have made some serious attempt to penetrate into the Indian mind admit their failure to grasp with any adequacy even the rudiments of a human nature which differs, in its fundamental valuations and its methods of conduct, so radically from our own as to present for its chief interest a series of baffling psychological puzzles. It is indeed precisely from these students that we come to understand the impossibility of that close, persistent, interactive contact of mind with mind which is the only method by which that "mission of civilization" which we profess is capable of fulfilment. Even those English writers who seem to convey most forcibly what is called the spirit of the East as it shows forth in the drama of modern life, writers such as Mr. Kipling and Mrs. Steel, hardly do more than present a quaint alluring atmosphere of unintelligibility; while study of the great Indian literature and art which may be taken as the best expression of the soul of the people exhibits the hitherto unbridgeable divergence of the British conception of life from the Indian. The complete aloofness of the small white

16. *Commonwealth or Empire* (Macmillan & Co.).

garrison is indeed in no small measure due to an instinctive recognition of this psychical chasm and of their inability to enter into really vital sympathy with these members of an "inferior" race. They are not to blame, but rather the conditions which have brought them there and imposed on them a task essentially impossible, that of implanting genuine white civilization on Asiatic soil. It must clearly be understood that it is not a question of the slowness of a process of adaptation : the really vital process of change is not taking place. We are incapable of implanting our civilization in India by present methods of approach : we are only capable of disturbing their civilization.¹⁷ Even the external life of the vast bulk of the population we hardly touch ; the inner life we do not touch at all. If we are deceived by the magnitude of the area of our political control and the real activity of the machinery of government into supposing that we are converting the Indian peoples to British Christianity, British views of justice, morality, and to the supreme value of regular intense industry, in order to improve the standard of material comfort, the sooner we face the facts the better. For that we are doing none of these things in an appreciable degree is plain to most British officials. Of the nearest approaches to such success they are openly contemptuous, condemning outright the Eurasian and ridiculing the "stucco civilization of the baboo." The idea that we are civilizing India in the sense of assisting them to industrial,

17. The effects of this disturbance, however, may be of considerable importance. If, as is maintained by some Hindoo politicians of the new school, our influence is sensibly undermining the antagonism between Hindoo and Mohammedan, and is gradually breaking down the rigour of "caste" among Hindoos, it is tolerably manifest that we are sapping the sources of our political rule, by removing the most powerful obstacles to the growth of "nationalism" in India. If the levelling influence of our Western ideas, operating through religious, literary, political and social institutions on the minds of the people, goes beyond a certain distance in breaking down the racial, religious and linguistic barriers which have always divided and subdivided India, the rise of a national self-consciousness upon a basis of common interests and common antagonisms may raise the demand of "India for the Indians" above the margin of vague aspiration into a region of organized political and military endeavour.

political, and moral progress along the lines either of our own or their civilization is a complete delusion, based upon a false estimate of the influence of superficial changes wrought by government and the activity of a minute group of aliens. The delusion is only sustained by the sophistry of Imperialism, which weaves these fallacies to cover its nakedness and the advantages which certain interests suck out of empire.

This judgment is not new, nor does it imply the spirit of a "little Englander." If there is one writer who, more than another, is justly accredited with the stimulation of large ideas of the destiny of England, it is the late Professor Seeley. Yet this is his summary of the value of the "imperial" work which we have undertaken in India :—

"At best we think of it as a good specimen of a bad political system. We are not disposed to be proud of the succession of the Grand Mogul. We doubt whether, with all the merits of our administration, the subjects of it are happy. We may even doubt whether our rule is preparing them for a happier condition, whether it may not be sinking them lower in misery ; and we have our misgivings that perhaps a genuine Asiatic Government, and still more a national Government springing up out of the Hindu population itself, might, in the long run, be more beneficial, because more congenial, though perhaps less civilized, than such a foreign, unsympathetic Government at our own."¹⁸

18. Seeley : *The Expansion of England*, pp. 273-74

PARTITION OF BENGAL

VICEROY CURZON TO JOHN BRODRICK* JUSTIFYING HIS PROPOSAL FOR THE PARTITION OF BENGAL, 2 FEBRUARY 1905

In the first place, the necessity for relief is indisputable. The administration of Bengal is bad, and it is bad because the work is far too great for any individual man and because, therefore, there is complete lack of touch between the Centre and the extremities.

Secondly, no paltry readjustments can effect the necessary reform. Indeed, in a sense they would make it worse, because they would tend merely to reproduce the situation which already vitiates the administration of Assam, namely, the existence of a small province having no service of its own, but drawing its men from its more powerful neighbour, which takes good care invariably to send it of it worst.

Thirdly, the proposals we are submitting to you represent what I should take to be an almost unparalleled unanimity of opinion among all the officers consulted, though the manner is one that might well admit of the most opposite views.

Fourthly, the rival proposal of appointing a Governor or a Lt.-Governor, with an Executive Council, for Bengal is one which the whole of my colleagues as well as myself think would be fraught with grave injury to the future of the Province, and to which we should ourselves be unwilling in any circumstances to give our assent.

*John Brodrick was Secretary of State for India, 1903-5.

Fifthly, the opposition to our scheme, though not without considerable force in the form in which the scheme was at first put forward, is now, in relation to our final plan, an outcry of the Congress Party alone, inspired by political motives and directed to a political end. Calcutta is the centre from which the Congress party is manipulated throughout the whole of Bengal, indeed the whole of India. Its best wire-pullers and its most frothy orators all reside here. The perfection of their machinery, and the tyranny which it enables them to exercise are truly remarkable. They dominate public opinion in Calcutta; they affect the High Court; they frighten the Local Government; and they are sometimes not without serious influence upon the Government of India. The whole of their activity is directed to creating an agency so powerful that they may one day be able to force a weak Government to give them what they desire. Any measure in consequence that would divide the Bengali speaking population; that would permit independent centres of activity and influence to grow up; that would dethrone Calcutta from its place as the centre of successful intrigue, or that would weaken the influence of the lawyer class, who have the entire organisation in their hands, is intensely and hostilely resented by them. The outcry will be very loud and very fierce, but as a Native gentleman told me—"My countrymen always howl until a thing is settled, then they accept it." Though the case is very strong and complex one, I hope that you may be able to give a decision upon it in time to start the new arrangements, if accepted, in the course of the forthcoming summer, so that any agitation may have disappeared before the probable visit of the Prince and Princess of Wales to Calcutta next winter. I shall consult you later on as to the desirability of acquainting the public with our proposals here.

JOHN BRODRICK TO CURZON, 3 MARCH 1905

As to the problem of the Partition of Bengal, it is far too vast a problem for me to believe it possible to study it. Indeed I should have liked to see a good many of the districts, as you have done, before hazarding a conclusion. I do not even feel competent to judge how far you are right in decrying the

operation of Councils as compared to those of a single individual. The tendency here has become to rely upon Councils to a large extent. In India, I know, every man prefers to act for himself; and what would weigh with me more than anything else would be the extent to which our administrator is able to reverse or does reverse, the practice or decisions of his predecessors. Seeing the strong view you take upon this, I will back the whole of your scheme so far as it lies in my power and I hope it may emerge from Committee and Council without very material amendment.

JOHN BRODRICK TO CURZON COMMENDING THE COMMISSIONERSHIP PROPOSAL, 12 MAY 1905

What I gather is the present view of the 'pundits' here is that a good deal might be done by establishing Commissionerships like those in Sind, and avoiding quite so drastic a measure ... Please understand there is no obstructive feeling here in the least; it is a genuine belief that the work could be lightened better in that manner than in any other.

TELEGRAM FROM JOHN BRODRICK TO CURZON, 20 MAY 1905

Please refer to your Despatch dated the 2nd February 1905 regarding the reconstruction of Bengal. It has been strongly urged here that the best way of giving relief to the Lieutenant-Governor, which all admit is necessary, would be to place portions of Bengal, probably Chota Nagpur and Orissa, under a Commissioner, having a position like that of the Commissioner in Sind and invested, as may seem necessary, with the powers of a Lieutenant-Governor. It is urged that this scheme would greatly diminish the opposition by avoiding the separation of a mass of Bengalis from Calcutta, and while relieving the Lieutenant-Governor, would provide for the form of personal administration best suited for these districts. Please see Sir Denzil Ibbetson's Minute on the Berar question which was enclosed in your Despatch dated the 18th June 1902, at page 2. I observed there is no mention of any such scheme in the Despatch or enclosures, and I should be glad to know, as soon

as possible, whether any proposal of this nature had been considered by you before your Despatch was written.

**CURZON'S TELEGRAM TO JOHN BRODRICK
REJECTING COMMISSIONERSHIP PROPOSAL,
24 MAY 1905**

Private, Bengal partition, Please refer to your private telegram of the 20th instant. The proposal named by you was not seriously considered by us, because we deemed it absolutely impracticable. The position of Commissioner in Sind, which is unlike any other Government in India, is only possible there because of the isolation of Sind from Bombay and of its peculiar local conditions. It would be impossible in the case of an arbitrary area carved out of, and coterminus with rest of province, and within easy reach of the capital. We did, however, consider, and unhesitatingly rejected, the idea of placing Orissa and Chota Nagpur under a Chief Commissioner because it would fail to secure any one of the objects for which we recommend partition. A Commissionership would be even worse :

- (1) It would give a quite inappreciable and wholly inadequate relief to the Lt.-Governor of Bengal.
- (2) By the merely nominal withdrawal of only 12 millions from Bengal it would leave the case for partition untouched and unsolved.
- (3) It would preclude the expansion of Assam and would stereotype misfortune of its dependence upon foreign service, while if the Commissioner became Chief Commissioner, this anomaly would be duplicated, and we should have two provinces manned from Bengal and receiving officers whom that province was least desirous to keep.
- (4) It would tend to consolidate the Bengali element by detaching it from outside factors and would produce the very effect that we desire to avoid. The best guarantee of the political advantage of our proposal is its dislike by the Congress party.
- (5) It would meet with the keen opposition of the Lt.-Governor and of the Bengal Civil Service.

For all these reasons, in which Sir D. Ibbetson asks me to express his emphatic concurrence we could not support such a proposal. You are surely also aware, in view of the agitation raised for exclusively political objects over our scheme, that the prestige of the Government of India will be seriously weakened if it is rejected. May I remind you of paragraph 2 of your private letter of the 3rd March last ?

JOHN BRODRICK TO CURZON, 26 MAY .905

I found that the Commissionership idea had seized upon the men of experience here who are considering your despatch. Their anxiety was that you should thoroughly consider whether such a course was not possible before making up your mind to face the amount of feeling which attends the partition as you propose it. I wanted to know what you felt, because it was otherwise useless for me to embark on a very dreary battle to endeavour to get a change in the despatch, as drafted and sent up to me. I have not the least idea whether I shall succeed.

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