

A U M.

The Dharma Dir.

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

VOL. 4. Springfield, Durban, Friday 4 April 1919.

No. 5

INDIAN NATIONAL CONGRESS.

33rd SESSION DELHI.

PROCEEDINGS.

RESOLUTIONS.

11. That in the practical application of the principle in India the first step should be—

“(a) The removal of all hindrances to free discussion, and therefore the immediate repeal of all laws, regulations and ordinances restricting the free discussion of political question whether in the press, private or public meeting, or otherwise, so that the legitimate aspirations and opinions of all residents in India may be fearlessly expressed; further the abolition of the laws, regulations and ordinances which confer on the executive the power to arrest, detain, intern, extern, or imprison any British subject in India, outside the process of ordinary Civil or Criminal Law, and the assimilation of the law of sedition to that of England.”

“(b) The passing of an Act of Parliament which will establish at an early date complete Responsible Government in India.”

“(c) When complete responsible Government shall be thus established, the final authority in all internal affairs shall be the Supreme Legislative Assembly as voicing the will of the Indian Nation.”

Resolved further—

“(d) That in the reconstruction of Imperial polity, whether in matters affecting the inner relations of the nations constituting it, in questions of foreign policy or in the League of Nations, India shall be accorded the same position as the self-governing Dominions.”

8.—“That this Congress urges that women possessing the same qualifications as are laid down for men in any part of the Scheme, shall not be disqualified on account of their sex.”

9.—“While generally welcoming the recommendations of the Industrial Commission and the policy that in future the Government must play an active part in promoting the industrial development of the country, the Congress hopes that in the practical application of this principle the object kept in view will be the

encouragement of the Indian capital and enterprise and exploitation with the sole aim of making India industrially and economically self-contained and self-dependent. This Congress places on record its regret at the exclusion of the tariff question from the scope of the Commission's inquiries and reiterates its opinion that the industrial development of the country is impossible without fiscal autonomy being granted to her. This Congress agrees with the Commission that industry should have a separate representation in the Executive Council of the Government of India, but it is of opinion that an Imperial Industrial Executive Board is not necessary. This Congress welcomes the recommendation of the Commission that Provincial Departments of Industries should be constituted at an early date and urges the same in the Government of India. This Congress urges the Imperial and Provincial Advisory Boards should be constituted for the purpose of promoting industrial developments and that they should consist of the Indians elected by the Indian Industrial and Trades Associations and by the Chambers of Commerce. This Congress is of opinion that the proposed Imperial, Industrial and Chemical Services should be constituted on a scale of salaries and with the object of having them manned fully by the Indians, but that the Europeans who are experts in each line, should be engaged on short term agreements till they can be replaced by duly qualified Indians. This Congress is of opinion that this Government should invite the Universities to establish Commercial Colleges and should help them to do so by substantial grants. This Congress regrets the absence in the report of the recommendations for an adequate organisation for financing the industries and urges upon the Government the urgent necessity of starting Industrial Banks on a scale commensurate with the vast and costly educative machinery recommended in the Report. This Congress expresses to the Hon'ble Pandit

Madan Mohan Malviya the profound gratitude of the country for his able, closely reasoned and comprehensive Minute attached to the Report which puts the case for Indian industrial development in an unanswerable form.”

10.—“That this Congress urges that in justice to India, it should be represented by an elected representative or representatives to the same extent as the Self-governing Dominions, at any conferences that may be held to deliberate on or settle the terms of the peace or reconstruction.”

In view of the shortness of time, and in anticipation of the request made in the preceding part of the resolution being acceded to by His Majesty's Government, this Congress elects as its representatives Lok. Bal Gangadhar Tilak, Mr. M. K. Gandhi and Mr. Syed Hassan Imam.”

11.—“That having regard to the unprecedented economic strain to which India has been subjected during the period of the War and considering the injury likely to be caused to the infant or nascent industries of the country by the addition of any further burden of heavy taxation as well as by the facilities enjoyed by competing foreign industries and in view of the cessation of hostilities, this Congress urges that the Government will, as indicated by Sir William Meyer in his introductory speech, reconsider the matter and relieve India of the burden of the contribution of £45 million for War purposes.”

12.—“That this Congress sends a message of congratulation to H. M. the King-Emperor on the successful termination of the War, and decides to send a petition to the High Court of Parliament in England enunciating our demand for responsible Government as an integral part of the British Empire and embodying the resolutions of the Congress regarding such demands, and appoints Mr. N. C. Kelkar, Mr. K. M. Munshi, Mr. B. G.

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 Audited and found correct, this 11th
 day of March 1919.
 (Sgd) V. Kelly Nudoo,
 Hon. Auditor.
 (Sgd) G. D. La'lla
 Chairman
 S. Ramlal
 Treasurer of the Trustee

What India Wants

By Joseph Baptista.

The Coalition manifesto issued by Messrs. Lloyd George and Bonar Law declares that they accept the general principles of the pronouncement of August 20 1917, regarding constitutional reforms in India. The Secretary of State for India, Mr. Montagu, declared at Cambridge that he would give increased opportunities for the introduction of Self-Government in India. They clearly do not realise the spirit of India. It is the Labour Party alone who have taken the bold and just stand for proclaiming their readiness of applying the principle of Self-determination in extending democratic institutions to India. This is what it should be, and is the only spirit which can allay apprehensions and satisfy aspirations in India. In England the coming struggle is between the bureaucrats and the people—i. e., Anglo-India and India. The bureaucrat in India, who is the counterpart of the capitalist in England, is naturally inclined to retain despotic powers in his hand, and to resist, as far as possible, any power slipping out of his hands. This is well illustrated by the activities of Lord Sydenham's association. Under the guise of protecting "British interests" in India, it is endeavouring to perpetuate a despotic rule over one fifth of the human race and so gratify the greed of the capitalist, to whom an appeal for subscription has been made, "from £1,000 downwards." It is some satisfaction to find that Mr. Montagu has condemned these efforts as "not calculated to build an Empire and unworthy to be tolerated in the interests of the great Imperial question." Mr. Mon-

tagu went on future to observe that he rested his case on the welfare of the Indian people, and that the interest of the constitution could not be barred in the interest of any trade. This is right and proper; but the question then arises, why should they be tolerated in the interests of the bureaucracy? We are told that progress must be "step by step," and hence any constitutional reform in India must begin from the lowest step of the ladder. This is mere claptrap, intended to delude the ignorant. Progress by stages is a fascinating phrase; but the British Parliament refused to apply it to the case of the abolition of slavery. We cannot abolish slavery step by step. We cannot remove the chains of slavery link by link. There is no intermediate step between freedom and slavery for the process of step by step. Progress will come after liberty. Progress utterly impossible unless the man is first freed. Freedom first, progress afterwards. Progress may be made step by step; but freedom must be given at one stroke. The present problem in India is to make India free for progress. I have no doubt that, once freed, India will progress, not step by step, but by leaps and bounds in every department of human activity. In a single generation they will achieve all that Japan has achieved, for it is an admitted fact that the Indians are endowed with as much intelligence and capacity as the Japanese. It is bureaucratic despotism, and not want of capacity, that has kept progress down in India. The Montagu Reform scheme ignores this fundamental fact altogether. Under the specious maxim of gradual progress it tries to justify its halfhearted and halting measure of Reform. But the Indian National Congress has justly exposed the fallacy of this reasoning. You cannot liberate a people step by step. You cannot liberalise local or provincial institutions of Governments without liberalising the Central Government. The spirit of liberty must reign supreme at the fountain head first, and this the Montagu scheme fails to do. Perhaps Mr. Montagu is waiting for the sanction of the bureaucracy to introduce dem-

ocracy in India. If he does so, he must be as optimistic as the boy who was patiently waiting on the banks of a great river for the waters to pass in order to enable him to cross it. History does not relate what success the simple lad achieved. No reform is possible in India unless it is forced on an unwilling bureaucracy. Masters do not usually liberate their slaves of their own accord. Similarly, the bureaucracy will not liberate India unless compelled by Parliament. It is up to the Labour Party to do so. The people of Great Britain and Ireland must remember that the people of India are governed by the people of England, or, rather, by the electors of the United Kingdom. The responsibility rests upon them. But under existing circumstances a mere handful of officials, usurping the authority and power of the electors of England, govern India more despotically than the Great Mogul ever did. But is this consistent with Labour principles? Is it consistent with the great and noble policy of making the world safe for democracy? This is the real question which the next Parliament will have to answer. It will not answer it satisfactorily unless the electors speak at the elections. The General Election is the only time when the electors of the United Kingdom—the true political sovereign—can speak effectually. Let them speak with no faltering voice against "Liberty, step by step." Give India liberty and progress will follow freedom. What India wants is the power of the purse and an elective assembly at the Central Government in India—at the fountain head and not elusive and delusive reforms in provinces of the Montagu brand. The people of India say they are fit; the Nottingham Conference, of the Labour Party say they are fit. Why do bureaucrats alone say they are unfit? The truth is that the exercise of power hardens the heart and corrupts the conscience to-day as it did in the days of Herod. What India hopes is that the British Labour will teach the modern Herod the true principles of Liberty, Equality, and justice.—
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The Dharma View

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VOL 4.

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No. 6

INDIAN NATIONAL CONGRESS.

33rd SESSION DELHI.

PROCEEDINGS.

14.—That this Congress strongly recommends that Delhi should be constituted into a Regulated Province, that it should have a Legislative Council to assist the Chief Commissioner and that it should have at least to representatives in the Legislative Assembly."

15.—Having regard to the special importance of Ajmer-Merwara and British Rajputana as a model for the Natives States, this Congress supports the claim of that Province that its status should be that of a Regulated Province, and that a Council consisting of a majority of elected representatives of the people should be provided in the Reform Scheme and that two elected representatives of the Province should be allowed on the proposed Legislative Assembly.

17.—That this Congress again most earnestly requests Government to release Messrs. Shaikat Ali and Mahommed Ali, who are now at beginning of their fifth year of internment.

17.—That this Congress re-affirms the resolutions, passed at previous Sessions of the Congress, on the subject of the status of British Indians in the Selfgoverning Dominions and Crown Colonies of the Empire, and once again places on record its sense of resentment and ever-growing dissatisfaction at the continued ill treatment of Indian settlers in the Dominions and Colonies, earnestly hoping that in view of the readjustment of the relations between the component parts of the Empire, the statesmen and people of Great Britain will endeavour to redress the grievances of the Indian settlers.

18.—(a) That in the opinion of this Congress, the Congress Constitution should be so amended as to bring the work of the British Congress Committee in to coordination with that of the other component parts of the Congress organisation.

(b) That in the opinion of this Congress it is necessary to make newspaper India more attractive and to associate

an Indian or Indians in its editorial management.

(c) That in the opinion of this Congress half the delegation fees which are now ear-marked for the British Congress Committee be set apart generally to be utilised for propagandist work in England.

(d) That in the opinion of this Congress the deputation which will proceed to England in connection with the constitutional Reforms be authorised to enter into negotiations with the authorities of the British Congress Committee to make the necessary arrangements on lines suggested above.

(e) In Article 28 of: the Congress Constitution after the word 'shall' omit the words 'remit to the British Committee of the Congress: through the General Secretaries of the Congress' and substitute therefor 'make over to the All-India Congress Committee' and also omit the words 'subject to a minimum of Rs. 3,000' at the end of the said Article.

At the end of the said Article add the words "this amount shall be a fund of the Indian National Congress and shall be administered by the All-India Congress Committee subject to the supervision and control of the Indian National Congress."

The All-India Congress Committee may, at their discretion, spend in the United Kingdom or elsewhere such amounts or any portion thereof for work and propaganda of the Congress."

19.—That the Congress desires the All-India Congress Committee to consider and report what changes may be introduced in the working of the Congress Constitution, rules and the procedure of the Congress Session and the Subjects Committee in the matter of electorates, elections etc.

20.—That the payment by the delegates of the delegation fees, under Art 21, may be remitted for this year only, in the case of tenant delegates and other members of poorer classes, on the recommendation of the respective Provincial

Congress Committees.

21.—That this Congress records the valuable services rendered by the Secretaries of the Congress for the last year, namely the Hon'ble Mr. Bhurgri and Messrs. C. P. Ramaswami Ayer and P. Kesava Pillai. This Congress appoints the:—Hon. Mr. V. J. Patel, Hon. Mr. Faz-ul-Haq, Pandit Gokaran Nath Misra, as Joint General Secretaries for the year 1919.

22.—That recognising the comparatively dominant prevalence of the Ayurvedic and Unani systems of medicine in India and their undeniable claims to usefulness, this Congress strongly recommends to the Government of India the eminent desirability of taking definite steps to secure to them the advantages vouchsafed to the Western system under the present administrative policy of the Government.

That the consideration of the opinions of the Local Governments with respect to placing the indigenous systems of medicine on a scientific basis, as revealed in the summary laid before the Imperial Legislative Council at Simla this year, should be postponed, pending a thorough inquiry by a mixed Committee of representative, of Vaidyas, Hakims, their sympathisers and experts and such other medical practitioners as may be nominated by the Government.

The Bombay Swadeshi Co-operative Stores Ltd., earned a handsome profit during the year ending June 1918. Its net profits amounted to Rs. 62,316 and it was decided to give a dividend of 20 per cent. Its reserve fund now amounts to Rs. 70,000 and building fund to Rs. 150,000.

(Concluded)

The Dharma Dir.

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

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No. 7

NEW REPRESSIVE BILLS.

Following out the recommendations of the Rowlatt Committee the Government of India have drafted two new repressive bills, which, as the Imperial Legislative Council is constituted, are sure to become law even if all Indian members thereof vote against them. We are absolutely against the enactment of fresh repressive laws. We would rather urge the repeal of some of the existing ones.

In pursuith of the policy of the foreign bureaucracy of India, the Morley-Minto reforms were given in combination with a strong dose of repression. The same policy is going to be pursued now, though it ought to be clear to all intelligent observers that the policy followed during the Morley-Minto regime and afterwards, did not allay unrest in India, but on the contrary intensified it. The policy proposed to be pursued henceforward has also a distinction all its own, in that though we do not know what political powers, if any, we are going to have, we have before us in clear print the draft of the repressive laws. A Bengali proverb says that one can bear blows on the back if food is also provided to fill the stomach. Here there is a certain prospect of the blows, though the food is not within sight.

Fresh repressive laws are not wanted. Even when the Defence of India Act would cease to be a law of the land six months after the termination of the war, there would remain enough weapons in the armoury of the police and the executive to lay by the heels all criminals, would be criminals, and innocent persons obnoxious to men in power, whom they might want to bring to a proper frame of mind and body.

It is a fundamental principle of the British and other civilised democratic governments that no person should be deprived of liberty, property or life unless after open trial in an ordinary court of law in which the accused person has had the fullest opportunity of defending himself. This principle is and can be allowed to be departed from only during a state

of war, caused by aggression, invasion, rebellion, or revolution. But India is not in a state of war. And the revolutionaries, accepting the official version of the facts, are or were a microscopic minority of the people. Those who during the war were actively loyal as soldiers, camp-followers, members of ambulance corps, doctors, members of labour corps, donors to the various war funds, purchasers of war bonds and subscribers to war loans, &c., were far larger in number. Those who were passively loyal were far more numerous still. Why then undertake legislation which is sure to lead to the harassment and punishment of many 'innocent' persons along with the punishment of some actual offenders? The acts of rebellion and revolution in Ireland were far more serious and numerous than anything done by the revolutionaries in India. In fact, there can be now comparison between the state of things in Ireland and India. And yet there has not been any fresh permanent repressive legislation in Ireland. There persons sentenced even to capital punishment after trial have been pardoned.

Within 17 years of the American occupation of the Philippine Islands, the Filipinos have got an autonomous government by an organic Act, known as the Jones Law, Section 3 of which runs in part as follows:—

"Sec. 3. That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws. Private property shall not be taken for public use without just compensation.

"That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

"That no person shall be held to answer

for a criminal offence without due process of law, and no person for the same offence shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

"That all persons shall before conviction be bailable by sufficient sureties, except for capital offences.

"That the privilege of the writ of *habeas corpus* shall not be suspended unless when in cases of rebellion, insurrection, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the Governor General, wherever during such period the necessity for such suspension shall exist.

"That no ex post facto law or bill of attainder shall be enacted...

"That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

"That the right to be secured against unreasonable searches and seizures shall not be violated.

"That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

"That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized."

After a much longer period of British rule in India than the period of the American occupation of the Philippine Islands, we have got no sort of autonomy, but, on the contrary, we have had some and are going to have more repressive laws abridging the freedom of speech, of the press and the right of free peaceable meeting and petitioning and seriously interfering with the right of personal liberty, which is the very foundation of political freedom. The contrast is very instructive. And it becomes very impressive when it is remembered that repression is being resorted to

at the close of a war, professedly waged for the world's freedom, during which India made enormous contributions in men, money and materials,—a fact repeatedly acknowledged by King George V, British statesmen of cabinet rank and two Vice-roys.

There is a trite but flimsy argument used by those whom repressive laws would never touch because of their race, or because of their selfishness, want of public spirit, cowardice, or flunkeyism, to the effect that as such laws would operate only against the guilty, honest men need not be afraid of them or criticise them. The fact is, even when accused persons are tried in the ordinary law courts according to the usual procedure and possess full facilities for self-defence, innocent persons are not unoften convicted. When the ordinary legal safeguards are absent, the chance of the punishment of innocent persons is greatly increased. If in certain cases the ordinary legal procedure is not to be followed and the ordinary legal safeguards are to be done away with or decreased, on the plea that only the guilty would be punished, why not make this argument of universal application, why try to make punishment swift and sure only in cases of a "political" character and that in times of peace?

The police and the executive want swift and sure means of repression ostensibly for the purpose of administering justice speedily; but even they may not be aware that they may be impelled by a different motive. In Morley's *Recollections* vol. II, p. 257, we read:—

"said to me this morning, 'You see, the great executive officers never like or trust lawyers.' 'I'll tell you why,' I said, *is because they don't like or trust law*; they in their hearts believe before all else the virtues of will and arbitrary power.' That system may have worked in its own way in old days, and in those days the people may have had no particular objection to arbitrary rule. But, as you have said to me scores of times, the old days are gone and the new times breathe a new spirit; and we cannot carry on upon the old maxims."

This is quite true.

The plea that crime cannot be repressed without recourse to special laws, which are often a negation of all laws, is really a confession of failure, of police and executive inefficiency, or of incapacity to govern in the right way, or of misgovernment. In ordinary times a good and enlightened government maintains peace and order by means of an efficient and honest police and educational, economic and political measures and methods which leave no room for seething discontent. By a good and enlightened government we mean one under which the people are free,

fearless, public-spirited and progressive. In order that the people may remain so, both they and their government have to take some risk of being troubled or injured by bold and lawless spirits. It is comparatively easy to maintain law and order by cowing down the people by means of repressive methods and laws and an all-powerful police. For the repressive weapons which terrorise the guilty also break the spirit of the innocent, and thus defeat the very object for which all civilised governments exist or ought to exist, viz., to enable enlightened, courageous and public-spirited citizens to lead happy and useful lives.

The minds of the advocates of repressive laws often work in a vicious circle. Disregard of public opinion and recourse to arbitrary measures result in political crimes. The history of the days of the anti-partition and Swadeshi-boycott movements in Bengal illustrate this observation. For the suppression of political crime, fresh arbitrary or repressive methods are advocated. If these fail, it is argued that there has not been enough of repression and that there should be more of it. On the other hand, if these methods succeed, as it is claimed they have in the form of the Defence of India Act, it is argued that the repressive laws should be perpetuated, because as soon as they cease to be operative there would be a recrudescence of crime. Thus whether repression fails or succeeds, its advocates are never at a loss for arguments to maintain that it should continue.

Possession of Seditious Documents.

One of the proposed repressive enactments is Bill No. 1 of 1919, of which the second section runs as follows:

"2. In chapter VI of the Indian Penal code after section 124-A the following section shall be inserted, namely:—

"124-B. Whoever has in his possession any seditious document intending that the same shall be published or circulated shall, unless he proves that he had such document in his possession for a lawful purpose, be punishable with imprisonment, which may extend to two years, or with fine or with both.

Explanation.—For the purposes of this section, the expression "seditious Document" means any document containing any words, signs or visible representations which instigate or are likely to instigate, whether directly or indirectly—

(a) The use of criminal force against his Majesty or the Government established by law in British India, or against public servants generally or any class of public servants or any individual public servant, or

(b) The Commission or abetment of anything which is an offence against sections 121, 121-A, 122 or 131."

We do not know how, in case this section becomes law, Government propose to prove that the possessor of a seditious document intended to publish or circulate it. Nor is it easy to imagine how its possessor can disprove any such intention. And what possibly can be the lawful purposes for which a man may have in his possession a seditious document? How can the police get scent of the possession of such a document by any person, unless spies or informers furnish the information? And supposing the police acting on such information searched the house of the person informed against and find the document, might it not be presumed that a spy or an informer had himself somehow placed the document there to incriminate the householder? Should the document have been really placed there by an agent of the police, how would the accused person be able to exculpate himself easily?

With the aid of this section journalists may be more easily victimised than other people. Editors receive heaps of articles, poems, stories, complaints, and correspondence of all sorts. It requires some time to go through this mass of manuscripts and dispose of them. Many things remain unread for some time. And all articles, poems, etc., sent to an editor are certainly meant for publication. Would it be right to presume that because a seditious manuscript or picture was found in the house or office of an editor, he was guilty of a criminal intention?

Some of the existing permanent laws on the Indian statute book restrict freedom of speech, and freedom of the press, that is to say, the freedom to communicate to others, by means of speech or by typographical or lithographic printing what one knows or thinks. The proposed law seeks to restrict the freedom of the pen or the pencil even though one may not have the least desire to communicate to others what is put down on paper with pen or pencil. Whatever is technically seditious according to the explanation quoted above, is not necessarily immoral, sinful or vicious. There are certain man-made offences which are not necessarily offences against natural laws. By seeking to prescribe what a man shall or shall not do even in the recesses of one's study, even though it may be meant solely for one's own recreation, exercise, or the indulgence of fancy, the rulers of the country are stepping beyond the province of government and seeking to introduce a kind of despotism unknown in uncivilised lands in ancient or modern times and in the most civilised countries of the present day. If a man is to be in an alarmed and anxious state of mind even when writing something in the privacy of his study, not intended that it be read by any

body else, it is certainly tantamount to shackling the mind. What a man is afraid to express, he will certainly be afraid even to think even to think or imagine.

There are many chapters, cantos or portions of many excellent literary productions of our country and indeed of all literate countries which taken by themselves would come under the definition of a seditious document. It is not at all impossible for authors to be harassed for such portions of unfinished new books in manuscript.

The greater the irresponsible powers conferred on the police, the greater would be the probability of people being harassed. This is not the way to produce contentment.

To be continued)

Rioting At Delhi.

Follows Passive Resistance Movement.

London, April 7.—A cablegram from Bombay, under date March 31, says that some rioting occurred at Delhi on the previous night, and originated in an attempt to force the railway stall keepers to observe passive resistance against the Bill strengthening law in regard to sedition as the result of the report of the Rowlatt Committee, which revealed evidence of the association with certain Bengalis of German plots.

The police and military were called out and obliged to fire on the rioters, causing a few casualties.—(Reuter's Special Service.)

Lajpatrai not to go to England.

Lala Lajpatrai is not to be allowed to go to England till peace is concluded! We do not know what prevents Mr. Montagu from allowing him to come to England now, when the war is over and when the British power is at its zenith. Perhaps Mr. Montagu might be thinking in the heat of his hearts that Lala Lajpatrai, if he be allowed to come to England now, might be elected by the Panjabis and other Indians to represent their views before the British public in connection with the Reforms, and this perhaps he does not want now. There may be other reasons, but the step which Mr. Montagu has taken will, we think, be surely interpreted in this light, and nothing will be more prejudicial to Mr. Montagu's fair-mindedness than this thoroughly unjustifiable step.

Hardayal—a Home Ruler.

"India" learns from Mr. Lajpat Rai's New York paper, *Young India*,

that "in a letter written from Stockholm, evidently before the armistice and published in the *San Francisco Call*, Har Dayal repudiates his former revolutionary convictions in the following clear language":—

My residence in Germany has convinced me that German imperialism is a very great menace to the progress of humanity, and I rejoice to see that American arms bid fair to humble this arrogant nation. I shall write a pamphlet, 'with the title, Fortyfour Months in Germany.' I am now free, and it is a great relief to have escaped from that absurd country of bureaucrats and snobs. The interests of the German people themselves require that the junker class should be dethroned and a democratic regime established. I have become an adherent of the party of Home Rule in India instead of the old revolutionary party, which aimed at the dissolution of the British Empire in India.

Our contemporary says on this:—"It has always been a matter of regret that a man of such brilliant parts as Har Dayal should have followed the will of the wisp of violent revolutionary methods in order to serve his country." We concur.

Colour-bar at the Peace Conference.

The same gentleman writes that the Chinese and Japanese Delegates have presented a Memorandum to President Wilson and the Allied Premiers in the matter of removing the colour-bar from every European and American State. He says:

They very rightly demand that no obstacles should be placed by any country against the free entry, free travel and free emigration by the citizens of another country on account of their colour, nationality, religious belief and creed. This is going to be the most controversial and debatable subject to be discussed by the Conference, and I am very pessimistic as to the results. Japan and China will find themselves in a hopeless minority because, he continues, that "though it is as much an Indian question, yet the Chinese and Japanese delegates will not even get

the Indian delegates to support their demands.' The reason given is as much technical as is that in the case of Lord Sinha's withdrawal. For, he says that as the Dominion Governments have not removed the colour-bar from their own territories, they cannot, and will not, support the legitimate demands of China and Japan. And as the British Empire is one unit at the Peace Conference, and as the majority of the delegates composing that unit are not for its removal, the Indian delegates too may have to vote with the Empire representatives to retain the colour-bar! If this happens, then we can only say that Indian delegation at the Peace Conference is nothing but a mockery!

Ram Nawmee Celebration.

At Isipingo.

The Ram Nawmee festival was celebrated with much enthusiasm near the Government Aided School, Isipingo on Wednesday 9th, April 1919 at 7. P. M. Mr. R. Dehaloo presided and the function was attended by over 2000 persons including 100 ladies. Havan was performed by Brahmins. The Pandal was very tastefully decorated the walls of which were adorned with the pictures of ancient and revered Swamis and Mahatmas. Speeches were made by Messrs. R. G. Bhalla and S. P. Pillay and Ramtahal at great length. The Chairman also delivered a splendid address. A Natak performance also took place until the early hours of the morning and light refreshments were served to those present.

Notice.

A General Meeting of the Colonial Born Indian League will be held at the Tamil Institute, Cross Street, Durban, on Monday next the 21st April 1919, commencing punctually at 6. 30. p.m.

—: Business :—

To confirm Constitution & Rules.

Yours Faithfully,
S.D.SHANKER,
Honry Secretary.
149, Brook Street,
Durban,
15th April 1919.

P.S. Anyone desiring to inspect the draft constitution can do so by calling at the above address at any time after 5 p.m.

The Dharma Dir

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No. 8

NEW REPRESSIVE BILLS.

Double Punishment for Single Offence.

The Organic Act for the Philippine Islands from which we have quoted a section on a previous page, provides that "no person for the same offence shall be put twice in jeopardy of punishment." This is a principle of civilised jurisprudence, and is also in consonance with common sense. Bill No. 1 of 1919, of which we have already quoted section 2, goes against this principle in section 6, which runs as follows:

6. "After section 565 of the said Code, the following section shall be inserted, namely:—

"565-A. (1) When any person is convicted of an offence punishable under Chapter VI of the Indian Penal Code, the Court may, if it thinks fit, at the time of passing sentence on such person, order him, on his release after the expiration of such sentence, to execute a bond with sureties for his good behaviour so far as offences under Chapter VI of the said Code are concerned for such period not exceeding two years as it thinks fit.

(2) An order under subsection (1) may also be made by an Appellate Court, or by the High Court when exercising its powers of revision.

(3) If the Court makes an order under subsection (1), it shall further direct that, until the person who is the subject of the order furnishes the required security, such person shall notify to the Local Government or to such official as the Local Government may by general or special order appoint in this behalf, his residence and any change of residence after release for the period for which security is required.

(4) Where any person is under an obligation to notify, in accordance with the provisions of subsection (3), his residence and any change of residence after release, the Local Government may by order in writing direct that such person—

(a) Shall not enter, reside or remain

in any area specified in the order.

(b) Shall reside or remain in any area in British India so specified, and

(c) Shall abstain from addressing public meetings for the furtherance or discussion of any subject likely to cause disturbance or public excitement, or of any political subject or for the distribution of any writing or printing matter relating to any such subject.

(5) Any person refusing or neglecting to comply with any direction under subsection (4), shall be punishable as if he had committed an offence under section 176 of the Indian Penal Code.

(6) If the conviction is set aside on appeal or otherwise, all orders made under the provisions of this section shall become void.

Explanation:—In this section the expression "public meeting" has the same meaning as is assigned to it by section 3 of the Prevention of Seditious Meetings Act, 1911."

Association with Previous Convicts.

Another provision of Bill No. 1 of 1919 is of an undesirable character. It is laid down that

On the trial of an offence under Chapter VI of the Indian Penal Code, the following facts shall be relevant, namely:—

(a) that the person accused has previously been convicted of an offence under that Chapter, and

(b) that such person has habitually and voluntarily associated with any person who has been convicted of an offence under that Chapter.

Frequent association with previous convicts under chapter VI, may take place without an innocent man knowing that those with whom he associates were previous convicts. Therein lies a great source of danger. Moreover, if previous convicts may not associate with innocent men without incriminating them, and if ex-convicts are thus condemned either to an isolated existence or to the company of

ex-convicts alone, one principal means of their reform would be gone. Of course, we do not assume that whoever has been convicted of an offence under Ch. VI of the Indian Penal Code is, necessarily a bad man.

(To be Continued)

Official Statement in the Commons.

LONDON, April 14 (delayed.)

In the House of Commons, replying to Colonel Wedgwood (Coalition-Liberal member for Newcastle-under-Lyne), the Hon. E. Montagu (Secretary for India) stated that rioting had occurred at Lahore and slight risings at Allahabad and Amritsar, where the telegraph offices were burnt and other places destroyed, and loss of life occurred, including the Europeans.

It would not be safe to attribute the riots to the Rowlatt Bills.

Reuter, Bombay, telegraphing on April 7, says:

Yesterday was observed as a National Day of Protest against the Rowlatt Bills, and in accordance with a proclamation by the wellknown Indian leader, Gandhi business was suspended in nearly all the big towns.

No disturbances however, occurred.

The Bills referred to are intended to deal with anarchical and revolutionary crimes, and will not be used to interfere with political action.—(Reuter's Special Service.)

London, April 16.—In the House of Commons, replying to Sir J. D. Rees, Coalition Unionist member for Nottingham, the Hon. E. S. Montagu, Secretary for India, stated that the mob attacked and burned down the railway station at Virangam, in the Bombay Presidency, and other acts of destruction were reported. Troops were despatched from Ahmedabad, and order was now restored. Bombay city had been reported quiet since April 11.—(Reuter's Special Service)

THE DHARMA VIR.

Friday, April 25 1919

"A LIBEL ON INDIA"

During the week belated telegraphic reports of the disturbed state of India owing to the passage of what are known as the Rowlatt Acts have been appearing in our local daily press. The "Natal Mercury," however, has been endeavouring in its leaderettes to mislead people here as to the real cause of the widespread unrest in India and naively suggests the possibility of its being due to German machinations. We do not for a moment believe that any amount of German conspiracy could move the masses of India into a state of unrest if the Government of India did its duty loyally by India. The present unrest is the result of the wily machinations of the Anglo-Indian Bureaucracy, which, being over-fraid of the powers proposed to be entrusted to the Indian people under the Montagu-Chelmsford Report, sought to alienate the sympathies of the English people by raising the bugbear of Anarchy and Revolution and thus destroying the chances of the Reform Scheme crystallizing. The Rowlatt Acts are the results of the Rowlatt Commission appointed by the Government of India under the chairmanship of Sir Sidney Rowlatt. This commission mainly relying upon the evidence of the Indian police and without calling for independent evidence and performing its duties in a very perfunctory manner came to wild conclusions as to the existence of widespread anarchist organisation in India and proposed the passage of the Rowlatt Bills on the lines of the Defence of India Act as an effective safeguard. It is well known that the approval of the Indian people to the latter act was secured under the promise of the law being a war measure and of its ceasing six months after the signing of the peace. The provisions of the Defence of India Act, as is well known, were abused by the Indian Government and thousands of persons were interned without trial of any kind. Its provisions were even used to destroy constitutional movements as was evidenced in the attempt to throttle the Home Rule Movement. Mrs. Annie Besant and Mr. Wadia are no anarchists yet they were interned for carrying on a lawful constitutional agitation. Under these circumstances, need one be surprised if people resent the feverish attempt to perpetuate these powers. In no civilised country have such powers been sought by government to curtail the liberties, rights and privileges of the people. Even in Europe where bolshevism of the

worst type is experienced such czaric powers have not been sought. Why should the case be different in India, when, especially, the disturbing elements of Europe are totally absent? The promulgation of these laws is a "gross libel on the loyalty of India." India had sacrificed much during the war and her sacrifices have been time after time extolled by leading ministers to be rewarded after the war with a policy of distrust and repression.

The popular resentment against these acts is being repressed with the iron hand. This is reprehensible. Force may succeed temporarily but it can never quell the heart burnings of the people. The Indian people will never consent to a curtailment of their rights concerning liberty of thought speech and action and the whole blame for the present unrest rests upon the Government of India.

Serious Riots in India.

Popular Resentment Against Rowlatt Bills.

Banks Burnt And Railway Stations Damaged.

SEVERAL EUROPEANS KILLED.

London, April 14.—The Press Bureau announces that, although the observance of Humiliation Day on April 6 in India did not lead to serious disturbances, Gandhi and Mrs. Naidu addressed a meeting of Mohammedans at Bombay, at which inflammatory language was employed regarding events in Egypt. The crowd then developed rowdiness. A meeting at the French bridge of unprecedented magnitude was exhorted by Gandhi to refrain from violence.

The Viceroy on Sunday reported that Gandhi was forbidden to go to Delhi, in the Punjab, where the position is serious, he having threatened to break certain laws. Gandhi disobeyed the order, and was sent back to Bombay.

Serious riots broke out at Amritsar, following the removal of Richlu and Satyapal, two virulent agitators. Two banks and the Town Hall were burnt down, and three bank managers burnt to death. Five Europeans were killed during the rioting, and nine rioters were killed and 21 injured. Troops were sent to the scene, and order is now restored.

Disturbances also occurred at Lahore and Ahmedabad, two Government buildings being burnt down at the latter place.

The condition at Bombay 'is' disturbed, and several persons were injured on April 12. The temper of the mob was bad, but Gandhi's return on the whole had had a tranquillising effect.

London, April 15.—Reuter's Bombay correspondent, telegraphing on April 8, says the objectors to the Rowlatt Acts started the campaign of passive resistance beginning with resistance to the Press Act. A statement by the committee says that for the time being the laws regarding prohibited literature and registration of newspapers may be disobeyed. The committee selected certain prescribed books and pamphlets, mostly written by Gandhi, which "do not directly or indirectly approve or encourage violence." Those will be publicly sold and distributed.

London, April 16.—Reuter's correspondent at Simla, telegraphing on Tuesday, says that an official statement of the Government's action to repress the agitation against the Rowlatt Bills, denies that it passed these Bills for the sole cause of creating unrest, and points out that the legislation recently enacted was not in force anywhere, and will not be put into force, except where such action is proved necessary.

It says that the true explanation of the trouble more probably is the spirit of unrest due to the reaction after the war, which reaction is not confined to India, as recent events have shown in Egypt, the Continent, and even, to some extent, in England. Racial animosity, the feelings of Mohammedans about the downfall of Turkey, the prevailing high prices, and

vague political ideas about self-determination are all contributory causes, and the Rowlett Bills were used as a handle, mainly by the irreconcilable element.—(Reuter's Special Service.)

London, April 16.—Reuter's Lahore correspondent, in a message under Saturday's date, says five Europeans were murdered at Amritsar, where the rioters, after looting the banks, poured oil and petrol over everything and set fire to the buildings of Europeans. The victims recovered from the ruins of National Bank were burnt beyond recognition. Mr. Thompson, an official of the Alliance Bank, killed several of the rioters with a revolver before he was overpowered. Everything of value in the Town Hall, including official papers and records, were destroyed.

Several Europeans had thrilling escapes, and a number of them took shelter in houses owned by Indians till calm prevailed at midnight.

A lady doctor at the municipal hospital escaped by hiding in a closet and dressing in a Native costume.

The police behaved splendidly, and saved many Europeans. Local troops with reinforcements from Lahore and Jullundur finally quelled the disturbance.—(Reuter's Special Service.)

London, April 16.—The Press Bureau announces that Amritsar and Lahore are quiet. Twelve important arrests were effected.

A state of open rebellion exists between these places. The military are taking action.

Bombay and Ahmedabad are quiet.

Serious disturbances occurred at Viramgam. Several buildings were destroyed. The losses of the rioters at Ahmedabad were heavy.

Business was suspended at Calcutta on April 12. The mob was violent, and the military were called out. The mob stoned a picket, which fired on the crowd, killing six and wounding twelve.

The Mohammedans and Marawar fraternised and Hindus were admitted to the mosque.—(Reuter's Special Service.)

London, April 17.—Reuter's correspondent at Calcutta, telegraphing on April 14, says that demonstrations in connection with the passive resistance movement, which Marwaris began by interfering with passengers on tramcars and closing shows and a taxicab strike, culminated in serious rioting in the Indian quarter. Several Europeans were assaulted, the police stoned and some officers injured. The military were called out, and were compelled to fire, causing a dozen casualties, after which order was restored. The military

are now guarding the Indian quarter.

A Reuter telegram from Lahore states that several agitators have been deported to an unknown destination. The General Commanding told shopkeepers that unless their shops were opened within 48 hours the doors would be forced and the contents sold by auction.

A Reuter telegram from Simla, dated April 15, says a mob at Gugganwala, in the Punjab, attacked a train and wrecked a railway station. Aeroplanes from Lahore dropped bombs on the rioters and used machine guns against them.

Considerable unrest continues at Delhi.—(Reuter's Special Service.)

London, April 17.—Reuter's Simla correspondent, telegraphing on April 14, says that it is announced that the Governor-General in Council is satisfied that a state of open rebellion exists in the Lahore and Amritsa districts. Martial law is declared, but an Ordinance is being issued providing that trials shall be held by a Commission with a constitution similar that presented in the Defence of India Act.—(Reuter's Special Service.)

London, April 18.—Government reports from India state that the shops at Lahore and Amritsar are opening again. Several agitators have been arrested, and some of them deported.

The railway station at Gugganwala has been burnt down, and the staff injured by demonstrators, and the line damaged. Martial law has been extended. During the riots 50 Sepoys faced a mob of 5,000 and dispersed it by firing.

The situation in Delhi, Bombay city, and Calcutta is quiet.

Crowded meetings in Ahmedabad district on Monday were addressed by Mr. Gandhi, who appealed to his hearers to forswear violence.

Two outlying police posts were burnt down, and the treasury at Viramgam was looted. Strikes are threatened on the railways. Communications in Punjab are seriously interrupted.—(Reuter's Special Service.)

London, April 19.—Reuter learns that soldiers waiting embarkation to the United Kingdom, including details from Mesopotamia, have volunteered to remain in India, in view of the present situation there. As soon as circumstances permit and shipping is available the men will be sent home.—(Reuters Special Service.)

The *Natal Advertiser* under the heading "Wild Men in India" writes:—

It will strike many persons as being strange that the hour chosen for constitutional reforms in India should be

marked, as the present undoubtedly is, by unrest and lawlessness of a grave character in that country. The disturbances which marked the National Day of Protest against the Rowlett Bills on April 6 were characterised by excesses of a deplorable but not unusual character. It is doubtful, too, whether objection to these measures is the sole, or even the primary, cause of this disorder. The Bills themselves, being designed to deal with anarchical and revolutionary crimes, dedicate the existence in India of dangerous elements; and nothing is more natural than that such elements should pervert the Protest movement into an occasion on which to precipitate outrages. It must be remembered furthermore, that India to-day is suffering very acutely socially and economically. Six millions of her people died from influenza last year. This year the failure of the crops has been followed by famine as grave as that at the commencement of the present century. The country shares, in common with the rest of the world, in war's aftermath of high taxation and unemployment; nor can it be questioned that to the native mind, what appears to be slow redemption of a self-government promise is regarded as yet another cause of offence towards the proletariat of the Dependency. In normal times the Montagu-Chelmsford scheme would have to battle hard in order to get a fair hearing from its critics, British and Indian alike. To-day, with anarchists needing suppression, with hunger claiming alleviation, and with fanatical reformers deliberately misconstruing for their own purposes the scope of the proposed reforms, it is next to impossible to expect momentous changes to be so much as hinted at without attendant out-breaks of native frenzy making the task of administration extremely difficult.

India's greatest peril to-day is not, on the one hand, the India Office nor, on the other, the Indian anarchist. It is the native politician who wants a political Rome to be built in a day. The Indian who rises up in the confidence of his European learning and assures his people that they are ripe for a franchise as liberal as that exercised by South Africans to-day is the man who is making the task of government in India supremely difficult. He fomented dissatisfaction on the minds of the native masses, and in that ferment of unrest the anarchist and revolutionary find ample room for the exercise of their nefarious aims. The agitation against the Rowlett Bills, for instance is a clear-cut instance of the distortion of the native mind by the educated agitator. There is overwhelming evidence that, in the last five years, most menacing attempts to overthrow the Indian Govern-

See page 8

ment by bomb-throwing revolutionaries took place. In no country with any regard for even a semblance of order would resistance be offered to measures designed entirely against the anarchist. In India, however, the impression has sedulously been fostered that the Rowlett Bills are intended to clip the wings of the politically minded babus; an impression that the Indian peasantry could certainly not evolve for itself and which must have come in the first instance either from the anarchistic revolutionaries or from the native gentlemen who claim to be amply sufficient of themselves to govern India. How completely this point of view is discredited by the real India is shown in Lord Sinha's endorsement of the Montagu-Chelmsford administration, and is the Maharajah of Bikaner's "most emphatic and authoritative denial" to the report that the Princes of India were hostile either to Lord Sinha's appointment as Under-Secretary for India or to the proposed reforms. What is apparently troubling the babus is a nervous dread that India is going to step successfully from the old order to the new without falling between the two stools and become a dismembered and unresisting prey to the experimentally aided exponents of Indian Sinism. The last thing that the political agitators of the East desire is to see India united, strong, and self-developing within the Empire. They want a re-establishment of Mogul tyrannies under the specious title of political independence.

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