

# Framing a Constitution.

When the National Liberal Federation re-assembled on Wednesday afternoon, Sir Tej Bahadur Sapru, the President, announced that he had received notice of an announcement to be moved to the principal resolution that the subjects committee had drafted in respect of the Statutory Commission.

The Federation next passed a condolence resolution moved by the Chair mourning the loss of Rao Bahadur V. R. Pandit and Messrs. V. K. Mainkar, J. B. Sen and C. S. Deole.

Sir P. Sivaswamy Aiyer then rose amidst cheers to move the resolution of the day; which ran

(a) The National Liberal Federation is strongly of opinion that the official announcement made about the constitution of the Statutory Commission and the functions of the Committees of the Indian Legislatures is unacceptable as it flagrantly denies the right of the Indian people to participate on equal terms in framing the future constitution of the country, and that the Legislatures and Indians throughout the country should have nothing to do with the Commission at any stage or in any form.

(b) That the Council of the Federation be authorised to take all necessary steps to give effect to this resolution.

The mover said that one would have thought that in a matter like this which so gravely concerned the destinies of the people of the country the people themselves or their representatives would be allowed a voice in determining the form of the recommendations to be made with regard to the constitution to be adopted. After referring to the unanimous nature of the protest that had been made by practically the entire country ever since the people had an inkling of the composition of the Statutory Commission, Sir Sivaswamy proceeded to analyse the reasons advanced for the appointment and constitution of the Commission both by the Viceroy and by the spokesmen of the British Government on the floor of the Houses of Parliament.

## THE ACT OF 1919.

They had been told that according to law and as a matter of principle it was not advisable to appoint a commission with a mixed personnel of Indians and Britishers. They had also been told that the second reason for the course adopted was that even if it was permissible to appoint a mixed commission it would be inexpedient to do so. The speaker said he was prepared to admit that Lord Birkenhead was a lawyer of great ability, but he questioned whether he had a monopoly of wisdom and legal acumen. He declared that there was nothing in the Government of India Act of 1919 to forbid the appointment of a mixed commission. He was not satisfied by the statement that for obvious reasons it was inadvisable to appoint a mixed commission. It was far from obvious how the Act either in its letter or in its spirit could forbid the appointment of a mixed commission. The Act had imposed no fetters on the discretion of the British Government as regards the constitution of the present Commission. No one had a right to go behind the grammatical interpretation of the Act, or to refer to what passed in the legislature when the Act was enacted, or even to argue from what was in the minds of the framers of the Act at that time.

## UNFOUNDED FEARS.

Proceeding, Sir Sivaswamy wondered where and how Lord Birkenhead got it into his head that a properly appointed Commission of Indians that could inquire into the conditions in India and submit a suitable report to Parliament, should include members representing not merely of the different large communities, but also the aborigines. That was a discovery the credit for which belonged entirely to the fertility of Lord Birkenhead's intellect. The speaker could only wish that the same tender regard for the aborigines, the same tender regard for the depressed classes had been shown by the British Government in its dealings with Kenya, in its dealings with South Africa, and other places. He had very grave doubts whether Lord Birkenhead was really serious in making that particular reference to the aborigines. He did not think that his hearers would entertain any doubt that it would have been possible to appoint a fairly representative commission with Indians on its personnel without extending its size to the unwieldy proportions feared by the Secretary of State for India. Again, they had known Royal Commissions to contain as many as eighteen or even nineteen members.

As for the contention that a large commission would not conduce to the production of a unanimous report, Sir Sivaswamy replied that that was no reason why representative commissions should not be appointed. Government had never been deterred in the past from ensuring that commissions were representative by the fear

that their report might not be unanimous.

Again, it had been said that if there was a number of dissentient reports, Parliament would not be able to come to a decision as to which recommendation should be accepted. The speaker never thought that such a poor opinion of the intelligence of the British Parliament would be expressed by such a distinguished member of the Parliament as Lord Birkenhead.

## A NATURAL RIGHT.

Whether it was right or not, so long as it was there in the Act the Liberals were prepared, Sir Sivaswamy proceeded, to recognise that the ultimate decision as to the grant of self government to India should rest with the British Parliament. But, it was one thing to say that the ultimate decision in this matter rested with Parliament, and quite a different one to say that the Indians should have no right to sit on terms of equality with Members of Parliament on the Commission which conducted an inquiry into their fitness for a constitutional advance. That was a denial of their natural right and their moral right to share in the determination of the constitution of their country. Did it follow from all these arguments of the Secretary of State for India, Sir Sivaswamy asked, that Parliament should not be just or fair or even considerate towards the interests of the people with whom it had to deal? I do not think, said he, that in the exercise of its admitted right to determine the stages of India's progress Parliament can be unjust or even foolish, for the matter of that.

## THE "UNIQUE OPPORTUNITY."

Replying to the argument that the Indians had been offered a unique opportunity to determine the form of their constitution the like of which had not been given to any other part of the Empire, Sir Sivaswamy pointed out that Australia, for example, had the privilege of meeting in convention, drafting her own scheme of government, presenting it to the British Parliament, and actually having that scheme accepted by Parliament and embodied in a statute. If the Indians were only told that they would be treated in a similar manner, they would not mind throwing away this unique opportunity thrust upon them. They would willingly occupy what might be considered a less coveted position.

They had been warned by some of their friends, the speaker continued, that the weapon of the boycott was a very dangerous weapon, the use of which would surely recoil on the heads of those who used it. He wished to remove any misconception that might prevail regarding the sort of boycott which the Liberals intended to practise. It was something quite different from that which the N.C.O.'s projected. The Liberals had never preached non-co-operation with the Government, and they did not propose now to boycott the councils, the educational institutions, and the courts. They were fully aware of the futility of such non-co-operation, and the consequences which had followed upon such non-co-operation had fully justified the Liberal creed. All that the Liberals intended was that they would not co-operate with the Simon Commission, and it was difficult for him to see what possible disaster could happen if they boycotted the Commission.

Perhaps it might be feared that if they boycotted the Commission the latter might recommend some reactionary measures in their report and that Parliament might take away what little power the people of the country now possessed. The speaker did not, however, believe that Sir John Simon, who was a member of the Liberal Party, or the other members of the Commission, or even the British Parliament itself would be so ill-advised or ungenerous as to adopt any reactionary measures of that sort. They had all some regard for their reputation. Nevertheless the protestations of Lord Birkenhead and the others that there was no intention to put a stamp of inferiority on Indians by appointing an all White Commission was mere camouflage.

## WHAT THE LIBERALS WANT.

Sir Moropunt Joshi (Berars) seconding the resolution said that after the speeches that had already been made on the subject he would devote himself to justify to the world the attitude which the Liberals proposed to adopt towards the Commission. They might be charged with this that in spite of their liberal traditions, and that in spite of all they had preached against the N. C. O. movement they were themselves about to practice what they had preached against. The word "boycott" had come to have a sinister significance. All that they intended to do at present however, was merely to show the intensity of their feeling against the Commission, and let every one know how far they were prepared to go to obtain some compromise from Britain in this matter. "If there is more provocation," the speaker continued, "we shall see what we must do. If there is any thing by way of repentance or better."

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# MONTAGU'S PROMISES RECALLED BY EX-MINISTER.

## Charge of Breach of Faith.

### LIBERAL CONSTITUTION FOR INDIA TO BE OUTLINED ON THURSDAY.

(Continued from page 11).

terms we have left ourselves free to raise the boycott." Whatever the demands of those who place themselves on a high pedestal in this country, he for one would always be willing to come to some honourable compromise on some reasonable terms. He would be content if they were not allowed to be the sole judges of their own destinies if only they were given an equal number of seats with the Europeans on the Commission.

#### NOT MUCH TO EXPECT.

Mr. Bhulabhai Desai (Bombay) speaking in support of the proposition said that during the last few weeks most of them had already spoken on the question to the point of boredom, but he proposed to address them on some points which, it seemed to him, had not been sufficiently brought, but which nevertheless were the points that really mattered. It was not a question of appointing this Indian or that or even several Indians to the Commission. It had been made a matter of broad principle by the Prime Minister, and this had been justified by the Secretary of State. That justification required examination. Lord Birkenhead said that the British came to India 150 years ago in the guise of traders, and found the country disunited. After the lapse of 150 years they found the country still disunited. That fact was put forward as a justification of the British domination of this country. "We are told to our utter shame," said Mr. Desai, "that so far as our moral progress is concerned we have made none nor have we made any advance during the last 150 years towards unity and solidarity. He says further that if the British army and navy were withdrawn and if their protection were not available to this country we would not talk of self-government." The justification of the exclusion of Indians from the Commission on such grounds made it very clear that the Commission was not going to give India such a measure of constitutional independence as would make the nation a real partner in the British Commonwealth. If ever a Commission was appointed with the object of giving India a real advance it would have to tackle a most important question as an integral part of its inquiry, and that was how soon and by what means an Indian army and an Indian navy could be organised sufficient to enable the country to attain self-government in the true sense of the term. Assuming for the purpose of argument that the franchise was broadened, and even that a larger proportion of Indians was admitted into the services, that was not going to place the country on a status of equality with the self-governing dominions.

#### "LET US BE UNITED."

Proceeding, Mr. Desai declared that a subject race though they might be they had determined for themselves that in all the future steps that they might take, they would certainly not be a voluntary party to the abdication of any right or principle whatsoever. (Applause.) Mr. Desai hoped that to-day and now they would lay the foundation of the commencement of that national effort which would lead to the culmination of all their hopes, namely, the unification of all the parties in the country. The time had come when all the parties must resolve that there should be one party and one party only, the party of Indians. It was high time that they realised that the treatment which they would get was the treatment that they deserved. The more they accepted quietly and with submission what was given them the less would they gain in every new measure of reforms. Concluding an earnest appeal for political unity, Mr. Desai said: "Let us all say, then, that our ideas being the same in all measures which tend towards the same goal, we shall stand shoulder to shoulder. (Applause.) It is in that spirit that I ask you to carry this resolution, and may it be your sacred duty during the year that is beginning soon, and another that will pass before the Commission is out of the country and back again and out again, to see to it that not only you, but, every person, whom you can influence, every party which you can dominate, does not stint any effort moral or otherwise to ensure that this particular measure that you have undertaken shall teach one lesson, both to yourself and to Britain, namely, that you are not incapable of being united." (Applause.)

The President, at this stage, announced that an amendment to the resolution of which he had received notice, had been withdrawn.

#### PAST COMMISSIONS.

Pandit Hirdaynath Kunzru, speaking in support of the resolution, said, he could not recall a single instance during the past forty years, in which the Indian element had been excluded from any commission of inquiry that had been set up for investigating questions concerning India. If it had been found possible in the past to appoint commissions representative in character, in spite of the fact that they were to allocate the share of the various communities inhabiting India in the country's services, he asked why it was not possible in the present case. He cited the example of the Muddiman Committee, and asked if the five Indian members of that Committee, including the Liberal Federation's present President, were accepted as representing their countrymen, what was the reason that made Lord Birkenhead and the authorities in England believe that if Indians of similar standing were appointed on the present Commission their impartiality would be challenged. Taking all such commissions, from the Public Services Commission of 1886 to the Indian Sandhurst Committee, into consideration, if there had been no Indians on those committees and if the Indians had merely contented themselves with giving evidence before those committees, no sensible man would deny that their conclusions would have been far different from what they had been.

#### THE REAL OBJECTION.

To Pandit Kunzru's mind, the real reason, why no Indians had been appointed to this Commission was not that they might present a report different from that of their British colleagues, but that they might exercise so potent an influence, the arguments they might use might be of such weight that, like the Indian Sandhurst Committee, the Commission

as a whole might present a unanimous report which the Government would find very inconvenient to shelve, and at the same time impossible in the present state of their feeling to adopt.

Referring in terms of ridicule to the British Government's solicitude for the rights of the minorities of India, he asked whether the history of the British Empire gave them any ground for the belief that the Imperial Government was the just protector of the rights of minorities.

Mr. Kunzru proceeded to argue that judging from the speech of Lord Birkenhead very little was going to be conceded to India in the shape of a political advance. "We can, therefore, with an easy and a clear conscience tell our countrymen: do not go near the Commission. Let it feel that we have some sense of self-respect and that, although we may have to bow to force, we at any rate are not going to help in tightening the chains of slavery round our own necks."

#### "NO OPTION BUT BOYCOTT."

"Does anybody really think that the decisions of the Commission will be framed in accordance with the evidence that will be placed before it?" was the next question asked by Pandit Kunzru. A large quantity of very valuable evidence was placed before the Muddiman Committee. What was the result? When Lord Birkenhead said that India's progress depended on the Indians' ability to compose their internal differences, he really meant that India's progress would depend not on the evidence that they might tender before the Commission, but on the political solidarity that they were able to achieve. It was unhappily too true that they were even to-day fighting amongst themselves. But if they could show at this juncture that even though distracted by internal differences they had sufficient patriotism to unite to meet a common foe, it would constitute the strongest and the only argument with which they could meet Lord Birkenhead's arrogant contention. "Now that our share in the present government is not going to be largely increased, can we reasonably hope that the Commission will agree to let the framework of the Government of India be touched. It is impossible to think that the Government of India will be liberalised even to the extent of one per cent. In the present state of things. We have, therefore, no opinion but to boycott this Commission, and to indicate the solidarity of political feeling in this country by making common cause with all the parties in this country which are fighting for our self-respect and freedom," Pandit Kunzru concluded.

Rao Bahadur K. G. Damle of Barar asked how if Indians had found it possible to enter Parliament, the same Indians could not be found fit to sit on Royal Commissions.

#### PRESERVE YOUR SELF-RESPECT.

Referring to Lord Sinha's warning to the Liberals, Rao Bahadur Damle said that the attitude of aloofness implied in the resolution recommended for acceptance differed widely from the ordinary implication of a boycott. People grew nervous as soon as the aloofness that was advocated in the Liberal Party's resolution was talked of as a boycott. The Liberal Party had never before preached nor ever supported a boycott. The policy of absolute indifference and aloofness advocated now was an expression of the righteous indignation which every thinking Indian felt as a result of the national insult implied in the denial to Indians, of the right to serve on this Commission. British statesmen would not misunderstand the Indians if the latter showed, however strongly, their resentment at the insult to their national honour. If the Indians showed that they had no self-respect, or that their country possessed no national honour, they would certainly be lowering themselves in the estimation of the British people. Just as the British people had national pride and possessed self-respect they were accustomed to expect a similar sentiment on the part of the Indians whose progress and happiness they were guarding, and to whom they had promised Swaraj. India was on her trial and the speaker urged his hearers to consider how far it would serve their national purpose if they allowed themselves to be condemned as less than human beings devoid of self-respect and national honour. He had no apprehension that India would lose anything if the Indians remained aloof from the Commission. He still believed in the word of the British statesman when he said that there would be no retrogression, no going back on the degree of constitutional reforms already granted, that the advance would be progressive, slow or rapid according to the measure of willing co-operation and fitness shown by Indians in working out the reforms granted. The threats and gestures of anger on the part of British politicians were to his mind intended to test the strength and temper of the Indian mind. If India did not stand the test, her fate would be hopelessly doomed for ever.

Rai Krishna Pal, Singh of Avagadh, and Member of the U. P. Council, Babu Bhagwati Saran Singh, a Behar M.L.C., Mr. Chumilal M. Gandhi of Surat, Mr. M. B. Marathe of Belgaum and Mr. N. B. Karnikar also supported the resolution.

#### MR. CHINTAMANI'S SPEECH.

Mr. C. Y. Chintamani (U. P.) in addressing the meeting said:—The first question which we have to put to ourselves is why has this Commission been appointed and the second question is why we Indians have been excluded from it. The Commission has been appointed because a provision exists in the Government of India Act of 1919 that it should be appointed after the expiry of ten years from the date of the passing of the Act. If you will go back to the Montagu-Chelmsford report and to the discussions that preceded the introduction of the Government of India Bill, you will find that Mr. Montagu had one supreme motive in proposing this procedure. He said: "We have promised to India responsible government as the goal of British policy. At the same time, we find that immediately we cannot introduce a full system of responsible government. We have to be content with a transi-

tory system which cannot be expected to satisfy the people of India and which cannot be the last point from the point of view of administrative convenience; but shall we compel the people of India to resort to overwhelming agitation every time they want an advance towards self-government or shall we, taking the lesson from what has happened in Ireland, devise an expedient by dint of which from within the constitution now introduced it may be possible for further steps to be taken without the aid of an outside agency?"

#### A THREEFOLD WARNING.

Mr. Montagu answered the question by deciding to introduce this procedure of a Statutory Commission so that the people of India might know that at intervals of a few years the manner in which the then existing system had worked might be examined and further steps taken. Mr. Montagu, in his speeches on the Government of India Bill in the House of Commons, made three important statements which it is very relevant that we should remind the British Government of at the present juncture. He asked the House of Commons first, to remember that the Government of India Bill of that year was only the first step on the road to self-government. Secondly, he asked the Government of India to remember that, although the Governors-in-Council and the Governor-General-in-Council were not then made legally responsible to their respective legislatures they were the Governors of a country which had been promised full responsible government, the first step in the direction of which had already been taken and that, therefore, they should conduct themselves even in the reserved sphere as though they were already responsible to the legislatures; in other words, that the spirit which should inform the government of the country not merely in provincial transferred departments but throughout the whole sphere of administration must be the spirit of a government representative of and responsible to the people of the country.

#### BRITISH EXAMPLE.

The third thing which he told the House of Commons was that they should be on their guard against employing arguments against constitutional advance and concurrently following policies which would make constitutional advance impossible. He illustrated this statement by citing the case of the advance of his own country. He warned his fellow countrymen that it was no use for them to tell the people of this country that they could not expect to have self-government for as long as they were not capable of defending their own frontiers and at the same time steadily follow the policy which would forever make it impossible for the people of India to defend themselves. He told them not to make the wider diffusion of education the antecedent condition of political advance and at the same time make the wider diffusion of education wholly impossible.

If you will bear in mind these three you will realise the enormity of the offence which the British Government and Parliament have deliberately committed against the self-respect and the interests of our motherland.

In the year 1924 when a resolution was moved in the Legislative Assembly by Dewan Bahadur Rangachari, the present Governor of the Punjab who, I believe is one of the satraps consulted about the present Commission, Sir Malcolm Hailey made an elaborate statement on behalf of the Government of India the trend of which was an argument against any appreciable constitutional advance at an early date.

Again, when in 1925 Pandit Motilal Nehru as the leader of the Swaraj party in the Legislative Assembly moved a resolution which has come to be popularly known as the national demand which was identical with the resolutions which we have passed from this Federation, the Government of India again, through their spokesman, declined to take the action that Indian public opinion demanded.

#### THE MUDDIMAN COMMITTEE.

Again in 1924 sat the Muddiman Committee only to consider what could be done and must be done consistently with the policy and purpose of the Government of India Act that it had placed before it overwhelming evidence from those who had worked the system from inside, it had before it the memoranda of Governors in Council, minutes of ministers in office and the weight of opinion that was placed before that Commission was to the effect that the present system should not be allowed to continue and that it should be radically revised. The majority report was a reactionary document but in that report there were a few recommendations of some value. But, ladies and gentlemen, would you believe it, that after a period of three years after the presentation of that report to the Government of India, not one of the material recommendations even of that majority report has been carried into effect? Having systematically ignored, disregarded and dismissed with contempt Indian public opinion of every shade and every variety during those several years the Government in England and the Government of India suddenly discovered in the year of grace 1927 that they owed a duty to Indian public opinion which had been asking for an earlier revision of the constitution and sensitive and responsive as these gentlemen have been in their respect for Indian public opinion and as persons who have given numerous proofs of that respect they have antedated the Commission by two years.

#### POLITICAL FUTURE.

They therefore resolved that the Statutory Commission should contain not a single member of the subject race. How is it, or is it not, important from the point of view of our whole political future that we should treat seriously this deliberate exclusion of all Indians and every Indian, for no other reason than that they are Indians? If the functions of the Commission were comparatively unimportant and if they could be considered as a very transient nature which would not leave any impress behind then we might rest content after a formal protest. But actually speaking the Commission is charged with most important duties. We have to turn to the preamble to the Government of India Act and to the language of sections 84 A to consider how deep, how far-reaching the consequences of the deliberations of that body will be.

Mr. Chintamani at this stage announced that he had to bring to the notice of the Conference that a letter had been received from the Assistant Secretary of the Indian Association, Calcutta, that the Bengal Liberals were opposed to the policy of boycotting the Simon Commission. Mr. Chintamani added he was confident

that that would not materially affect the judgment of the Conference. The resolution was carried unanimously.

#### INDIAN REPRESENTATION ON THE LEAGUE.

##### SIR P. SETHNA'S MOTION.

The Hon. Sir Phiroze Sethna next moved:

"The National Liberal Federation of India strongly urges that Indian representation on the League of Nations and other International or Imperial Conferences should be by a delegation predominantly Indian in its composition and led by an Indian."

Mr. Phiroze Sethna said:—The subject matter of this resolution have been discussed in the Central Legislature more than once. As far back as 10th March 1924, I had brought forward a resolution which ran as follows:—

"This Council recommends to the Governor-General in Council to appoint an Indian of suitable rank and qualifications to be leader of the delegation representing India at the session of the Assembly of the League of Nations to be held in September this year."

Government were most sympathetic to judge from the then Hon'ble Member in charge Sir Mahomed Shafi's reply. The same Sir Mahomed Shafi is to-day responsible for advising the country to appear and give evidence before the Royal Statutory Commission in spite of the deliberate insult to India by the absolute exclusion of any single Indian on the Commission. I will give you Sir Mahomed Shafi's exact words in reply to my resolution. They were as follows:—

"The Government of India fully recognise that the wish expressed in the resolution which has been moved by my hon'ble friend, Mr. Sethna is natural. . . . The Government of India fully recognise that fact, and the House may rest assured that the proposal will receive the most careful consideration of the Government of India when the time for appointment arrives."

It was on this assurance that I withdrew the resolution.

Full two years elapsed but in both these years in spite of the assurance given by Government and which was virtually a promise the leaders appointed were not Indians. Government had deliberately flouted the wishes of the country although they had assured the Council of State that they were in entire sympathy with my resolution. The country cannot but regard Government's attitude as one more instance of going behind what was nothing less than a definite promise. I deemed it right therefore to put forward the same resolution in identically the same terms once again on 17th February 1926. The member in charge then and now is the Hon'ble Mr. S. H. Das. Mr. Das spoke at greater length than myself but devoted all his time to replying to an amendment to my resolution moved by a Swarajist member to the effect that the leader and other members of the Delegation representing India should be appointed from out of a panel of six persons to be elected by the two Chambers of the Central Legislature. In answer to the arguments I put forward all that Mr. Das had to say was that Government hoped very shortly to make an announcement.

#### GOVERNMENT ANNOUNCEMENT.

The announcement appeared in the English newspapers of 1st July 1927. It happened to be in London at the time and on July 2nd I addressed a letter to the *London Times* from which I may be permitted to quote the last paragraph. I said:—

"The names now announced show that the Government have once again flouted the wish expressed by the Legislature and have so far given no reasons whatsoever as to why they have not selected a suitable Indian as the Leader of the Delegation. In the past such eminent Indians as Lord Sinha, Sir Ali Imam, the Right Hon'able Srinivasa Sastri, Sir Sivadaswami Iyer, Mr. Hussain Imam, Sir Dadiba Dalal and Sir Atul Chatterjee were selected as members of the Delegation. Any one of the above could have been selected as the Leader this year, or if the Government desired to make fresh appointments, they certainly could have nominated some other prominent non-official Indian. If they considered it necessary that the Leader should be an official, then surely the present High Commissioner for India in London is an Indian and an official and if he had been chosen for the position the appointment would have met with universal favour in India and would have been appreciated as an act on the part of the Government in conformity with the Resolutions moved in the Council of State with which on both occasions, Government have expressed their entire sympathy."

The announcement made by Government dealt with the following three points. First that the Agenda of the Assembly of the League of Nations includes matters relating to Foreign Policy and International Relations. Secondly that the British Member alone can appreciate the guiding principles of the Foreign Policy of His Majesty's Government and thirdly it was the British Member alone and not an Indian who can carry out the responsibility of the Secretary of State in this regard. This made it necessary for me to bring forward the same resolution for the third time and which I did on 9th March 1927 and I hope I replied convincingly to all the points to judge from the fact that the resolution was passed by the Council in spite of the lame explanation Government offered.

#### FOREIGN POLICY.

As regards there being questions of Foreign Policy, surely there are questions of Foreign Policy involved even in the affairs of Government of India and Indian Members of the Executive Council of the Viceroy are not considered incapable of dealing with them. The second and third points in favour of the British Member as against an Indian Member—that the latter will not understand the position as well as the former are untrue, unwarranted and casts an unjustifiable slur on the capability of suitable Indian leading the Delegation. This is again a gratuitous insult to the Indians and one must protest in the strongest terms possible.

Whether the League of Nations has so far justified its existence or, not is perhaps open to question. It is because India is an original member of that body and also because India contributes a very handsome amount towards its upkeep that it is very necessary that our representatives should be all or almost all Indians and more than anything else that the Leader himself must be an Indian. It may not be generally known that the covenant of the League of Nations was signed at the Peace Conference at Versailles in 1919 by 12 States including India and that the signatories on behalf of India were the late lamented Mr. Montagu, the Maharaja of Bikaner and Lord Sinha. To-day the number of States that are members has reached

ed about 60. The annual expenditure is £900,000 or more and India's share thereof exceeds eight lacs a year. Surely, it cannot be argued for one moment that you cannot find Indians possessed of such ability as may be requisite in one who leads such a Delegation. And may I ask if the qualifications of the European Leaders who have been appointed so far are in any way superior to those of the Indian gentlemen whose names I read out from my letter to the *London Times*. Again Indians of the ability of the Rt. Hon'ble Srinivasa Sastri and the President of this Federation Sir Tej Bahadur Sapru have served as the representatives of India at the Imperial Conference. Cannot any one of them or others be entrusted with the leadership of the Indian Delegation to the League of Nations.

#### SPECIAL KNOWLEDGE.

In the debate in the Council of State Government tried to make out that there are intricate questions involved which would require special knowledge. May I ask if those who were appointed leaders did possess such special knowledge. These delegates including the leader are given the assistance of men who have made these questions their special studies and with their guidance is it not possible for the Indians I have named to represent the views of the Government of India in the manner they would desire.

It was also urged by Government that under existing conditions perhaps an Indian Leader would put forward views which would not be identically those of the Government of India. Surely, this contingency can be safeguarded against by previous consultation with the leader to be appointed. In fact, any leader whether Indian or European may have his own personal views but if he went as the representative of Government he would be expected to put forward no other than the views held by the Government of India. This therefore seems an empty excuse. I said that there was an amendment to my resolution that the delegates including the leader from India to the League of Nations should be chosen from a panel of legislators elected by the two Houses of Central Legislature. That amendment was lost. We have not included that amendment in the resolution which this Federation has framed and which I have just moved. All that we ask for is that the Indian representation of the League of Nations as well as other International or Imperial Conferences should be predominantly Indian. We do not go so far as to say that they must be all Indians but what we do ask is that such delegations must be led by an Indian.

Mr. N. M. Joshi seconded the proposition.

#### HUMILIATING POSITION.

Mr. Joshi said: In spite of the fact that India does not hold the same position as the other independent countries in the international conferences, we Indians consented to take part in them simply because we feel that the position of India may improve by our attending these conferences. We feel that we may come into touch with the outside world, our vision may be broadened and the position of our country may be brought before the public opinion of the whole world. It is due to this feeling that we Indians agreed to take part in those international conferences. But unfortunately there are also disadvantages in our attending these conferences. The mover of the resolution, Sir Phiroze Sethna, has told you how humiliating it is, how galling it is, for Indians to attend these conferences when Europeans lead us in these conferences.

There is only one point which makes our Government insist upon the Europeans as their leaders and that point is the desire of Great Britain to show to the world that India is not still an independent country. As far as I can see there is no other reason why Indians should not be appointed as leaders of the delegation. There is no other reason also why the Indian delegation should not be fully Indian.

The resolution was then put to the vote and declared carried.

#### A CONSTITUTION FOR INDIA.

Rao Bahadur R. R. Kale of Satara then moved.

The Federation resolves that a Committee with power to add to their number, be constituted in order to formulate, as far as may be in co-operation with similar Committees of other political organisations in the country, a scheme of responsible Government, and that the Committee do submit its report to the Council of the Federation as early as practicable.

The Committee was to consist of the following gentlemen:—Sir Tej Bahadur Sapru, Sir P. S. Sivaswami Aiyar, Sir Chimanlal Setalvad, Sir Moropant Joshi, Babu J. N. Basu, Mr. Tyejbi, Mr. C. Y. Chintamani, Mr. B. J. Desai, Rao Bahadur K. V. Brahma Rao Bahadur R. R. Kale, Rao Bahadur V. M. Kelkar, Mr. C. M. Gandhi, Babu Bhagwati Saran Singh, Mr. Manu Subedar, Pandit Hirdaynath Kunzru, (Secretary) and two assistant secretaries.

He said: "The names of persons who are to serve on the Committee will be read to you by the President some time later. I only want you simply to listen to a few words in support of the resolution. I have been asked by the President to do very brief and the resolution does not warrant any speech, but wants action—action not only on the part of the members who are going to constitute this committee but action on the part of each of you delegates and sympathisers of this Liberal Federation, because I do consider that this is a very important matter. It is a great opportunity that we, the members of this Liberal Federation, have got on this important occasion of formulating a scheme, and the Liberals, really speaking, are eminently fitted for such a task."

When the Montagu-Chelmsford reforms were announced and the present Government of India Act came into force it was stated by an Anglo-Indian paper in this city, the *Times of India*, I believe, that "any agitation outside the Council has no place now," because the Councils are there and you can agitate in the Councils whatever you want." You remember that it was at that time that owing to vital differences we had to separate ourselves from the premier national body to which we belonged and we formed ourselves into a Federation. The step that we took has been justified, as you will see by the present circumstances. You have been told this morning repeatedly by speaker after speaker that the reforms may have been worked in a spirit different from that in which they have been worked latterly. It is clear that the present bureaucracy, the present Secretary of State and the present authorities of the Government of India and the Government at Home are determined to see that there is no real advance. Instead of any progress I am afraid

there may be a retrograde step taken as a result of the Commission that has been appointed.

#### BLESSING IN DISGUISE.

Much has been said as to the reasons and motives that dominated the Secretary of State, Lord Birkenhead, in excluding Indians. I am not going to take you over all those reasons. But so far as I am personally concerned, I believe that the chief reason that must have induced the Secretary of State to exclude Indians is that the reports of the Committees and Commissions that have been formulated since the Reforms contained convincing argument by the dissenting members, which (arguments) if they are made to Parliament it may be that the British Parliament may be influenced more or less by the recommendations that may be contained in the dissentient reports of Indian members of the Commission, the Secretary of State wanted to avoid any such contingency. He wanted so to arrange matters that a unanimous report would be available to those people in England who would certainly be guided in framing the Bill for the revision of the Indian constitution. That is, to my mind, the reason that has induced the Secretary of State to exclude Indians from participation in the framing of the report. That is the most important part of the whole affair, hence it is I consider it a blessing in disguise.

#### INDEPENDENT COMMISSION.

It is not wise statesmanship on the part of the Secretary of State, however diplomatic it may be, but as I said it is a blessing in disguise. We must therefore utilise the opportunity in doing what the Secretary of State has prevented us from doing. Let us, therefore, not merely sit by passing negative resolutions of having nothing to do with the Commission. People say, "Well, if you simply have nothing to do then the judgment will go by default." I therefore think that this resolution is very important in order to give an effective reply to Lord Birkenhead and other people of his stamp. We must set to work immediately. We must set up a Commission on which there will be members of the Liberal Party. I believe there will be not only Liberals and the names will convince everyone outside this assembly, not only here but in England, that it consists of persons who have had practical experience of the internal working of the executive councils, ministers and members of the Assembly and the Councils. If a unanimous report of such persons, taken along with the reports of other Committees—then it will be a very

effective reply to Lord Birkenhead and a real service to the country itself. It behoves us, therefore, to take a leading part in this connection. Let us set to work and let us produce a report.

First of all let us produce a report and the resolution says that we should take the assistance of other parties. I simply draw your attention to the latter part of the President's speech and you will be convinced that the trend of his thought is such that it ought to be acceptable to every party, including our Matomedan friends.

#### COMMUNAL ELECTORATES.

The important question in this connection will be about the communal electorates; whether there will be separate electorates or joint electorates. This is one of the vexed questions which has agitated us in the past. But surely a *viva media* can be found and if, just as in 1916, we are now able to produce a scheme, it will with the help of the two communities become the joint scheme of the two great communities. I know you have learnt from past experience that what is called the Lucknow Pact or the Congress-League scheme which initiated the separation of the communal electorates has resulted in making relations of the two communities more and more bitter.

Rao Bahadur Thakur Hanuman Singh of Lucknow seconded the resolution and urged the Liberals not to lay themselves open to the blame that while they accused others of not giving effect to the resolutions passed by them, they were themselves guilty of the same charge.

Speaking in support of the resolution, Mr. Tyejbi said that the constitution they asked for India would be placed before the Federation on Thursday till which time he deferred his remarks.

Further supported by Mr. G. K. Gadgil of Poona the resolution was carried unanimously and the Federation adjourned till noon on Thursday.