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THE SOCIOLOGICAL  
BACKGROUND OF  
ADULT EDUCATION  
IN RURAL DISTRICTS

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# *The Sociological Background of Adult Education in Rural Districts*

## *1. Migration and Quality of Rural Population*

As urban society rapidly developed and became self-conscious it became customary to draw distinctions and comparisons between urban and rural populations and urban and rural societies. The common source of the two populations in our own country has been almost universally forgotten, and the common foundations of their culture are often regarded as of less importance than the superficial differences arising from recent or contemporary environments.

Every general distinction between urban and rural populations, urban and rural societies, requires some formal definition. These definitions have been based either on general density of population over a given area, on the size of the unit of settlement or the residential-social group, or on the divisions of the area for local government purposes. Attempts have been made to base definition on occupation, and to make rural synonymous with agricultural, but in many countries this is neither practicable nor useful. Definitions are eminently necessary when statistics are to be used, but no simple definition of rural population or rural communities is wholly satisfactory or universally applicable for sociological purposes. If we take the simplest method and regard as "rural" all the administrative Rural Districts of our Local Government system, we shall find a number in which there are communities—large villages or towns—of what on other grounds we should regard as industrial or urban character. On the other hand, in some administrative Urban Districts we shall find villages, or areas of scattered farms, which all of us would regard as rural, even as almost purely agricultural. If it were necessary for general sociological purposes to separate urban and rural communities in England and Wales, one would perhaps take as rural all communities in which two-thirds of the occupied males were primarily engaged in agriculture, and all communities not exceeding 800 total population in which one-third of the occupied males were so engaged. It is necessary to use the term communities, vague and indefinite as it is, because the terms village and town do not cover all our social groupings. But where there is concentration into a large village or small town of 800

people upwards, and where two-thirds of the population have non-agricultural sources of livelihood, the community begins to take on urban characteristics. Here conditions depend to some extent on location, on transport, and on associations with other towns. There are some towns with 1,000 population or more which would be described as rural because of their isolation.

Our typical rural district, taken as a whole, may be said to consist of a group of villages, or in some localities of scattered farms with or without hamlet concentration, and a small town as its marketing centre. This centre itself, according to its size, and the occupations of its inhabitants, may have rural or urban characteristics. What is sociologically true of its attendant villages or parishes may not be true, often will not be true, of the centre.

The rural population, resident in Rural Districts as formed for local government purposes, has declined from about half of the total population in 1851, or about 38 per cent in 1871, to about 22 per cent (21.9) in 1911, 21 per cent (20.7) in 1921, and 20 per cent in 1931.

There has actually been a decrease in the total number of population in rural districts since 1871—a decline of about 10 per cent from 8,671,000 to 7,851,000 in 1921. Between 1921 and 1931 the rural population rose to nearly 8,000,000, although the proportion still showed a slight decline. There are two things to notice about this change. First, the decline in *proportion* of rural population, though not of course of total numbers, is a phenomenon common to the industrial-commercial world. Second, the decline in rural population or in the proportion of rural population to the total, as the case may be, is not entirely caused by decline in the numbers of persons engaged in agriculture. In this country the density of agricultural population, strange to say, is actually greater in urban than in rural areas. In the aggregate of administrative Rural Districts the number of males engaged in agriculture is only about 40 per cent of all the occupied males. Thus it is possible to have a relatively big increase or decrease in number of persons engaged in agriculture with a relatively small change in the total rural population. Except in certain localities, the agricultural population does not dominate in the rural population, and the total of the rural population does not change in proportion to the

change in the agricultural population. It is even conceivable that the movements may be of opposite character: namely, increasing rural with stationary or declining agricultural population; or stationary or declining rural with rising agricultural population.

The decline in proportion of rural population is due to two factors, (1) the encroachment of urban communities upon rural districts, and (2) migration from rural districts. Encroachment was not the most important factor in the period of most rapid decline, but recently its importance has been increasing. The size and the density of the rural population depends upon

- (a) the natural rate of increase in the rural population—balance of birth and death rates;
- (b) the cross-currents of migration (including emigration) from country to town or town to country;
- (c) encroachment of urban communities and urbanization of previous rural districts.

But considering density alone, within the areas which have remained rural, this depends only on (a) the natural rate of increase in population and (b) the cross-currents of migration. The rate of natural increase in the rural population has at times been lower and at times higher than the urban. But in any case, the difference between the rural and urban rates of natural increase is too small to account for the great difference in the growth of the respective populations. The great difference, of course, is due to migration of the rural population. It is, however, necessary to notice that as a result of urban encroachment and of the great predominance of the urban population, we may now actually have a very considerable increase in density of population in the remaining rural districts with little or no change in proportion of the rural population. Any slowing down of the process of migration from the country, even some migration from town to country, and a net balance of migration in favour of the rural districts, may now be masked in the general statistics. We may, in fact, now have a rising density of rural population without discovering it except by observation or the very close analysis of the population statistics.

The fundamental causes of reduction in the proportion of rural population were the improvement in technical processes in agriculture

the other industries, development of machine and power production, with tendency to large-scale organization of industries, and development of commercial and "service" concentrations with industrial concentrations of population. As regards main industries other than agriculture the process was obvious from the beginning of the Industrial Revolution. Later changes have their special significance in our own time. Development of wood-working machinery took away the work of the village carpenter. The development of harness-making in factories robbed the country saddler of his work before the tractor and the motor lorry reduced the number of horses used; and the country blacksmith began to lose his work as mechanical traction developed.

But as regards agriculture it must be emphasized that these changes in technical processes and mechanical equipment were the fundamental cause of migration, and that they still continue in operation. We may say what we will about improving country life, about increasing facilities for recreation and personal improvement, but such superficial improvements will not change, and never would have changed, the fundamental conditions.

Nor can I lament the "migration from agriculture" or "the exodus from the land" so far as concerns the welfare of agriculturists or even the general economic welfare of society. Under the prevailing circumstances transfer from agriculture to other occupations was the only method which agriculturists could use to protect and improve their standards of living. The transfer enriched the whole of society. As Cannan said: The advance of science and inventions gave rise to "one of the most enduring and most satisfactory tendencies of human progress—the tendency for an ever-diminishing proportion of human labour to be required for satisfying the human stomach, which, as Adam Smith observed, is of limited capacity."\* With rising power of production in agriculture, a decline in the proportion of people engaged in agriculture was inevitable. The decline in this country possibly was greater than it need have been if we had made an earlier start in reversing the fundamental processes which caused it. But then it must be remembered that the growth of the total population and the

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\* *Economic Journal*, 1925, p. 175.

total wealth of this country were positively correlated with the decline in the proportion of agricultural population; and had we made an early start in retarding the processes of industrial, including agricultural, progress it is almost certain that this country would never have got its present total population and quite certain that it would never have attained its present wealth.

Looking for a moment at the future of agriculture, it must be said that the rise of efficiency in production is still very rapid, that it has continued even during the depression, and that there is every promise of further development. Indeed it is quite possible that any improvement in prices of produce, especially any improvement in the parity of prices of farm produce in relation to prices of other goods, would set free enormous forces of production on a higher efficiency basis. The industrial-commercial world as a whole cannot increase the proportion of its agricultural population, and can only increase the total in so far as consuming population rises more rapidly than efficiency, unless it is prepared to reverse the whole of the processes which tend to efficiency and economy in agricultural production. Even in this country we could obtain a very large increase in production without increasing the number of agriculturists, and the forecast may be hazarded that any increase will most likely be obtained on this basis.

With the development of modern transport and communications it is almost impossible to reverse the forces of progress in agriculture without also reversing those in other industries, and a return to primitive processes and forms of organization in agriculture cannot be obtained without an equivalent revolution in general industrial organization. Indeed, the question may be asked: if we really believe in the social soundness and desirability of the family unit of industrial organization why should we not try it in the boot and shoe or in large parts of the textile trades? If we are prepared to pursue the uneconomic process of reorganizing these industries on the family basis we can rapidly increase employment and the density of our rural population. But we shall expect to get less boots and shoes or to get supplies equivalent to the present only at very much higher costs. Much the same principles are applicable in the organization of agriculture. While we continue to talk of rationalization of other industries, and

what is more important, to act in that direction, it is absurd to move towards the de-rationalization of agriculture. We are able to do this only because agriculture is a politically subordinate industry, and because numbers are so small and their organization for mutual protection has been so weak.

Nevertheless we have to recognize that the migration from agriculture and from the rural districts has left us with social problems which are of great importance. Many suggestions have been made that rural migration has left us with a physically or mentally impoverished population—in fact that the present rural and in particular, the agricultural, population is merely a residuum of skim-milk from which the cream has been removed. The real evidence on these points is scattered, vague, and sometimes conflicting. Apart from a few districts where the population is particularly sparse and isolated, there is no evidence to the effect that the physical quality of the rural population, as regards inherited and inheritable factors, is any higher or lower than that of the urban. There are differences in health, and in mortality rates at different age-levels and under varying circumstances, between the rural and urban populations; but there is nothing to indicate that as a whole the rural is more or less healthy than the urban. Sometimes the advantages lie on one side, and sometimes on the other. Information on purely local conditions, or conditions prevailing at certain age-levels, or in particular environments, may be of importance from the point of view of arranging preventive or remedial measures, but the general sociological significance of local conditions must be carefully assessed. Too many general theories have been built on local information. There are many improvements to be made in rural dietaries, in rural housing, in sanitation and general hygiene. But after a complete survey of all the evidence produced during the last 40 years, it is safe to say that there is no evidence of general physical deterioration in the rural population. On the other hand, there is little if any indication of their physical superiority. Migration has not been sufficiently selective to leave the rural population physically inferior; and the general forces at work do not appear to have made it in any degree generally superior to the urban.

The effects of migration upon the mental quality of the rural population are also subjects of much discussion, and this is natural in so far



as definition or measurement of mental quality is somewhat difficult. Here again, migration is supposed to have been selective, and is often supposed to have left an inferior residuum: the brightest have gone, the dull have been left behind. On the other hand, of course, there are those people who suggest that the highest mental qualities still arise amongst the rural population. Here perhaps we have to distinguish two sets of things (1) mental qualities or capacities, perhaps more important mental incapacities, which are biologically inherited; and (2) mental characteristics, qualities and capacities which are socially inherited, imbibed from the social environment, developed by the individual under informal or formal instruction and exercise. Only the first set concerns us at the moment, for any variations in the second set are to be influenced by changes in environment or in education, (using both terms in very wide senses). Here again there is no evidence dealing with the mental quality of the whole rural population, or with the whole of any class, or with the whole of the group at any age-level. It may also safely be said that there is no evidence dealing with a fully representative sample of any class or any age-level.\* There have been indications that agriculturists suffer less from insanity than the general group, but more than some other specific occupation groups. Some examinations of the conditions relating to mentally defective children have shown better conditions in some rural than some urban areas; others have shown about equal conditions; while still others have shown better conditions in urban than in rural areas. Again, there are some indications that excessive migration, very low density of population, and isolation have caused or are accompanied by an increase in mental deficients. The latest enquiry into mental deficiency, that of 1925-27, showed, *for the areas investigated*, a higher rate for rural than for the urban areas. Before any such evidence is accepted as indicative of general conditions enquiries over other sample areas are necessary. Dr. Lewis, the Investigator of 1925-27, said, "it is only the impetuous reader who will conclude from our data that rural inhabitants as a group are generally inferior in mental endowments to the inhabitants of urban areas."† After the most complete and scientific examination

\* For Scotland there is the exceedingly useful study: *The Intelligence of Scottish Children*, Univ. of London Press, 1933.

† *Report of Mental Deficiency Committee, 1929. Part 4. p. 72.*

of all the printed evidence that has yet been made Dr. D. J. Davies wrote:

"We may conclude that the existing evidence with regard to particular types of mental deficiency suggests that migration may have had some influence in increasing deficiency ratios in the rural areas, but that the major question, as to whether migration has operated selectively so as to lower the mental quality of the rural population in comparison with its own past or with the towns must be held to be open. The verdict for the time being is 'not proven.'"<sup>\*</sup>

Again, examination of records of crime does not suggest any definite inferiority of the rural population as compared with the urban, or any progressive deterioration in the rural population itself.

As suggestions about an inherited factor called intelligence, and efforts to measure this factor, have been very fashionable it may be necessary to enquire whether there is evidence on the comparison of quality of rural and urban populations on the more normal plane. This may be necessary although psychologists are now far less dogmatic about this factor of intelligence, about its inheritance, and particularly about its measurement, than they were a few years ago. Suggestions that the rural population was dull, and that rural children generally were less capable of intellectual development than urban, used to be fairly common. There is evidence of intelligence tests which shows a higher proportion of the lower grades in rural than in urban schools. There is also evidence of high proportions of the highest and the lowest grades of "intelligence" in the rural schools. The net result of the evidence appears to have been that the Intelligence Quotient of children in rural schools was lower than that of urban children, but higher than that of some specific occupational classes. But the total amount of evidence is small and the result is indecisive—even though the validity of the intelligence tests, especially the tests as applied in the early stages, be admitted. The validity of the comparison of the results of tests, however, is open to question. Uniformity of value of results could not be attained with the tests which were used.

On the whole it is safe and wise to draw the conclusion that migra-

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<sup>\*</sup> Davies: *Physical and Mental Condition of the Rural Population 1871-1928*. Ph.D. Thesis. Library of University College, Aberystwyth.

tion has not been sufficiently selective, except possibly in a few isolated areas, to lower the general physical or mental capacities or qualities of the rural population as compared with those of the rural of the past or the urban population of the present time. There are, however, some mental characteristics of the rural population arising from environmental conditions which may need further consideration.

The chief positive effects of the migration are those of leaving a rural population of somewhat lower density than formerly, and of leaving it with a somewhat abnormal distribution of persons by sex and age-levels. The lower density is one of the most important effects, for it increases the cost of supply of individual, family, and social services of all kinds and in some areas makes adequate supply almost impossible. Medicine; education in all its forms—private and public; entertainment; transport and communications; and the maintenance of ordinary social relations, are all more expensive either in money or time or both in the country than in the town. They are more expensive because of the low density and wide scatter of the population. The economical production and enjoyment of nearly all the characteristic services of modern civilization depends upon the relatively high concentration of population in town and city.

As regards sex distribution, the rural population suffers from a relative and sometimes an absolute shortage of females at the age-level of 20-39 years. At all the censuses from 1881 onwards the proportion of females to males has been higher in urban than in rural districts, and this has been especially marked at the age level 20-39, and also, at times, at the age level 14-19. Because of the greater longevity of women in rural districts, these usually have the higher proportion of women over 40 years of age. But these are the most significant figures:

Age Distribution per 1,000 Females.

	Age 20-39.	
	Rural.	Urban.
1881	269	315
1891	274	321
1901	290	340
1911	300	339
1921	294	324

## Females per 1,000 Males.

	Rural.	Urban.
1881	998	1,083
1891	1,008	1,087
1901	1,011	1,086
1911	1,001	1,087
1921	1,026	1,115
1931	1,016	1,106

The rural population also suffers from a relative shortage of men of the age-level of highest physical capacity, and probably of the highest industrial initiative and efficiency, namely of 20 to 39 years of age. These are the most significant figures.

## Age Distribution per 1,000 Males.

## Age 20-39 Years.

	Rural.	Urban.
1881	256	308
1891	267	312
1901	280	329
1911	295	329
1921	280	299

The rural population tends to contain an unduly high proportion of aged people and infants, while the urban population contains an unduly high proportion of people in the prime of life. These are the figures for 1921.\*

## Percentage of Population of Various Ages, 1921.

Age	Urban			Rural		
	Males	Females	Total	Males	Females	Total
0-4	4.4	4.3	8.7	4.5	4.4	8.9
5-15	10.4	10.4	20.8	10.7	10.3	21.0
16-19	3.5	3.8	7.3	3.9	3.3	7.2
20-29	7.4	9.1	16.5	7.3	7.7	15.0
30-39	6.8	8.1	14.9	6.5	7.3	13.8
40-49	6.3	7.0	13.3	6.1	6.5	12.6
50-59	4.6	5.0	9.6	4.9	5.1	10.0
60-69	2.6	3.1	5.7	3.3	3.5	6.8
70	1.2	1.9	3.1	2.0	2.5	4.5

\* I regret that it is not yet possible to obtain these and some other figures for 1931.

These figures refer to the aggregate of rural population, but if we considered agriculture alone we should find a much more serious position. Agriculture has had a labour supply which was heavy at both ends and seriously weak in the middle—at the ages of highest physical capacity and mental initiative. Both the general weak middle of the rural population, and the relative shortage of females at the ages 15-19 and 20-39 are found to be most marked in the more purely agricultural districts and those which have suffered most from migration. For many years agriculture was a “blind alley” occupation for a high proportion of boys entering the industry on leaving school, but more recently smaller numbers of boys have been engaged. The recent reduction in number of boys and youths is much greater than that in number of adults engaged.

## 2. *Types of Rural Community*

When we turn from the consideration of general social forces to a view of rural society as it exists, it is again necessary to try to make clear what we have in mind.

We tend to think of the “rural community” or of the “village” or of the “agricultural population” as single types, with certain basic and dominant characteristics which set them off from urban types, without thinking of the differences between urban communities or between villages, or between one rural group and another or one agricultural group and another.

Yet if we began to make objective studies of rural communities in Kent, in Cheshire, in Cornwall, in Norfolk, in Wales, and in Yorkshire, we should quite possibly find as many differences as similarities and no one knows whether the differences or the similarities are the greater or the more important. We need not even spread our net so widely, for if we made objective studies of rural communities in two parts of Gloucestershire or two parts of Bedfordshire we should still find very striking differences within one county.

Some of these variations are well known to Tutors of Adult Classes who are in charge of whole counties or of considerable areas. But it is still necessary to warn many people against the idea or feeling that there is such a single and clearly defined institution as the rural com-

munity which has everywhere the same characteristics, the same needs, the same immediate possibilities.

There are several ways of classifying rural communities. Many people think only of villages, but the only common term is that of the "rural community" for it must be remembered that in some parts of the country there is very little of the concentration of population which makes the village. Taking first the form of residential settlement we have these types:

- (1) Concentrated village, with little or no scatter of residences.
- (2) Concentrated village, with considerable scatter of individual residences.
- (3) Concentrated village, with Hall or Manor, and its subsidiary residences.
- (4) Scattered settlement, no concentration.
- (5) Hamlet settlement (one or more hamlets) with many scattered residences.
- (6) Hamlet settlement (two or more hamlets) with few scattered residences.

Naturally, over a single wide area, we have some combinations of these forms of settlement, as where we have one large concentrated village inside its own parish, surrounded by parishes with the scattered residence of the hamlet type of settlement. These forms of settlement are the result of topographical, historical (perhaps in some degree racial), agricultural, and social forces working through the centuries, and some of which are still working.

The economic, and—more important—the psychological and social conditions, vary to some extent with these forms of settlement. But the influences of the forms of settlement naturally get mixed up with other influences and it is often difficult to segregate them. Consequently it is necessary to indicate other ways of classification. Taking the industrial basis of rural communities, the following possible classification may be set out.

(1) *Agricultural (Size-Organization)*

- (a) Large farms, with attendant cottages, and high proportion of employees.
- (b) Small farms, with mainly family labour.

(c) Large farms, with recently established small holdings, or old-established small farms.

(2) *Agricultural \* (With enterprise specialization).*

(a) Agriculture, mainly traditional systems.

(b) With some development of modern market crops or enterprises—such as market vegetables, fruit, or forcing industry, specialized poultry, etc.

(3) *Agricultural with Extractive Industries.*

Mixture of agriculture and quarrying (or mining): (a) With the extractive workers operating as small holders, (b) Extractive workers having no agricultural interests.

(4) *Agricultural with Manufacturing.*

Mixture of agriculture and manufacturing industries; in case of older industries with some workers having agricultural interests; in newer industries generally with workers having no such interests.

(5) *Agricultural with Trading.*

Mixture of agriculture and trading:

(a) With some traders having agricultural, or more commonly pastoral interests.

(b) Traders having little or no direct interest in land occupation and use.

(6) *Agricultural and Fishing.*

(a) Fishermen with small holdings.

(b) Fishing and agriculture occupationally separate.

Putting the matter shortly, rural communities may vary from those having nearly complete occupational solidarity on a land-use basis, to those in which the non-agricultural families are dominant in numbers and general social influence.

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\* Another form of agricultural classification would be:—

(1) Pastoral, small farms.

(2) Pastoral, large farms.

(3) Agricultural (mixed systems), with largely traditional organization and methods, and little "break" in prevalent, dominant, systems.

(4) Agricultural (arable systems) with largely traditional organization and methods.

(5) Agricultural, with modified, and still changing, systems, showing strong break with traditional organization, enterprises and methods.

M. K. Ashby, studying variation from the point of view of the development of the village primary school has written as follows:

"Country children must be studied regionally, for undoubtedly they vary from village to village and district to district. Some factors in this variation can be discovered by the naked eye of the spectator who is neither psychologist nor sociologist. For example, the characteristics of the school's raw material vary with the type of village. Four main types of villages may be distinguished, each having a school of which it is reasonable, judging by experience, to have certain expectations. First, the fair-sized 'open' village. The term 'open' in this connection means that ownership of land is distributed among a good number of people. There are probably a number of small farms, some small holdings, and a shop or two. There may be a doctor and some residents of small independent means. The village is something of a microcosm. In school there will be the children of farmers, of tradesmen and dealers, of agricultural labourers.

Secondly, there is the village of large farms. Here, not infrequently, the school is an almost pure sample of agricultural labourers' children.

Thirdly, less common than either of the above types, comes the large village of market gardens, or of numerous small holdings.

Lastly, a group of villages with this in common, that they have a mixed population, a part of which is not strictly rural at all. There may be a factory in the village, or a large quarry; and there are villages to which the suburbs of some town are reaching out, containing new villas and residences, where chauffeurs, gardeners, and electricians are employed."\*

### 3. *The Rural Community and the Individual*

Now, if anyone is inclined to think of the village community as a group of people—in fact as a community—having the same *mores*; similar moral rules and standards; similar opinions on religion, on politics, on economic relationships; similar economic interests; similar

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\* *The Country School*. Oxford. 1929. pp. 143-144; but the whole of Chapter 4 is applicable.



aims and purposes; and if he imagines that any such communities are spread all over rural Britain I can only invite him to look at things as they are. There are rural communities without any obvious indication of changes in agricultural methods and forms of organization: there are others in which there is considerable change in processes and enterprises without change in organization; and others in which radical changes in methods and organization are being made. Consequently, there are groups of agriculturists in which adaptability is very high, amongst whom contacts with a fairly wide agricultural and commercial world are clear and strong: and others in which there is little sign of adaptability, where necessary change is accepted with reluctance, and where contacts tend to be local and conservative. There are rural communities adequately supplied with associations, formal and informal, for the development of all kinds of social activity, and for the expression of many individual tastes and desires: while there are others very inadequately supplied. There are communities in which all the folk, especially the young, get their amusements or entertainment in the nearby town; others which supply themselves fairly adequately; and still others in which supply is very meagre. There are communities which have always had sufficient children to form a school of a reasonable size and for which there has always been a supply of efficient teachers; while others have not had a good school well-staffed for the last twenty years. There are communities with only one formal organization for the religious life; others in which there are two, three, even four. And communities in which the religious organization is formal, little more than customary, almost moribund; while there are some in which it is active and exercising vital influences. There are some groups in which the general community feeling is marked, and others in which all the vital social activities and feelings are centred in certain sectional organizations. There are still villages which are pampered and at least superficially led and controlled by a family which is financially and socially superior; others in which the spirit of independence rises almost to the degree of insolence. There are communities with powerful cliques and sections, and others in which it is difficult to discover the centres of leadership or any focusses of individual attachments. This, unfortunately, does not describe all the social conditions, but is merely indicative of some variations.

In spite of this there will still be people who will say there is an entity which they call the village or the rural community which underlies all these superficial divisions. Also there are people who will say that if this community has been destroyed, it should be reconstituted. There is certainly a sense in which all families resident within a confined area have a community of interests. Political society, for its own administrative purposes, groups individuals and families into these communities; our own common feelings of kind, and our own curiosities, impel us into them. Sometimes our own mental and moral desires and purposes of the more considered kind lead us into them. But persons interested in adult education may go seriously wrong in exalting the community. Fundamentally they have to deal with individuals. They cannot educate the community except through individuals, and for this and many other purposes the importance of the individual transcends that of the community. In any case, the community as such is only concerned with certain of the more customary relationships, the primary and often primitive interests. The individual and the single family has to work with and through the community for many purposes, or become a part of another and wider community or association. In the cross-working of the influences between the individual and the community, the individual is alternately checked and supported and the community changes for good or ill. Generally speaking we do not need to tighten the community within its present boundaries, physical, intellectual or moral. We need to expand the community, sometimes physically, but almost everywhere intellectually and morally. This can be done only through individuals, although it is true that the greater the number of individuals engaged the higher the general chances of successful operation. But there are many interests which a general community can never serve, and these require the development and operation of their own specific associations. One of the tasks of adult education is to equip individuals for the organization and service of all kinds of special interest associations.

Adult educationists have to realize that the creation of individualities in rural societies has already gone very far. Indeed one of the amazing capacities of the rural population is that of throwing up unique individuals—or perhaps, more accurately, persons of very

strongly marked individuality. There are many forms of extreme individualism, not wholly desirable from the social point of view, which yet do not lead to such abnormal behaviour as mark the individuals as "mental" or "criminal" cases. On the other hand there are cases of marked individuality of opinions, attitudes, and standards which appear abnormal in their limited setting which would not be so marked in a larger society. In larger communities, with more varied sub-groups, these individualities would find their kind, form their own associations, and be drawn into associative life. In this process they would be modified to some extent.

#### 4. *Mental Characteristics and Attitudes in the Rural Population*

There remain two important questions: What significant differences, if any, can be found in the characteristic mentality of the rural and urban populations; and what, if any, are the distinctive features of rural mentality. In any discussion of these questions it is necessary to keep closely in mind the general influences which play upon the minds of all the people. We have one language, and while it is true that there are many dialect variations it is still true that almost every person has a certain basic equipment in this language and its use. We have still some differences of racial origin exercising their influences—in Wales, parts of Scotland, and probably in the South West of England. These are of greatest importance where race—or a different combination of racial foundations—is still connected with the use of a separate language, as in Wales. Without the connection with special language, differences in racial origin seem to be of relatively little importance although they may still cause some variations in development of social institutions, especially of the informal kind. A combination of difference of racial origin and of language will perpetuate very considerable differences in mental attitudes and trends of thought and feeling, some differences in social institutions, and differences in emotional or æsthetic and moral values. But under some circumstances the trend towards perpetuation of these differences may be overridden by recognition of common industrial, economic and political or social interests.

In England, there are few if any of such differences to be considered. But even here there are differences in socially ingrained attitudes to be

taken into account. While admittedly it is difficult to describe or measure differences between the agriculturists of the North (say of Lancashire), and of the South (say Wiltshire), they do exist. The folk of the North will be rather more candid, more willing to express feelings, although the feelings are cloaked by an apparently rational statement. They will appear to be "hard-headed," and yet withal somewhat more simple and direct in their mental processes. The folk of the south will be "softer," less direct in statement, apparently more considerate of other people, on the whole more subtle in feeling and statement. These are merely suggestions, and the point need not be pursued further.

Yet through the minds of the whole British population there run certain patterns of thought, certain modes of behaviour, certain standards of values which are more or less common in all classes and all environments. Part of these belong to the common cultural heritage of the civilized peoples, part are British. We take in our social inheritance in homes, schools, and churches, at play and at work. Then, as regards the things which adults think about day by day, the daily National Press tends to give a common diet. The special forms of the Press—technical, religious, literary, etc.—serve special interests or give to ideas, feelings, and interests special emphasis. The wireless again gives a common diet, but caters for some special tastes or needs. There is a continual flux; on the one side to common standards, common interests; on the other to special interests and special attitudes. Through personal travel and communication, through the wireless, through the wide distribution of the daily Press, through the linking of school teaching and of preaching with some of the movements in the wider world, through occupational or other special interests which pass through or over class and local boundaries, nearly the whole of the rural population is drawn into the sphere of the nation's common thought, and more or less into its thinking activity. As regards some modes of thought and feeling, some mental attitudes, there are differences between one industrial or social class and another, and differences between one urban area and another. And in some spheres it is probable that the differences between rural and urban are no greater and no more fundamental than these differences which are never brought up for examination.

Unfortunately the countryman, to his superior and somewhat self-conscious urban cousin, has become a specimen. We now need to develop a body of rural sociologists to put the townsman under the microscope; and possibly—in retaliation—against the distorting mirror!

In thinking of any special characteristics in the mentality of the rural population we shall not think of any which are biologically inherited. In so far as there is homogeneity of race in town and country, and in so far as we have found the charge of deterioration by selective migration “not proven,” we rule out this possibility. Any special features or characteristics which may be found will arise from the relations between the mind and the environment, natural and social. Special characteristics arising from relation between mind and environment may be of two or three kinds: (1) *Temporary*, arising from poverty—in malnutrition or bad housing or poor hygiene; or arising through influences of low social or even anti-social conditions at a certain stage of up-bringing—like poor schools, or the existence of strong social conflicts. (2) *Permanent, or continuing*; such special features as may arise in the relations between mind and natural environment, especially in comparative human isolation, when livelihood depends on these relations; or any such features as may arise in the relations between the individual mind and a small community when that community is separate or in some degree isolated from the larger communities. The former are all remediable or avoidable by appropriate processes and arrangements in each case. The latter are not necessarily permanent, but they will continue while the conditions of relation continue and these may not be easily avoided or remedied. The opinion may be expressed that in this country there are few special features or characteristics that cannot be avoided or remedied if that is considered desirable.

Two warnings are still necessary. Any differences to be discussed will be of degree rather than of constitution; and they will be attributed to agriculturists rather than to other groups in the rural population.

The most common suggestion of a special mental condition in the rural population of this country is that of dullness. “Country children are, on the average, duller and less capable of intellectual development than are those of the towns” is a statement that has often been made. This perhaps may be interpreted as equivalent to the statement that

on the whole country children have a low Intelligence Quotient. The statement is also applied to the adult population.

Care must be taken to distinguish mental dullness or slowness—that is dullness in apprehension, comprehension, and thinking—and slowness in speech. The latter may be due merely to effort to attain formal speech, or standard English; to lack of facility in use of forms of speech through lack of practice. Care must also be taken to measure slowness in appropriate subjects of thought. A townsman and a countryman may think and speak about politics at considerably different speeds: they would think and talk about sheep at vastly different speeds. Still, a tendency to slowness may be admitted, although it is by no means universal. It is not at present admitted that with equal training, equal environments, any difference in average rates would occur. M. K. Ashby has said: "Children in agricultural districts are undoubtedly slower in comprehension of certain groups of facts or ideas than those in towns. At the same time teachers of experience maintain that they are more thorough, and that in the long run their mental equipment is as good as that of many town children. They have not the same stimulus to quick thinking; but they are not so superficial and have greater power of perseverance and endurance."\*

Apart from this difference in speed of mental processes, there seems to be a characteristic difference in the mental content of rural and urban dwellers. In the field of indirect experience the townsman has the advantage. He freely talks about and can freely talk about and form judgments on many varied things which are entirely outside his personal experience. Knowledge is often quite fragmentary and entirely superficial. Amongst the townsmen in the poorer classes the range of knowledge which arises from direct personal experience is apt to be narrow. The countryman's indirect experience is much narrower than that of the townsman; there are many subjects on which he is wholly ignorant; but his range of direct experience is much wider. If the difference may be stated briefly: the townsman's indirect knowledge and experience is disproportionately developed; while that of the countryman is under-developed. As a consequence of the high

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\* *Ibid.*

ratio of direct to indirect experience in the mental make-up of the countryman his mental attitudes, opinions, and convictions tend to be more stable and less fluctuating.

Similarly the countryman shows less tendency to hold or state opinions, to develop mental sets and attitudes, for the sake of stating the opinions or showing the attitudes. Almost certainly, his opinions and the sum total of his attitudes have a closer relation to his practical decisions and actions than those of the townsman. He, also, shows less of cynicism, and is on the whole far more serious and sincere in his statement of views. He tends to be truthful among equals and neighbours, but not always to superiors or to strangers. The position here is very complex and varies a good deal according to local circumstances.

On the whole, if there is any difference in what may be called "masculinity"—patience, endurance, and capacity for continued effort, probably in austereness and sternness, the advantage lies with the countryman. Or, to put the point in another way, it has been suggested that the urban population has become psychologically more "feminized" than the rural. But some of the supposed virtues listed have their own exaggerations or drawbacks.

On the other hand, M. K. Ashby has recorded the opinion that some agricultural children are comparatively lacking in material and moral ambitions. "The most remarkable psychological characteristic of the children (of the large-farm areas) is their almost total lack of ambition. If the boys dream . . . they preserve their dreams in silence from contempt, as closely as if they were wicked fantasies. They have been prevented and discouraged from expressing desires, so that the humblest ambitions are as much out of relation to their life . . . as the silliest extravaganzas could be." "Village children are often lacking in moral as in other ambitions. They are seldom hero-worshippers: most of the great ones of every kind appear (to them) to have lived in worlds very unrelated to their own."\* Conditions as regards material ambitions vary to some extent with the economic and social elasticity, the degrees of vertical-social and geographical-horizontal mobility, in the communities in which children, adolescents,

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\* *Ibid.*

and young adults live. But the comparative lack of mental and moral ambition is probably fairly general. It is a reflex of the fact of some social subordination of the agricultural group. When did society honour its great agriculturists by burial in St. Paul's or Westminster Abbey, or did they ever get knighted unless they became journalists or politicians?

Perhaps one characteristic tendency of rural thinking is that of steering clear, wherever possible, of the impersonal and the general, and keeping close to the personal and the concrete. There is a tendency to attach responsibility to persons rather than to institutions or movements, and sometimes to reject the idea of impersonal forces or impersonal motives. The tendency to think from the concrete case rather than from any generalization of experience, of course, sometimes leads to more extravagant generalization than otherwise would occur.

On the whole, because of residence in small groups and the power of group-approval or disapproval, and because of the lack of opportunity for intra- or extra-community association between individuals who begin to have radical views or attitudes, the countryman tends to be socially conservative—not only in political affairs, but in many other lines. Sometimes, when his personal tendencies are too strong, he becomes both radical and secretive. And occasionally this combination ultimately leads to conditions which create a social outcast. Up and down the country are families which ought to have been towers of strength or pillars of light in their communities which are now outside the pale and a source of social discomfort—merely through psychological and not through moral failures. Life in small communities or groups causes direct, immediate, realization of the effects of changes and of the probable effects of proposed changes. With every change the interests of some known persons are affected, and, as previously stated, some known person is frequently held responsible. A merchant who is likely to be affected by a Marketing Scheme may be a deacon of the chapel which the farmer attends, or a fellow churchwarden, or his wife may be a member of the tennis club or a recognized social leader. Where interests are closely interlocked proposed changes must be brought about with caution and circumspection.

Rural art—such as we have or have had in the past—probably has some distinctive features. It tends to express the simpler perceptions,



the simpler emotions, the simpler emotional situations. It does not magnify emotions by thinking of them, by developing obsessions, by excluding the possible or probable palliatives or antidotes. The aesthetic expression has tended to the concrete type—in materials or through persons. It has tended to be bound by convention, to show relatively little of individual expression and especially of personal idiosyncrasy; possibly the brief statement is that it has tended to be the collective and impersonal expression of feelings, views and values.\* Much modern art, especially literature, dealing with rural affairs and rural folk tends to be the characteristic expression of the over-sensitive, possibly feminized, super-individualized urban mind. It is certainly more subjective than anything the rural population produced when it was able to make and keep its own artists. So far as I can read the rural mind from the specifically rural art-forms it saw things more objectively; it tended more to make things of beauty to serve purposes of utility (so far as lay within its technical power); it tended to make its art serve its morals; and it tended to make its pure-art forms for collective expression and enjoyment far more than modern art has done. But my personal view would not be that rural or peasant art was superior; or that it might not have developed other tendencies. In any case, the rural population has, in the main, to be led back to art-expression, and I would not attempt to lead it back to all the points at which it stopped.

By more dogmatic statement, by slight change of emphasis, it would be quite possible to turn these judgments into either idealistic appreciation of the rural mind or into pessimistic criticism. The general range of discussion of the rural mind, in fact, has been between these points.

For my own part, I see very little to praise, very little to criticize or lament. One would not perpetuate all the special tendencies, and

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\* Contemporary rural art in some other countries still has these characteristics. This may be because the rural folk are more or less isolated from the main developments of modern civilization and of mental activities. The difference in characteristics may generally arise from differences in life—more manual work; more concrete experiences; existence and use of fewer abstractions; and the higher pressure on the individual exercised by the smaller than by the larger group.

probably, on the other hand, one would not attempt to transfer to the rural population all the more characteristic tendencies of the urban mind. One would certainly make efforts to extend the range of the indirect experience of the countryman; one would wish to give him a better factual and rational equipment for thought about the social life. On the whole, one would like to develop such forms of education as would reduce his social conservatism and raise his industrial and social adaptability. I see very little that need be permanent in the special mental characteristics, and very little which would warrant organized effort for preservation. Most, if not all, of these characteristics arise from residence in small communities; from limitations of contacts with persons, associations, and movements; and perhaps as much as anything from the relative poverty of the general system of education and the general intellectual services in the countryside. Not only education, but religion, medicine, and entertainment also, have sent their most intellectual servants to the town. Migration has been more selective here than in the general rural population.

Provisions for primary education in the rural areas have always lagged behind those of the towns as regards school-leaving age; attraction of quality staff; equipment for teaching; specialization of teaching by grouping of pupils and specialization of staff; and provisions for continued education have shown greater lag. Provisions for rural education have often suffered from the doubt whether there was not too much already, sometimes from the desire to throw the countryman—and in particular the agriculturist—back into his limited environment rather than give him intellectual and moral release. He needed a high degree of such release to enable him to work and live in comfort within his environment, and the failure to find freedom drove some bodily to the towns.

But the rural population has suffered from its own ideas of the uses and values of education. Until comparatively recently it was derogatory for any pupil of a secondary school to return to a farm, or even to some other rural occupations. Twenty years ago it was derogatory for the brightest pupils of elementary schools—except sons of farmers—to take up farm work. Attitudes are now changing. Many pupils of secondary schools return to farms, some even as employees, without any sense of loss of dignity or possible status.

Yet in the main, the generation with which adult education must now deal left the elementary schools before the Education Act of 1918 was passed, and some of them before the Act of 1902 brought great changes and improvements in the general system.

Unfortunately the lower systems of education always lag about a generation behind industrial and social requirements, and behind what society could afford for its junior members. All the necessary changes, adjustments, improvements in agriculture in our time could have been made with greater ease, rapidity, and satisfaction had each of the recent changes and improvements in our system of education preceded by about twenty years their actual dates. Agricultural and social changes and improvements are even now being retarded through lack of mental training and equipment which could have been given at quite low cost.

This is not to disparage the very considerable improvements in primary education, the extension of facilities for secondary education, and the important extensions of agricultural education during the last thirty years. Rather it is an appreciation and a request for more.

Everyone interested in adult education in rural districts must be interested in raising the general school age to sixteen years as soon as possible, in a further extension of forms of central schools or departments, in provision of more facilities for secondary education, and even in the development of the system of agricultural education.

### 5. *The Functions of Adult Education*

The main purpose of education has been said to be that of fitting the individual to society, and of enabling individuals or groups to secure social progress. "Education furnishes the ultimate and most subtle forms of social control," but it is equally "the initial means of social progress and the final reliance in all attempts at social reconstruction." This must refer to education of all kinds, formal and informal, yet nearly all kinds of formal education help and are intended to assist in some degree in fitting the individual to society, and some kinds are definitely intended to assist social progress.

The definite purpose of adult education in rural areas must be that of drawing members of classes—and through them the whole community—into the main streams of civilization. It must not "ruralize"

but must "socialize," and the latter in the expansive rather than the restrictive sense.

The countryman's social feelings, attitudes, views, standards, have been adjusted primarily to a relatively narrow social environment, namely the family, the kindred and the small locality groups. With reference to the complex social life in which he acts as worker, business man, citizen, his incomplete socialization is often pronounced. His psychological and social equipment is inadequate in the complex economic and social organization in which he must live. Perhaps this might be said of most of us, but other people make more contacts, get into touch with wider sets of experiences, or have more opportunities of doing so, than the general run of the rural population. If adult education can carry the minds of any important part of the rural population outwards to experiences in space, backwards and at least a little forward in time, that is one of its tasks.

There are individuals with special interests, latent, developing under difficulties, and some warping under difficulties, in most rural communities. No single class can definitely serve them all; but, as anyone with a close acquaintance with village classes knows, a great variety of different interests can be served and developed in some single classes. The movement has to offer all the variety of subjects and teachers of which it can obtain command. No person is capable at the present moment of choosing the most suitable subjects for village classes. Any theory carries its own risks, and it is most desirable that every possible experiment should be made when suitable tutors are obtainable.

The main immediate task and purpose of adult education in rural areas is that of enriching and extending the intellectual life of all the persons it can get inside its lecture and class rooms. But when the lecture course or class is ended and the tutor has gone, at least a high proportion of members of the group ought to have much greater facility in reading, a much better acquaintance with literature and sources of information, a much clearer appreciation of what he can get for himself if he goes the right way to work, and something of the will to work. The tendency to delegation of responsibility in rural areas is of importance here, for the group will work when the official leader is present, and all individuals may cease when he is absent. Every

class ought to leave some individuals with the will and the ability to follow up their own interests, to become focusses of further informal development of intellectual activity. Wherever study groups can be left to carry on they will be extremely valuable.

What is adult education? Is it the imparting of knowledge by one adult to a group—or as often in village classes, by one young man to a group of all ages? Knowledge is not exactly transferable from one person to another, although information is largely transferable. The extension and development of knowledge is largely a group activity. The tutor who imparts only will not impart very much: he who gives and gains will probably give a good deal. But whatever may be possible in the transfer of information, and in the deeper sense, in imparting knowledge, the main consideration as regards the future of rural society is the modification of its ways of life, possibly the making of a new way of life. A way of life cannot be transferred from one person to another. The making of the general pattern of a way of life is certainly a group activity. One individual may exercise a very considerable influence on a group—but he has to accept a very large part of the pattern before he will be allowed to help make anew another part of it.

If adult education does its own work and does it well, its results will be to some degree in conflict with prevailing ideas of "what ought to be" in agriculture and rural society. Successful and extensive adult education is almost certain to strengthen the tendency to demand a higher standard of living, in which case it will be said to be urbanizing the population. Then it might, for instance, tend to increase rather than diminish transfer from agricultural occupation; or even rural migration. We must at least face this possibility. On the other hand, if adult education can assist the rural population to use its leisure profitably, if it can increase the personal satisfactions of work and residence in the countryside, it may well change the character of selection in the process of migration. Then if we can find any effective methods of increasing the density of rural population, other than damming population back in an impoverished agriculture, and thus obtain a mixture of occupations in villages, we shall begin to get the conditions in which we may build a new rural civilization which will operate with economy and efficiency.

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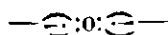
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Conference Aligarh.

# **“The Struggle of Muslims in Education”**

BY

**S. ALTAF ALI BRELVI, B. A. (ALIG)**



WITH A FOREWORD BY

**Prof. A. M. Kureishy, M. A.**

*Honorary Joint Secretary*

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## FOREWORD

Mr. Syed Altaf Ali undertook this compilation at my request. It is desirable that the Indian workers in the fields of Education and Politics should have knowledge of the present position of education amongst the Muslims, their needs and grievances. It has become essential for them to be equipped with this knowledge now that an overhauling of the entire educational system is being undertaken. The efforts that various communities have made in the past to ameliorate their educational condition and to preserve their culture and traditions have not been rightly appreciated. In fact some politicians have been fond of calling such efforts "Communal." This is both wrong and shortsighted. It is very humiliating to confess, but it is nonetheless a fact, that there is no such thing as an Indian nation yet. It has to be created. The only way to achieve this would be to encourage and develop a judicious synthesis of the cultures and traditions of all the communities that have contributed to the past of India. Any effort which encourages the domination of one community by another or the setting up of a totalitarian state is bound to be resented. Our past experience tells us that unless the Government happens to be truly national, systems of education devised and controlled by it engender and foster an exclusive spirit which tends to make the product lifeless and standardised. The systems of education that we are now thinking of replacing had its defects. The new system may be worse. The creation

of a new order in India presupposes a spirit of generosity, sympathy and right appreciation of things rather than a spirit of revenge and domination. Failure to realise this is bound to prolong our bondage.

Mr. Altaf Ali has thus rendered valuable service by preparing a synopsis of the present position of education amongst the Moslems. Their grievances, which they have been putting before the Government for the last quarter of a century or so and about which the late Hon'ble Minister of Education, Pandit Pearey Lal Sharma, spoke so sympathetically at Etawah on the 30th and 31st January, 1938, have been embodied in this book. I have no doubt that this will be of great value and assistance to our leaders, both Hindus and Moslems, in solving the future educational problems not only of these Provinces but of India. I hope this effort will be taken in the spirit in which it is intended by the author, i. e., the spirit of service to the nation as a whole, not vitiated by a narrow-minded sectarian spirit.

Baitul-Majid :  
Aligarh, May 17, 1938.

A. M. Kureishy

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

## THE STRUGGLE OF MUSLIMS IN EDUCATION

### PART I

#### INTRODUCTION

The Musalmans are the largest minority in India and from the point of view of their glorious past and their present social and political status their importance is much more than proportioned to their number; for "they are" in the words of Lord Macauley, "united, zealous, ambitious and a war-like class."

A peep into  
the past

In the field of Education they never complained of their backwardness, until the British Government had fully established themselves in India. 'A knowledge of the Mohammadan Vernaculars was always prevalent among the members of the community and the Maktabs or Primary schools teaching the Qoran and the elementary knowledge of Persian and the Arabic languages were scattered all over the country. Higher grades of Mohammedan learning were also taught and cultivated by numerous eminent Ulemas who charged no fees and devoted their lives to advancing knowledge and learning purely from motives of piety and religion.'

The Well-meaning indifference of Muslims towards modern Education

But the advent of the State-Controlled system of education in the beginning of the 19th century with which the Musalmans of this Country could not reconcile themselves

'partly owing to a conservatism inevitable in a community which had a glorious past and partly owing to general forces and tendencies over which it had no control,'\* first reduced the market value of the product of indigenous Educational system and finally destroyed the whole system itself.

As a result of this while other communities greedily rushed to reap the benefits of the State System of Education, the Musalmans of India pursued a policy of hesitation and doubt, and lagged far behind others.

The indifference of the Musalmans in assimilating and profiting by the 'New Education' which the British Rule brought into India also engendered feelings of hostility and antagonism between the Rulers and the ruled, which resulted not only in the serious disturbances of 1857, but also contributed to the perpetration of innumerable petty acts of insubordination on the part of Muslims, all over the country till 1882.

Change of Policy Naturally a well-organised Government which wanted to perpetuate its rule in this Country could not tolerate this state of affairs for a long time. The policy of suppression and repression having failed, the Government decided in 1870, to change the method of their approach towards the Muslims, and in order to make the unpalatable pills of 'New Education' acceptable they were sugar-coated by

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\*For the schools in those days were either Missionary schools or those maintained by the Committee of Instruction which made no provision for the teaching of Urdu, Persian or Arabic.

an announcement of 'Special State Patronage of Muslim Education.'

As the Musalmans attached very great importance to their religion, culture and language, provisions were made to preserve them and to enable the Muslims to overcome the initial disadvantage of a late start.

The Govern-  
ment of  
India Reso-  
lution of 7th  
August,  
1871

On the 7th of August 1871, the Govern-  
ment of India issued a Resolution bearing  
upon the condition of the Muslims in educa-  
tion. In this, after regretting that so large  
and important a class should anywhere withhold its  
active co-operation from the Educational System, and  
lose the advantages, both material and social, which the  
other subjects of the Empire enjoy, His Excellency the  
Earl of Mayo, in Council, directed :--

1. That further and more systematic encouragement and recognition should be given to the classical and vernacular languages of the Mohammedans in all Government Schools and Colleges.
2. That in avowedly English Schools, established in Mohammedan districts, the appointment of qualified Mohammedan English teachers should be encouraged.
3. That assistance should be given to Mohammedans by grants-in-aid to enable them to open schools of their own.
4. That greater encouragement should be given to the creation of a vernacular literature for the Mohammedans and.
5. That more encouragement might be given in the University course to Arabic and Persian Literature.\*

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\*Extracts from the proceedings of the Government of India Education Department, 15th July, 1885. page 33.



The Resolu-  
tion of  
June 13,  
1873

The resolution was sent to the Local Governments and the three Universities in India, for eliciting their opinions. The Local Governments and the Universities submitted their reports during the time of Lord Northbrook, which were duly reviewed by His Excellency's Government in a Resolution dated June 13, 1873. The Resolution enumerated the measures adopted in the several provinces to give effect to the views of the Supreme Government and promised to diminish the 'inequalities in the distribution of State-aid and to place the Mohammedans upon a more even footing with the General Community throughout the whole course of Public Instruction.'

As a result of these measures for the encouragement of Education among the Musalmans, considerable improvement took place in the relations of the Muslim Community to the educational system of the country.

Educational  
Inquiry of  
1882

But an inquiry in 1882 revealed that the percentage of Muslims receiving modern education was far below the percentage of Muslims in the total population of the various provinces. The attendance of Musalmans in the various institutions, Government, Aided and unaided, as compared with the total attendance of all the communities in 1881-82, was :—

Madras	3.4%
Bombay	4.4%
Bengal	10.6%

N. W. Province	} U. P.	16.3%
Oudb		16.7%
Punjab		25.0%
Total in all the above		

Provinces (1,38,895/12,480) 8.9%\*

For further encouragement of Muslim Education, the Hunter Education Commission in 1882, formulated some specific recommendations and while making these recommendations, the Commission also gave reasons: of the backwardness of Muslims in Education. They remarked: —

Reasons of  
backward-  
ness

“Apart from the social and historical conditions of the Muhammedan community in India there are causes of a strictly educational character which heavily weigh it in the race of life.

1. The teaching of the mosque must precede the lessons of the school. The one object of a young Hindu is to obtain an education which will fit him for an official or a professional career. But before the young Mohammedan is allowed to turn his thought to secular instruction he must commonly pass some years in going through a course of sacred learning. The Mohammedan boy, therefore, enters school latter than the Hindu.
2. In the second place he very often leaves the school in an earlier age. The Mohammedan parent belonging to the better classes, is usually poorer than the Hindu parent in a corresponding social position. He cannot afford to give to his son so complete an education.
3. In the third place irrespectively of his worldly means the Mohammedan parent often chooses for his son,

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\*History of English Education by Syed Mahmood, p. 168.

while at school, an education which will secure for him an honoured place among the learned of his own community rather than one which will command a success in the modern professions or in official life. The years which the young Hindu gives to English and Mathematics, in a public school, the young Mohammedan devotes in a madrisa to Arabic and the Law and Theology of Islam. When such an Education is completed, it is to the vocation of a man of learning, rather than to the more profitable professions, that the thoughts of a promising Muhammedan youth naturally turn."

Recom-  
mendations  
of the  
Hunter  
Education  
Commission

In view of the above circumstances which were held to retard the progress of Muslim Education, the commission made the following recommendations :—

1. That the special encouragement of Muhammedan Education be regarded as a legitimate charge on Local, Municipal and Provincial Funds.
2. That indigenious Mohammedan schools be liberally encouraged to add purely secular subjects to their courses of Instruction.
3. That special standards for Mohammendan Primary Schools be prescribed.
4. That Hindustani be the principal medium for imparting instruction to Mohammedan Primary and Middle Schools, except in localities where the Mohammedan community desires that some other language be adopted.
5. That the official vernacular in places where it is not Handastani be added as a voluntary subject to the curriculum of Primary and Middle schools for Moham- medans.

6. That in localities where Mohammedans form a fair proportion of the population, provision be made in Middle and High Schools maintained from the public funds, for imparting instruction in the Hindustani and Persian Languages.
7. That higher English Education for Mohammedans being the kind of education in which that community needs special help, be liberally encouraged.
8. That where necessary a graduated system of special scholarships for Mohammedans be established to be awarded.
  - (a) in primary schools and tenable in middle schools;
  - (b) in middle schools and tenable in high schools;
  - (c) on the result of the Matriculation and first Arts Examinations and tenable in colleges.
9. That in all classes of schools maintained from public funds a certain proportion of free-studentship be expressly reserved for Mohammedan students.
10. That in places where educational endowments for the benefit of Mohammadians exist and are under the management of Government, the funds arising from such endowments be devoted to the advancement of education among Mohammedans exclusively.
11. That where Mohammedan endowments exist and are under the management of private individuals or bodies, inducement by liberal Grants-in-Aid be offered to them to establish English teaching schools or colleges on the Grant-in-Aid system.
12. That where necessary Normal schools or classes for the training of Mohammedan teachers be established.
13. That wherever instruction is given in Mohammedan schools through the medium of Hindustani, endeavours

be made to secure, as far as possible, Mohammedan Teachers to give such instruction.

14. That associations for the promotion of Mohammedan education be recognised and encouraged.
15. That Mohammedan Officers be employed more largely than hitherto for the Inspection of Primary schools for Mohammedans.
16. That in the Annual Reports on Public Instruction, a special section be devoted to Mohammedan Education.
17. That the attention of Local Governments be invited to the question of the proportion in which patronage is distributed among educated Mohammedans and others.\*

When the Report of the Hunter Education Commission was submitted to the Government of India, that Government in regard to the above recommendations, observed that:—

“The Governor General in Council has the subject of Mohammedan Education at present under separate consideration and will merely say that, in view of the backward condition into which, in some provinces, the members of that community have fallen, he thinks it desirable to give them in some respect exceptional assistance.”†

Memorial of  
the National  
Mohammedan  
Association,  
Calcutta

The reason for the ‘separate consideration’ of the subject of Muslim Education was that in February 1882, the National Mohammedan Association of Calcutta had submitted a very elaborate memorial to His Excellency the Marquis of

\*Report of the Hunter Education Commission (1832) pp. 505-7.

† Government of India Resolution 10/309, Department of Education, dated the 23rd October, 1884.

Ripon, with the concurrence and approval of many leading Musalmans of Bengal and elsewhere. In this Memorial it was said that the Musalmans had come to appreciate fully the necessity of moving with the time and the attention of the Government was directed to the backwardness of the Muslims in India. The most important causes which in the opinion of the memorialists tended to perpetuate that condition were :—

1. The abolition of Persian as the official language (1837) and the substitution of English or the Vernacular, the effect of which has been that Hindus have generally supplanted the Mohammedans in the Government Services;
2. The further orders of 1864, making a knowledge of English essential in the examinations leading to the Native Bar and Judicial Service, which again gave a special advantage to the Hindus;
3. The resumption proceedings of 1824-46, which resulted in the confiscation of numerous rent-free grants, devoted more or less to educational purposes, and also in the ruin of many ancient families; and lastly,
4. (even) the abolition of Urdu as the Court-language of Bihar. \*

It was not insisted in the memorial that Persian might be revived as the official language or that the examinations for pleadership, etc, might be held again in Vernacular. All they prayed for was to be helped to

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\*Memorial of the National Mohammedan Association, Calcutta, 1882.

rise to the educational level to which the other community had risen.

Resolution  
of Lord  
Dufferin in  
1885, the  
Magna-  
Charta of  
Muslim  
Education

Lord Ripon, who was shortly to leave India, could not do anything either to implement the recommendations of the Educational commission or the representations of National Mohammedan Association. It was the Earl of Dufferin, his successor, who 'carefully considered the Memorial together with the correspondence, reports and numerous pamphlets and papers on the subject and on the 15th of July, 1885, recorded a Resolution, reviewing the history of the measures which had been adopted by Government since 1871, in the cause of Mohammedan Education.'

This Resolution is the Magna-Charta of Muslim Education in India, as it contains the first important declaration of the policy of Government on the subject.

The noteworthy observations in the Government of India Resolution of 15th July, 1885, which are relevant to our inquiry may be summed up as follows :—

1. A special section should be devoted to Mohammedan Education in the Annual Report of Public Instruction, giving precise and detailed information, and discussing the position and advancement of the Mohammedan community, not merely as a whole, but with reference to Local variations, in order that the Government of India may be fully informed as to the state and progress of this important section of the community.
2. For the attraction of Mohammedans to higher education, a liberal provision of scholarships is essential and

their wants must not be overlooked in the framing of any general scheme of scholarships for any Province.

3. Special Mohammedan Inspecting Officers to inspect and enquire into Mohammedan Education, generally, may be appointed in places where the Mohammedans are very backward."†

Effect not  
Satisfactory

Inspite of these special measures of the Government the favourable attitude of the Muslims towards the English and the English System of education, and the strenuous efforts of the late Sir Syed Abud Khan and his co-workers, in this direction, the result was not very satisfactory.

The community remained educationally backward—though less than formelry—and at the close of the nineteenth century the rate of progress was found to be a quarter of the rate of progress made by the Hindus. It was felt that 'exceptional measures' alone, adopted for an appreciable period of time, could bring the Muslims educationally into line with the Hindus.

But in the beginning of the twentieth century, i. e., during the first ten or fifteen years, the recounting of these 'exceptional measures' make a sad tale. There were no doubt, retrations of the policy of the Government in the Provincial Annual Reports of Public Instruction and the Quinquennial Reviews of the Government of India, but most of the noble declarations and pious recommendations existed only on paper. They were never enforced effectively and with the passage of time they were sacrificed either to the exigencies of finance or to ever-changing political expediency.

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†History of Education, by Justice Syed Mahmood, p. 175.



Year after year the All-India Muslim Educational Conference, Aligarh, passed resolutions from its platform in which the educational needs and grievances of Muslims were put forward before the Government, till a stage was reached in 1913, when the Government considered it expedient to relieve the dissatisfaction of the Muslims regarding the provision for their education.

Circular of Lord Hardinge, 1913

In April 1913, the Government of India issued a circular on the education of Muslims in which it was pointed out that though the Muslims held their own in primary schools, they were still backward in higher education. The measures which were stressed were :—

“That Maktabas should be encouraged to adopt a secular course, that the teaching of Urdu should be provided where necessary and that special text books should be framed for semi-secular maktabas. It was thought that the existing madrasas and Islamia Colleges and schools should be improved and new schools established for Mohammedans in suitable localities. The provision of Mohammedan Hostels and the appointment of Mohammedan teachers and inspectors and of a reasonable number of Mohammedans to committees and Governing bodies of institutions were also mentioned among other matters requiring attention.”\*

The Muslims all over India whole-heartedly welcomed this circular, and in the 27th Annual Session of the All-India Muslim Educational Conference, held at Agra, in 1913, the following Resolution was passed :—

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\*Indian Education in 1913, pp. 24-5.

“That this Conference expresses its deep sense of gratitude to the supreme Government for acceding to the repeated representations of the Conference and issuing a circular Dated the 30th April, 1913, embodying in their policy just and legitimate principles regarding the educational needs of Muslims; and hopes that the local Governments of the different provinces, after considering the principles laid down in this circular will make full provision for the education of Muslims.”\*

The Conference in its hopes with the local Governments was not altogether disappointed and some Provincial Governments not only took a favourable view of the matter, but also did work of permanent value, for the education of Muslims.

As the best work in this connection was done in U. P., we shall now concentrate on this Province.

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\*Fifty years' History of the All-India Muslim Educational Conference, p. 164.

## PART II

### THE STRUGGLE IN U. P.

A Short  
review of  
Educational  
backward-  
ness of  
Muslims in  
U. P.

In the Government of India Circular of 30th April, 1913, it was pointed out that in Primary Education the Muslims 'held their own'. But as the following quotations will show this statement was not correct in the case of the United Provinces.

The Director of public Instruction, in his report for 1902, had remarked:—

"The conditions of the previous year were reversed, and the Muhammedan Community had again begun to lose ground relatively. The retrogression during the year was from 19.2% to 18.9%. This was comparatively negligible".

But he quoted further figures to show that :

"The figure had fallen from 23.6% in the 'course of eleven years .....and while the number of Hindu Scholars had more than doubled, that of Mohammedan scholars .....had been almost reduced to their proportionate share of the total number according to population".

Again in the Quinquennial Report ending March, 1907, he remarked:

"That the state of things cannot be regarded as satisfactory, but the leaders of Muhammedan Community are alive to the situation and are endeavouring by the speech and action, none too soon, to promote education and arrest the decline of their community".

In 1908 the situation was summed up as follows :

“That taking the whole field of education, the Mohammedans were still losing the ground, the percentage of scholars to the total school-going population being 17·6 or ‘4 less than in the year previous”.

The condition in 1912 was all the more deplorable because the percentage of the Muslims in Primary education as given in the Director's report was only 18·78 which was even less than the proportion of Mohammedans in these Provinces to the Hindus.

The position of Muslims in the field of Primary education considered from another point of view revealed that the percentage of school-going children in these provinces was hardly ten and according to the census of 1911 there were only three Mohammedans in every hundred who could read or write.

Special attention of Sir (Lord) James Meston on Muslim Education

In view of the above statement of facts it is clear that the Muslims, in the primary stage, which is the Foundation-stone of all progress in Secondary and higher education, were extremely backward and the special attention paid to this problem by Sir (Lord) James Meston's Government was most opportune.

Preliminary Resolution of 7th May, 1913, and the appointment of Piggott Committee.

In order to determine the local application of the principles enunciated by the Government of India Resolution of 21st February, 1913, the Government of Lord Meston issued a Resolution on the 7th May, 1913, which after pointing out the backwardness of Primary

education in these provinces pointed out the direction in which improvement was desirable, and appointed a Committee under the presidency of Mr. Justice Piggot to advise the Government as to the proper lines of advance and the most profitable use of the funds (35 lakhs) which seemed likely to be available, in addition to what was already spent on this branch of Education.

The main terms of reference on which recommendations were specially invited were : —

1. Improvement of teachers.
2. Suitability of the Curriculum.
3. Education for special classes.
4. Nature of the school-buildings.
5. Encouragement of aided and indigenous schools.
6. Encouragement of girls schools.
7. Machinery of inspection and control.

The Committee met at Nainital in the beginning of June, 1913, and submitted its Report by the end of August, 1913.

Immense interest of Muslims in the educational inquiry

During this period the Musalmans of U. P. in spite of the fact that their case was not likely to go by default, being represented in the Piggott Committee by the Hon'ble Raja Syed Abu Jafar of Pirpur and Khan Bahadur Maulvi Asghar Ali Khan of Bareilly showed immense zeal and gave their fullest co-operation to the Committee, under the enthusiastic leadership of the late Sahibzada Aftab Ahmad Khan, then Hony. Joint Secretary of the All-India Muslim Educational Conference, Aligarh.

The leaders of the Mohammedan Community at that time, who were in the true sense of the word 'alive' to the situation, collaborated in the work of the Piggott Committee at considerable personal sacrifice and submitted their views on all the essential features of the educational enquiry.

Aligarh  
Committee  
and the  
Memorial  
of the All-  
India Mus-  
lim Educa-  
tional Con-  
ference

A Committee of Muslim educationists, under the Chairmanship of Khwaja Sajjad Husain Sahib, Inspector of Schools, Punjab, met at Aligarh from the 13th to the 18th of July, 1913, in connection with the Annual Teachers' Conference. The Conference was also assisted by six Mohammedan Officials of the Education Department, whom His Honour the Lieutenant Governor was pleased to allow to attend.

The Committee together with the Teachers' Conference fully discussed and considered the question of Primary Education in all its aspects and branches and definite conclusions were arrived at with regard to all the points involved in the Government Resolution dated 7th May, 1913. The subject was considered both from general as well as communal point of view. First consideration was paid to the people at large and then the special needs of Mohammedans were taken into account.

The proceedings of the Committee were submitted in the form of a printed memorial to the Hon'ble Mr. Justice Piggott, I. C. S., President of the Committee of inquiry on Primary Education. So much importance was attached to this Memorial that in order to afford an

opportunity for its submission, the Piggott Committee adjourned their sittings between the 28th of June and 11th of August, 1913, and when the Memorial reached their hands they not only gave it their 'fullest and most detailed consideration, but also recognised that :

"We ( Piggott Committee ) are deeply sensible of our obligations to them ( Muslim Leaders ) for having laid before us in so clear and complete a form the needs and wishes of the community they represent."\*

The valuable material thus supplied by the 'Aligarh Committee' subsequently served as the basis of most of the conclusions arrived at by the Piggott Committee relating to Muslim Education.

Karamat  
Husain  
Committee  
Report

The Piggot report was published by the Government on the 22nd of September, 1913, for the information and criticism of the public and elicited a mass of opinions and suggestions in the Press and otherwise. The All-India Muslim Educational Conference also sent some resolutions regarding it to the Government, and the Government, in order to obtain the views of the Muslim Community in much more detail, appointed a non-official advisory Committee of Muslims with Mr. Justice Karamat Husain as its president, and 'the constitution of this latter body was so representative of all shades of Muslim opinion that the Lieutenant Governor held back his final orders, until he should have the advantage of perusing their Report, which reached the Government in June, 1914.'

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\* Piggott Committee Report, p. 2.

The Meston  
Scheme of  
'Special'  
Muslim  
Education,  
dated 25th  
August,  
1914

The Government of Lord Meston dealing with the Piggott Committee Report and the Report of Maulvi Karamat Husain Sahib, passed the following orders for the advancement of Education among Muslims, in their

Resolution No. 1611-XV. dated 25th August, 1914 :—

1. The common or Hindustani language, printed in either Persain or Nagri type, should be used in the Primary Readers.
2. The pupil should learn to read Urdu or Hindi according to the wish of his parents.
3. In schools where there is only one teacher he should be familiar with both Hindi and Urdu. Where there are more than one teachers one of them should be thoroughly capable of teaching Hindi and one of teaching Urdu.
4. Denominational religious teaching shall be permitted in public schools and a part of each school-building will, if possible, be allowed for such teaching on the following conditions:
  - (a) That the teaching is arranged for, and the instructor appointed and paid by the school committee or, with their consent, by a committee or committees of parents;
  - (b) that the regular teachers are not required to take any part in the instruction;
  - (c) that the attendance is not compulsory on a boy except at the request of his parents or gaurdian;
  - (d) that the teaching takes place outside the regular hours; and



- (e) that it is conducted in such a manner as not to cause offence or inconvenience to the rest of the scholars or to the neighbours.
5. Facilities will be given for a proper infusion of Mohammedans among the teachers and the inspecting staff.
  6. The boards are being asked to insist that Mohammedan boys are freely admitted and properly treated in schools where Hindus predominate.
  7. It will be a rule that efficient teaching in the Persian script and in the Urdu supplementary reader is afforded in every boards' school to any boy who asks for it.
  8. In any town or village where a sufficient number of Muhammadan parents come forward to guarantee an attendance of at least 20 boys, and whether there is an ordinary primary school already in existence or not, the district boards shall start a special Islamia school and provide it with a qualified Mohammedan teacher.

The School will be started on a temporary basis, and its retention will depend on the efforts of the guarantors and the teacher to maintain and increase the number of pupils. Its status at first might conveniently be that of a branch of an existing primary School, if there is one near enough; but the aim should be to raise it, as quickly as possible to the position of a full primary school, staffed through-out by Mohammedan Masters.

9. The ordinary curriculum will be taught, the instruction being wholly in Urdu, and proper facilities will be given for religious teaching in the school-building out-side the regular school-hours.
10. If the Mohammedans of any locality desire a more definitely sectarian type of instruction, their natural

course would be to establish a maktab, which would qualify for obtaining a grant-in-aid under the ordinary rules.

11. In the time-table of the working day of the school, the main interval be lengthened, by the Board as may seem advisable and the other intervals may be so timed as to allow Muhammedan pupils leisure for their compulsory prayers.
12. In the enjoined revision of the list of holidays it may be found possible to curtail slightly the number of Hindu holidays, and to enlarge slightly that of Muhammedan holidays.

### MAKTABS

13. (a) A provincial Maktab Committee of Muhammadan gentlemen, not exceeding eleven in number, will be appointed by the Director of Public Instruction. It will comprise both Maulvis and laymen, and representatives of both Shia and Sunni Communities. The president of the committee will be a Muhammedan Inspector of Schools, or other officer of tried educational experience to be nominated by the Director of Public Instruction.
- (b) The Provincial Committee will be a consultative body, whose opinion will be obtained by the Educational department on any substantial change in the curriculum or methods of management, and who will be expected to advise the Department and the Government on any matter affecting the interests or promoting the extension of primary education for Muhammedans.
- (c) A Maktab Text Book Committee will be formed, consisting of nine persons; four to be nominated by the Provincial Maktab Committee, and the

- others (including the chairman) by the Director of Public Instruction.
- (d) In each district a District Maktab Committee will be formed. The District Board may nominate five Muhammedan gentlemen for the purpose, or may arrange to have them elected by the Muhammedan voters on the Boards electoral roll. The Collector will nominate a Muhammedan official as Chairman, and may add any other official to the Committee, if so desired by the non-official members.
- (e) The duty of the District Maktab Committee will be to make a census of existing maktab and bring them to the notice of the District Board and inspecting officers; to encourage the establishment and proper equipment of maktab; to arrange for the selection and training of moulvis; and to advise the District Board on any matter effecting maktab education.
- (f) The text-book Committee referred to in (c) above will select or prepare a series of readers, for the approval of the Director of Public Instruction for use in maktab. They should be so arranged as to lead up to the Urdu Course of the Vernacular Middle Schools, and the lessons should be so framed as to give offence neither to Shias nor to Sunnis.
- (g) If a Maktab desires a grant-in-aid it must teach definite secular curriculum to be prescribed by the Director of Public Instruction in consultation with the Provincial Maktab Committee. The curriculum should include the three "R's" in Urdu, with some elementary Geography and Persian in the higher classes.
- (h) If a Maktab teaching the prescribed curriculum is vouched by the special inspecting agency (which

will be described latter) to be working efficiently the District Board may make it a grant-in-aid not exceeding three-fourths of the salaries of its secular teachers. If the same masters teach both religious and secular subjects, the cost of the latter may be calculated roughly in proportion to the time occupied in teaching them. The District Board may also make to the funds of a maktab, a grant of such amount as they consider suitable for every boy who passes into class III or IV of one of the Boards' own primary schools, after not less than two years' instruction at the maktab.\*

- (i) If a definite demand for it is apparent the Government will establish a special normal school for the secular training of teachers for maktabs. The conditions of entrance, stipends and curriculum

\*As a result of orders (g) and (h) above, the following provisions were afterwards made in the District Board Educational Rules:—

'Maktabs' "76. The board may, after consulting the District Mohammadan Educational Committee appointed under rule 74, make a grant-in-aid to a maktab if the secular curriculum prescribed for maktabs by the Educational Department is taught and the school is recommended for a grant-in-aid by the provincial inspecting staff.

#### District Board Educational Rule 81.

"81. The amounts of the grants which may be given under rules 76 and 79 shall not exceed three-fourths of the salaries of the secular teachers employed. If the same masters teach both religious and secular subjects, the district board shall decide what proportion of their salaries will be taken in the calculation of the cost of secular teaching. The inspecting officer shall in all cases report whether the staff employed is or is not excessive in proportion to the attendance.

will be settled when the time comes, in consultation with the Provincial Maktab Committee.

14. Mixed girls' schools should be encouraged as far as possible, but a separate school for Mohammedan girls (with necessary purdah arrangements) may always be opened where number justifies it.
15. The exceptional measures for the extension of Mohammedan education will require, over and above the strengthening of the ordinary inspecting staff and the gradual infusion into it of a stronger Mohammedan element, corresponding additions to the machinery of inspection.

The following are the special provisions for the encouragement of Mohammedan Education :—

- (a) An additional inspector will be appointed to assist and advise on the various measures now being concerted for the extension of Mohammedan Education, both primary and other. He should be a Musalman gentleman of culture, and by preference a trained teacher. His duties will include membership of the Provincial Maktab Committee, of the Maktab Text Book Committee, and of the Committees for preparing the new Urdu supplemantry readers for boys' schools and for revising the Urdu Cours in girls' schools. He will also assist in organising Mohammedan effort throughout the Province for the establishment of Islamia schools for grant-in-aid. For this purpose he should get into touch with existing organisations for the promotion of Mohammedan education of which at least one has recently been started in the United Provinces, and should secure their co-operation with the endeavours in the same direction of the Government. The

special inspector will, if need hardly be said, act under the orders of the Director of Public Instruction who will determine his relations with the ordinary inspectorate. The appointment will at first be temporary and provisional; its confirmation will depend upon the value of its results.\*

- (b) In each inspector's division a Mohammedan Deputy Inspector of tried capacity, or officers of roughly corresponding status, will be placed on special duty to undertake for the districts of the division the same duties of visiting and advising on Mohammedan schools (including maktabas) and stimulating local efforts as the extra inspector will endeavour to carry out for the province. This officer will be under the orders of the divisional inspector, who will pass on his reports to the special Mohammedan inspector, and will freely consult the latter in all matters of importance arising out of the Deputy Inspector's special work. Here also the posts will be, at the outset, temporary and provisional; their permanence being determined by their success or otherwise†

16. The provision will be made for the reservation, wherever the attendance and standard of work deserve, of a certain number of scholarships for special Mohammedan schools.
17. An equitable ratio of exemptions (from fees) should be reserved for impecunious Mohammedans in ordinary schools.

In the new primary Islamia Schools the Boards may raise the limit of exemptions up to one-half of the

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\*The post has been made permanent since 1931.

†These posts have also been made permanent.

average attendance; though it should be reduced to the ordinary 25% as the schools establish themselves in popularity.

18. No fees should be levied in night schools, half-time schools, and the Government will make no rule about fees in Maktabas.”\*

The Meston Scheme fell short of Muslim expectations

These concessions fell far short of the expectations of the Muslims, because the Government did not accept in full the recommendations of the Aligarh Committee of July, 1913, or of Moulvi Karamat Husain Committee of April, 1914. However even if all the above concessions of the Government had been put into effect and adhered to, not only in letter, but in spirit, the progress of Muslim Education would not have been so slow in the last two decades. While passing their orders the Government had ‘relied confidently upon the whole-hearted co-operation of the Boards and the sympathetic interest and generosity of all those who value the welfare of the rising generation.’ But neither the Boards, where the Musalmans in the majority of cases were in perpetual minority, nor those ‘who profess to value the welfare of the rising generation.’ did anything for the development of education among the Musalmans. On the contrary the Muslims having been considered the ‘favourites of the Government were opposed tooth and nail in the press

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\*Extracts from the preliminary Resolution, Education Department, U. P., No. 1611/XV-of 1914, Dated. Nanital, the 25th August, 1914.

and on the platform and also silently but relentlessly from the dingy offices of the Boards and the Education Department.

Provincial Muslim Educational Conference founded in 1914

Foreseeing these difficulties the All-India Muslim Educational Conference, Aligarh, after a few months of the publication of Government orders, established a Provincial Muslim Educational Conference for U. P., and the chief aims and objects of this separate body were :

1. That Primary education, being in the hands of District Boards which will give effect to the Meston Scheme, the Muslim members of these Boards be requested to look after the interests of Muslim Education.
2. That the members of the majority community in the Boards be prevented from obstructing the progress of Muslims in education and
3. That the Muslims of the Province themselves be prepared to take the fullest advantage of the Scheme.

Inactivity of the Conference for ten years

Most unfortunately the Provincial Muslim Educational Conference after its first session at Etawah in 1914, which was held under the presidency of Sir Syed Abdur Rauf Sahib, slept over the matter, and for ten years, owing to the upheavals of the Great War, the pre-occupations of the New Reforms of 1919, and the Khilafat and non-co-operation movements, it could not hold any of its meetings; not to speak of its doing any work

In the meantime 'due to the growing poverty, coupled with general illiteracy of the Muslim Community,



the poor representation of Musalmans in the teaching staff, and want of sympathy as well as difficulties of admission, the absence of facilities for teaching Urdu in many schools, and reluctance of Muslim boys to read Hindi; the absence of religious instructions without which there was little inducement to acquire secular education; absence of grants for scholarships and freships; inedequate Muslim representation in the inspecting staff and want of encouragement; and lastly the refusal of the Boards to make grants to Islamia Madrasas and Maktabs,' the progress of Education among the Musalmans could not make any appreciable headway.

The dawn of  
new Reforms-  
Education a  
transferred  
subject

This deplorable state of affairs was, however, vividly revealed with the dawn of the Reform Scheme in 1921, according to which education became a transferred subject, and the Muslims realised that in order to take their natural position as a respectable section of the Indian people, it was no longer desirable to leave matters to take their own course.

The low  
Educational  
status of the  
Muslims in  
1921

An enquiry into the educational status of Muslims at that time, in these Provinces, shows that 'the Musalmans of United provinces were more backward than the average Muslims throughout India. According to the census of 1921, the number of literate muslims per 1,000 was 93, among males, and 9 among females in the whole of India; whereas in the United Provinces the number was only 73 among males and 8 among females. These percentages were for persons of 5 years of age and over. If all ages were included the percentage for males in the United Provinces reached 65 per thousand.

The comparative figures for the literacy of the various communities (including males and female) were as follows :—\*

Class	Population	Literate	Percentage
1. Muslims	64,81,032	2,43,937	3'76
2. Non-muslims :			
1. High Caste Hindus	1,08,19,742	9,24,908	8'54
2. Untouchables	1,39,73,188	69,789	4'9
3. Other depressed classes	1,46,93,816	1,46,630	9'9
4. Other minor castes	12,008	—	—
5. Jains	67,887	20,748	30'56
6. Sikhs	14,234	2,947	20'70
7. Budhists	483	60	12'29
8. Christians	2,00,718	47,511	23'67
9. Parsis	925	692	74'81
10. Jews	41	28	68'24

Excluding the untouchables and the depressed classes, who form a very large fraction of the non-muslim population and whose progress in education is bound to be very slow, as long as they remain dependant on the high caste Hindus, the percentage of literacy

\*Note of the Provincial Muslim Educational Conference submitted to the Wetheril Committee, 1925.

among the Muslims as compared with the Hindus and other communities was very low.

The revival  
of the  
Muslim  
Educational  
Conference  
in 1924

At a time when careers were open only to talent and efficiency, a community with such backwardness in education could not hold its own for long. Fortunately such leaders of Muslim Community as had the subject of education dear to their hearts, rose to the occasion and as a first step to the realisation of their object, they again revived the Provincial Muslim Educational Conference. After ten years' inactivity the second session of this body was held in March, 1924, under the joint presidency of Nawab Sir Mohammed Muzzamillullah Khan and Justice Sir Shab Mohammed Sulaiman. In this Conference after a general survey of the causes of the decline of the Muslims, the following important resolutions were passed :—

1. "As at present the Islamia Schools and Maktabas have been placed under the control of District Boards and Municipal Boards, which bodies are not in any way interested in the welfare of these institutions, and as for want of proper Muslim representation on the Boards, full attention is not devoted to the progress of these institutions and the Muslims do not get a proper share from grants given by the Government to the Boards for advancement of general primary education, this Conference is of opinion that the Government should take the administration of these institutions under its direct control. It also recommends that the office of the Inspector of Islamia Schools be attached to the office of the Director of Public Instruction. But till these recommendations are accepted, the Conference

suggests that the following amendments be introduced in the present constitution and the draft rules:—

- (a) Under Government resolution No. 1611, dated 25 August, 1914, a separate Inspector of Islamia Schools, whose status was equal to that of a Divisional Inspector, was appointed to inspect Islamia schools and Maktabas in order that he should supervise them and make necessary extension therein, but owing to financial difficulties this duty was afterwards entrusted to the Divisional Inspector with the result that the number of these institutions could not be sufficiently enlarged. This Conference strongly recommends that in accordance with the Government resolution referred to above a separate Inspector of Islamia Schools be appointed as was originally sanctioned, and that this work be not entrusted to a Divisional Inspector or the Inspector of Arabic Schools.
- (b) This Conference requests the Local Government that recommendations made by the Retrenchment Committee, regarding the reduction of the posts of Deputy Inspectors of Islamia Schools be not given effect to and these officers be confirmed as soon as possible, otherwise Muslim education will seriously suffer.
- (c) This Conference requests the Government that the following be deleted from the draft rule No. 33,  
“But this certificate.....ordinary schools.”  
because with these words the Examination and the Certificate both become useless.
- (d) In section 74 of the draft rules the word ‘if’ should be deleted as in the presence of the words ‘if’ the existance of Mohammedan Educational Committees depends on the mercy of the District Boards, and

this Conference is afraid that if the formation of these committees is left to the choice of the Boards, all such committees will disappear in the near future and thus Lord Meston's Scheme will practically be upset in its entirety.

- (e) This Conference requests that the District Board Act be so amended as to make it obligatory to form a Mohammedan Educational Committee in each district.
  - (f) This Conference is of opinion that the Mohammedan Educational Committees should be given a status similar to that of the District Board Educational Committees and their recommendations should be submitted directly to the Boards for confirmation.
  - (g) This Conference suggests that the opening or closing of Maktabs and Islamia Schools should not be effected without the approval of the District Mohammedan Educational Committee concerned and that no change in the staff of the said institutions should take place without the consultation of the said Committee.
  - (h) This Conference requests the Government that arrangements be made for the District Mohammedan Educational Committees to be consulted in the preparation of the District Board Budgets in respect of the expenditure necessary for the Islamia Schools and Maktabs and that a fixed amount from Government Grant and the District Board Fund should then be allotted for the purpose in each case.
  - (i) This Conference requests the Government that an amendment be made in the Municipal Act requiring the Boards to allot a separate amount for the establishment and maintenance of Islamia Schools.
2. This Conference is of opinion that the language of Urdu and Hindi editions of text books for vernacular

schools should be the same. They should only differ in character; Persian and Arabic equivalents of Hindi words which are not common should be inserted within brackets and so Hindi equivalents of unfamiliar Arabic and Persian words should be noted in brackets. This uniformity is sure to remove obstacles in the way of progress.

3. This Conference urges the necessity of the appointment of a Mohammedan Assistant Director of Public Instruction at the Headquarters of the Education Department.
4. This Conference disapproves of the existing principle of making Government grants to institutions equal to the amount raised by the institutions themselves, as it very often deprives the really deserving institutions from securing grants. The grant should, therefore, be made on the basis of the quality of work done, regardless of the amount collected by the institution. The Conference therefore suggests that before making grants the Government should have an enquiry made and on its result the question of grants be decided regardless of the funds collected by the institutions themselves.
5. This Conference requests that like the Province of the Punjab, a fixed portion of Government grant, not less than 30% be set apart for Moslem Schools.
6. Resolved that the right of Inspecting Islamia Schools and Maktabs be restricted to Moslem inspecting officers and Moslem members of the District Board only.
7. This Conference requests the Government that in order to bring about a free and unfettered discharge of their duties the Deputy Inspectors of Islamia Schools be placed under the direct control of the Inspector of Islamia Schools.

8. This Conference recommends that with a view to meet the inadequate representation of Moslems in the cadre of Deputy Inspectors in a district a certain number of posts, proportionate to the Moslem population and their special needs, be set apart exclusively for them.
9. This Conference recommends that in Islamia Schools under the District Board, like other compulsory subjects a separate period be allotted for theology at which time during the school hours the students may receive religious instruction and such Islamia Maktabas as have a number of more than 20 boys on their roll may be given the status of District Board Islamia Schools. The cost of religious instruction shall be borne by the Moslem public.
10. This Conference recommends that in the Boarding House of every Town school there should be for Musalmans, a kitchen with the necessary staff and utensils, and a Moslem teacher be appointed Superintendent of Moslem boarders, who should also supervise and manage the kitchen for Moslems.
11. Resolved that proportionate to the Moslem population of a district a fixed proportion of scholarships granted by the Government for primary schools be set apart exclusively for Moslem students and that the scholarships be awarded to those students by means of competition.
12. In view of the fact that Moslems think it necessary to impart religious instruction to their children this Conference recommends that in areas where primary education has been made compulsory the number of Moslem aided maktabas and special Islamia Schools be multiplied and made sufficient to meet the requirements of the people.

The Deputation of the Muslims to H. E. Sir William Marris on August 14, 1924

Apart from passing the above resolutions the Conference also resolved to send a Deputation to His Excellency Sir William Marris, Governor of the United Provinces, 'to submit the grievances of the Musalmans with regard to their backwardness in Education'\*

The following gentlemen were selected as members of the deputation:—

1. Nawab Sir Mohd. Muzzammillullah Khan Bahadur, ( of Bhikampur), President.
2. Sahibzada Aftab Ahmad Khan, Aligarh.
3. Dr. Ziauddin Ahmad, Aligarh.
4. K. B. Maulvi Fasihuddin, Budaun.
5. Lt. Shaikh Shabid Husain of Gadya.
6. Dr. Shafaat Ahmad Khan, Allahabad.
7. Raja Shaikh Aijaz Rasul of Jehangirabad.
8. Hafiz Hidayat Husain Sahib, Bar-at-Law, Cawnpore.
9. M. Mohd. Ikram Alam Sahib, Vakil, Budaun.
10. K. B. Shaikh Abdullah, Advocate, Aligarh.
11. K. B. Maulvi Bashiruddin, Etawah.

The deputation presented an address and a very informative Memorial before His Excellency at Agra on 14th August, 1924. The Memorial in its 84 pages reviewed a wide field of Educational policy and practice of the Government and embodied in it the considered

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\*Report of the Provincial Muslim Educational Conference held at Budaun on 21,22 and 23rd of March, 1924.



views of the Conference in regard to the Educational Needs and Grievances of the Muslim Community.

The disap-  
pointing  
reply of His  
Excellency

But the times had now changed and the Muslim Community had outgrown its utility and therefore His Excellency, in spite of clause X of the Instrument of Instruction of the Reforms scheme which provided that:

“The Governor is required to secure that in all extensions of educational facilities, adequate provision is made for the special needs of the Muslims and any other minority community,”

in his reply to the ‘Humble Memorial’ of the Muslims he said:—

“You ask that you may be specially given a helping hand at every stage of education, from the spelling classes of the Primary Schools right upto the University; you desire special representation in all the various kinds of staffs and Committees and governing bodies which contribute to the control of education; you ask for a special allotment of public grants, and for special authorities to administer them in a way which comes near to setting up a sort of communal dyarchy in local bodies. It is clear that what you seek is a rigid protection for your minority at every stage of education—education is a transferred subject and its administration is in the long run controlled by the legislature so long as we all subscribe to the existing constitution the measure of the concession to be granted in any one quarter must be determined in the main through the ordinary process of Government . . . . it is on this basis that my constitutional advisers and I myself will approach the complex questions which you have presented

to us. And it will be for you, gentlemen, not to rest content with this representation which you have made to me. . . . . we still have to play the game of administration according to the rules prescribed for us; and according to these rules you have others to persuade besides ourselves. It is for you to do what you can to get your views accepted by discussion and agreement and advocacy in the Legislative Council. . . . .”

The Meston  
Scheme in  
danger

The Musalmans who since 1870 had remained under a delusion and had had a blind faith in the unstinted special patronage of their benign Rulers were very hard hit by this extremely disappointing reply of His Excellency, and having experienced such a rude shaking of the old plank on which they had rested so long, they found themselves thrown into an extremely precarious position. Under the so-called reformed government on democratic lines, the British Government thus confessed the necessity of “playing the game of administration” while the ‘others’ to whom His Excellency advised the Muslims ‘to persuade’ had already begun to show their teeth. The Economy Committee, in 1923, in order to upset the Meston Scheme had recommended the abolition of the posts of special Mohammedan Inspector and Deputy Inspectors to effect a saving of Rs. 50000/- and Mr. Kitchlu’s ‘learned report’ published in 1924 on the ‘Improvement and expansion of primary education for boys in the United Provinces’ had not thought fit to devote even a single paragraph to a consideration of the Mohammedan Education. In the whole of this report the words ‘Muslims,’ ‘Islamia’ Schools or ‘Maktabs’ were conspicuous by their absence.

Frantical  
efforts of  
the Muslim  
Educational  
Conference  
to save the  
Meston  
Scheme

The Muslims, however, who when cornered, do not easily give in, did not altogether lose their courage. They rallied their forces, and to keep abreast of other communities for advancing the cause of education met again in the 3rd Provincial Muslim Educational Conference on the 21st, 22nd and 23rd of February, 1925, at Allahabad.

This Conference, besides that eminent Muslim educationist, the late Sahibzada Aftab Ahmad Khan, who presided over its deliberations and his co-workers Maulana Syed Tofail Ahmad, K. B. M. Bashiruddin, Maulvi Nizami Budauni and others, had also the able guidance of Justice Sir Shah Mohammed Sulaiman, and with the joint efforts of these gentlemen, the Conference pressed, with greater vigour, on the Government, the educational demands of Muslims.

After the Allahabad Conference was over its resolutions were presented to the Hon'ble Minister of Education by a representative Duputation of the Muslims, and the Local Government, realizing that the Muslims were really backward in education, appointed a committee under the Presidency of Mr. H. B. Wetherill, I. E. S., to inquire into the state of Primary Education of the Muslims and other backward communities, with a view to bringing them up to the general level. As the terms of reference of this committee were not wide and comprehensive, the Provincial Conference, fearing that the Committee might confine its attention to a narrow field, again did a lot of uphill work in preparing the case of the Muslims. This time the printed note which the

Conference presented to the enquiry Committee was written by such an expert that it is considered a masterpiece among the mass of literature on the subject of Muslim Education. It saved the Meston Scheme and as a result of its force of arguments the findings of the Wetherill Enquiry Committee were not altogether unfavourable to the Muslims.

The achievements and work of the Provincial Muslim Educational Conference, 1925-31

The Provincial Muslim Educational Conference under the guidance of, and in collaboration with the All-India Muslim Educational Conference did not rest content with this success, and since 1925 it has been almost regularly holding its annual sessions and voicing the educational needs of Musalmans from its platform. The following gentlemen have so far presided over its annual sessions in the years and at places noted against their names :

S. No.	President	Year	Place
1	Sir Syed Abdur Rauf.	1914	Etawah
2	Nawab Sir Mohd. Muzzammillullah Khan Bahadur, and		
3	Dr. Sir S. M. Sulaiman.	1924	Budaun
4	Sahibzada Aftab Ahmad Khan.	1925	Allahabad
5	Dr. Sir Ziauddin Ahmad.	1926	Pilibhit
6	K. B. Hafiz Hidayat Husain.	1927	Farrukhabad
7	Dr. Sir Shafaat Ahmad Khan.	1929	Allahabad
8	Nawab Sir Mohd. Muzzamillullah Khan Bahadur.	1930	Etawah

S. N.	President	Year	Place
9	Nawab Sadr Yar Jung Bahadur M. Mohd. Habibur Rahman Khan Sherwani.	1931	Sabaranpur
10	Nawabzada Liaqat Ali Khan.	1932	Bareilly
11	K. B. Obaiur Rahman Khan.	1933	Aligarh
12	Raja Syed Mohd. Mehdi of Pirpur.	1934	Muzaffarnagar
13	Syed Bashir Husain Zaidi.	1935	Moradabad
14	Prof. Abdul Majid Kureishy, and		
15	Principal K. G. Saiyadain.	1937	Jaunpur
16	Hon'ble Dr. Syed Mahmood.	1938	Etawah

At whatever place the Conference has held its session it has been of very great value to the people of that locality. It has always proved, though sometimes imperceptibly, the torch-bearer of light and learning, and as a result of these national gatherings many new educational institutions have been founded and the old ones have received an impetus. The local needs which would have otherwise never come to light have found expression through the agency of the Conference and also generally met in due course of time. The Conference is a unique body in the sense that on its platform, Muslims of all religious beliefs and different shades of political opinion gather together for the common cause of educational amelioration and advancement of their community.

The Conference for sometime past has not confined its activities to education alone. It has done work of several other kinds, of historical value, of economic importance and of social reform. The problems of adult education and of the compulsory education of both boys and girls are also receiving its attention. In 1925, the Conference passed a resolution to the following effect :

“That this Conference requests the Government and the Municipal Boards of the Province to take early steps for the enforcement of Compulsory Education in all the municipalities of the provinces,”

and in 1929, Maulana Syed Tofail Ahmad Sahib, who is the moving spirit of the Conference, in his capacity as a member of the U. P. Legislative Council moved and secured the passage of a resolution which ran as follows :—

“That this Council recommends to the Government to appoint a Committee to draw up a practical programme for making all boys and girls literate in these provinces, within a fixed period to be recommended by the said committee and at the same time to lay before the Government a scheme for the provision of sufficient funds for the purpose, so that the work may be taken up from the beginning of the next financial year.”

The Committee mentioned in this resolution investigated the problem of literacy and recommended that if the local and the Central Governments could make a provision of Rs. 33 Crores (recurring) all the boys and girls of school-going age could be given a course of 5 years' instruction within a period of 15 years. And since such a big sum could not be found easily, the

committee, with the object of making a beginning, laid before the Government a practical scheme for the provision of Rs. 80 lacs out of provincial funds which could be made available without much difficulty.

The report of the Committee was approved by the Government, but unfortunately could not be given effect to, owing to the financial stringency in the years following its approval.

The problems of the re-organisation of Secondary and University Education and the unemployment of the educated, have also received active support of the Conference.

**Obstacles in the Educational Progress of the Muslims** In 1931, stock was again taken of the results of the sustained efforts of the Conference and it was found that there were still great many difficulties and obstacles in the way of the educational progress of Muslims.

In order to bring home to the Government these difficulties and obstacles and also to secure certain amendments in the education Code it was resolved in the Conference Session of 1931, which was held under the presidency of Nawab Sadr Yar Junj Bahadur Maulvi Mohd. Habibur Rahman Khan Sahib Sherwani at Saharanpur to prepare a memorial and send a deputation to His Excellency Sir Malcolm Haily, the Governor of the United Provinces. Dr. Sir Ziauddin Ahmad wrote the memorial, but for some reason or the other his Excellency could not fix the date of receiving the deputation before April, 1933, and when the actual time

came he had to go to England on leave. On his Excellency's return in October permission for the deputation was again sought and the reply came that there was no need of sending a deputation and that the Hon'ble Minister of Education will invite the representatives of the Muslim community in a meeting and will discuss with them the points raised in the Memorial of the Conference.

Consequently, on December 6, 1933, the Legislative Council adopted the following resolution :

"That this Council recommends to the Government to take practical measures for the educational needs of backward classes other than the classes known as depressed, that a Conference similar to that recently held at Bareilly be convened by the Education Department to consider the educational needs of backward classes, including Muslims and Indian Christians, residing in rural areas; and that the Government should set apart funds for providing special educational facilities for them."

Lucknow  
Conference  
on Muslim  
Education,  
1934

In pursuance of this Resolution the Government summoned a Conference of Muslims and the following comprehensive Agenda for discussion was drawn up by Mr. A. H. Mackenzi, the then Director of Public Instruction, U. P., in consultation with K. S. Syed Aley Ali Naqvi, M. A., Inspector of Muhammedan Schools :

1. Progress made in Muslim Education since the Reforms of 1921.
2. Representation of Muslims on the administrative staff of the Education Department.



3. Representation, of Muslims in the educational services.
4. (a) Teaching Staff :
  1. Intermediate Colleges and High Schools.
  2. Vernacular Schools (Primary)(b) Inspecting Staff.
5. Guiding Principles adopted in selecting candidates for the various educational services.
6. (a) Existing practice.  
(b) Future policy.
7. Representation of Muslims on the Board of High School and Intermediate education and on its committees.
8. Appointment of examiners by the Board of High Schools and Intermediate Education, United Provinces.
9. Appointment of examiners for departmental Examinations.
10. Grants-in-aid to secondary schools.
11. Hostels attached to vernacular middle schools.
12. Scholarships.
13. Female education.
  - (a) Present position regarding the education of Muslim girls.
  - (b) Present results.
  - (c) Peripatetic teachers.
  - (d) Government grants to Muslim Girls' Schools.
14. Indigenous Muslim institutions (Arabic and Persian Madrisas.)
15. Deputation of candidates to training institutions :

- (a) Training Colleges.
  - (b) Vernacular training institutions.
15. Compulsory primary education :
    - (a) For boys.
    - (b) For Girls.
  16. District Mohammedan Education Committees.
  17. Islamia Primary Schools.
  18. Maktabas.
  19. Training Classes for Maktab teachers.
  20. The functions and powers of the Deputy Inspector of Mohammedan Schools.
  21. Recurring and non-recurring grants for Islamia schools and Maktabas.
  22. Supervisors for Maktabas.
  23. Provincial Muslim Education Committee, United Provinces.
    - (a) Function.
    - (b) Number of meetings.
  24. Religious education.\*

The Conference met in the Council House, Lucknow, on February 12, 13 and 14, 1934, under the presidency of the Minister of Education, (Hon'ble Mr. J. P. Srivastava), and the following members of the Muslim Community, besides the Inspector of Mohammedan Schools,

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\*Report of the Conference on Muslim Education in the United Provinces, 1934, pp. 21-22.

who acted as Secretary, attended.

1. Nawabzada Liaqat Ali Khan, M. A. (Oxon), Bar-at-Law, Deputy President of the Legislative Council.
2. K. B. Mohd. Obaidur Rahman Khan Sherwani.
3. K. B. Hafiz Hidayat Husain, C. I. E., M. L. A., Bar-at-Law, (since deceased.)
4. Dr. (now Sir) Ziauddin Ahmad, M. A., Ph. D., D. Sc., C. I. E., M. L. A.
5. Raja Syed Ahmad Ali Khan Alvi, C. B. E., of Salimpur.
6. Khan Bahadur Maulvi Fasihuddin, B. A., M. L. C.
7. K. B. Syed Zahid Ali Sabzposh, M. L. C.
8. Hafiz Mohd. Ibrahim, B. A., LL. B., M. L. C., (now Hon'ble the Minister of Communication.)
9. Syed Ali Zahir, Bar-at-Law, M. L. C.
10. Haji Abul Hasan, B. A., I. E. S., (now D. P. I., Kashmir.)
11. Maulana Syed Tofail Ahmad, Hony. Joint Secretary, All India Muslim Edl. Conference.
12. K. B. Maulvi Bashiruddin, Hony. Secretary, Provl. Muslim Edl. Conference.
13. Maulvi Nizamuddin Hasan Nizami, Hony. Joint Secretary, Provl. Muslim Edl. Conference.
14. K. G. Saiyadain Esqr., M. Ed., Principal, Training College, Muslim University, Aligarh.
15. Prof. A. M. Kureishy, M. A., M. U., Aligarh.
16. K. B. M. Mohd. Husain, Machhli Shahar.
17. M. Abdus Salam Esqr., Chairman, Municipal Board, Moradabad.
18. Shaikh Mohd. Sulaiman, Member, District Board, Budaun

19. Mohd. Ayub Esqr., B. A., LL. B., Farrukhabad.

20. Khwaja Azizul Hakim, Orai.

21. Syed Zakaullah Esqr., Orai.

The Hon'ble Minister of Education, while opening the proceedings of the Conference, in his inaugural address, recognised the three vital problems of Muslim Education namely :

1. The conservation of Muslim culture.
2. The special educational difficulties of the Muslims, and
3. reasonable safeguards to secure Muslim educational progress.

He also promised that he was anxious to endeavour sympathetically to understand and remove the obstacles which stood in the way of educational advancement of Muslims.

The late K. B. Hidayat Husain, thanked the minister on behalf of the members of the Conference and categorically pointed out in his speech that :

“a glance at these attempts ( to redress the grievances of Muslims ) reveals a panorama of noble attempts, conclusions enshrined in pious resolutions to be sacrificed at the altar either of finance or expediency.” He emphasized that “the Muslims ( this time ) wanted safeguards to be reduced into orders, circu'ars, and conventions.”

Dr. (Sir) Ziauddin Ahmad, who followed, said that

“When a comparison was made between the educational progress of Muslims and Hindus, the depressed

classes, who formed 30 or 40 per cent of the total population, should be excluded altogether; also, that from the figures for higher education the students of the Aligarh University should be omitted, as a large number of students in that University came from other provinces."

The last speaker of the opening session, Prof. A. M. Kureishy, while explaining the position of the Musalmans, assured the Hon'ble Minister and through him the Government that :

"the demands which they proposed to make, would not be advanced in any unreasonable spirit. They felt that, consciously or unconsciously, Muslim interests had been neglected in a number of ways. But the Mohammedans did not want their progress at the sacrifice of any other community. What they all felt was that the progress of the Muslims meant the progress of the country in general."

The Conference then proceeded to discuss the Agenda, item by item, and after three days' labour the following resolutions 'agreed' to by both the representatives, of the Government and the Muslim Community, were passed:—

1. Muslim Education has not made sufficient progress.
2. The number of Muslims in the educational service should be at least 30%.
3. The proportion of Muslim teachers employed by each local body should be the same as the proportion of Muslim members on it.
4. To secure adequate representation of Muslims on the Board of High School and Intermediate Education,

United Provinces, the word 'ten' should be substituted for the word 'three' in section 3 (2) of the Intermediate Education Act, 1921.

5. Section 13 (2) of the Intermediate Education Act, 1921, should be amended to provide for election to committees of the Intermediate Board by means of the single transferable vote.
6. The Committee appointed to select examiners for the departmental examinations should always have a Muslim on it. Among the examiners there should be a fair proportion of all the communities.
7. Rules of grants-in-aid to secondary institutions should not be rigidly applied to Muslim institutions and applications for assistance from them should be generously treated.
8. Government Orders regarding the provision of facilities to Muslim boarders in the hostels of vernacular middle schools should be embodied in the District Board Education Rules.
9. Government should fix the number of primary scholarships in each district to be reserved for Islamia Schools and maktabas.
10. Provision of funds to enable District Boards to establish and aid Muslim Girls' Schools under District Board Educational Rules 97, 107 and 108 recommended; rule 101 should be amended to enable boards to give grants-in-aid equal to the full salary of the teachers.
11. 1. Government should allot funds to enable the boards to make the district board Educational Rule 100 effective.

2. Adequate arrangements for the teaching of Urdu and, where the parents want it, of Purda, should be made in mixed girls' schools.
12.
  1. When new schools for Muslim girls are to be started, Muslim girls' schools should be established in places having a predominant Muslim population.
  2. There should be a special curriculum designed to suit the needs of Muslim girls in Islamia schools for girls.
13. Additional funds should be granted to aid Arabic and Persian Madrasas.
14. The percentage of Muslim candidates deputed to training institutions should be 30% of the whole.
15. The committee which selects candidates for Government Normal Schools and Central Training Schools should select also the candidates for District and Municipal Board training classes.
16. Arrangements to ensure the deputation of an adequate number of teachers from the municipal boards to vernacular training institutions recommended.
17. The substance of the Government orders issued to the Muttra Municipal Board, as regards grants-in-aid to deserving maktabs and appointment of Muslim teachers should be circulated to all the Municipal boards which have introduced compulsory primary education schemes.
18. A Rule should be added to the Rules framed under section 18 of the United Provinces Primary Education Act 1919, regarding the provision for Urdu-teaching and the appointment of an adequate number of Muslim teachers in municipalities introducing Compulsory Primary education schemes.

19. In areas selected for the introduction of Compulsory Primary Education, provision should be made for the opening of Islamia Schools and maktabas.
20. Indigenous Muslim Institutions should be recognised under the compulsory, primary education scheme, if the courses in the three R's. taught in them are up to the standard of primary schools.
21. Government orders and departmental instructions referred to in item 14 (a) in the note (Appendix 11) by the Director of Public Instruction should be embodied in the Rules.
22. In the Schemes of compulsory primary Education for girls, provision should be made for Islamia Schools and Maktabas.
23. The advisory functions of the District Muhammedan Education Committee should be extended to include 'all branches of vernacular education.
24. All Government orders, so far as they involve general principles relating to the working of District Moham-medan Education Committees, should be embodied in the District Board Educational Rules.
25. To one of the clerks in District Board Education Office should be assigned the work of the District Moham-medan Education Committee.
26. The Provincial Muslim Education Committee, United Provinces, should be consulted on the question whether non-officials may be appointed as Chairmen of the District Mohammedan Education Committees.
27. More funds should be provided by the Government to meet genuine demands for new maktabas and to improve the efficiency of the existing ones.



28. The savings of education funds under Islamia schools and maktabas should be utilized to meet the non-recurring requirements of the existing institutions.
29. The practice of providing free education in maktabas should continue.
30. The question of establishing training classes for maktab teachers should stand over until funds are available, for improving the pay of maktab teachers.
31. The recommendations regarding the powers and duties of the Deputy Inspectors of Mohammedan schools made by the Inspector of Mohammedan Schools (Appendix iii) are endorsed.
32. The Chairman of District Mohammedan Education Committees should correspond direct with the Inspector of Mohammedan Schools and *vice versa*.
33. The Department should take steps to ensure that the reports of Deputy Inspectors of Muhammedan Schools regarding important matters affecting the interests of Muslim education reach the Inspector of Mohammedan Schools promptly.
34. The Inspector of Mohammedan Schools should have the power to communicate direct with the Deputy Inspector of Mohammedan schools on important matters affecting Muslim educational interests.
35. When the financial position improves, Government should increase the allotment for Islamia Schools and Maktabas.
36. As soon as funds are available, well-qualified supervisors for maktabas should be appointed in districts in which the number of maktabas is large. This appointment should be made by the Circle Inspector of schools in consultation with the Inspector of Mohammedan Schools. The Circle Deputy Inspector of Mohammedan Schools should inspect in the course of his tour the supervisor's work and report to the Inspector of

Mohammedan Schools how far the duties prescribed for the supervisor are being carried out satisfactorily.

37. The functions of the Provincial Muslim Education Committee, United Provinces, should extend to all branches of vernacular education. There should annually be two meetings of the committee.
38. The Director of Public Instruction should consult the Provincial Muslim Education Committee, United Provinces, in all matters concerning the Educational interests of the Muslim community in the sphere of vernacular education.
39. The Islamia High Schools should have the option of closing on Fridays and working on Sundays, if the management so desire.
40. In Muslim Institutions, religious training may be given to Muslim students any time during school hours and instruction may be given by any member of the staff.

After the passing of these 'agreed' resolutions, Khan Bahadur Moulvi Obaidur Rahman Khan thanked the Hon'ble Minister and the Director of Public Instruction for their 'sympathetic attitude' and the Conference came to a close with an assurance from the Hon'ble Minister of Education that 'as a result of this Conference . . . . something substantial' would be done.

The slow wheels of the Machinery of Government But for nine months the Government did nothing, and when questioned on the subject in the Muzaffarnagar Provincial Muslim Educational Conference, the Hon'ble Minister of Education said in his speech that :

"I had appointed Khan Bahadur Saeeduddin, Asstt. Director, to inquire into the details of the matter and

report what proper action can be taken to implement the resolutions of the Lucknow Conference. His Report has been prepared on the 19th instant. I am sorry for the delay, but it was inevitable, because you very well know that the wheels of the machinery of Government never move fast. However, I hope, I will be in a position, next year, to let you know the decisions of the Government."

A heartless  
attempt

But this 'next year' too (i. e. 1935), brought with it only a nicely worded 'assurance' from the Minister of Education in the Moradabad Session of the Conference. In 1936 even this 'assurance' was not forthcoming and instead an attempt was made to get rid of the 'Muslim Demands' by getting them defeated in the February (1936) Session of the Legislative Council. This heartless attempt, however, due to the efforts of Muslim Members of the Council did not succeed. The matter was shelved for the time being and the Muslims in the Provincial Muslim Educational Conference's Annual Meeting held on the 14th of February, 1937, at Jounpur, contented themselves with passing a resolution of disapproval against the U. P. Education Minister for his dilatory tactics.

The Forty  
Muslim  
Educational  
demands  
and the  
Interim  
Ministry

From 1st. April, 1937, the New Government of India Act (of 1935) came into force. The Congress Party, inspite of their overwhelming majority, having refused to accept office, an interim ministry of Nawab Sir Ahmad Saeed Khan, with Raja Syed Ahmad Ali Khan Alvi, C. B. E., M. L. A., of Salimpur, as Education Minister, was formed.

The Raja Sahib, who functioned for a short time, was the first Muslim Education Minister of these Provinces, and the hopes of the Musalmans again rose high as regards their Educational Demands. The Raja Sahib was, therefore, duly approached by Prof. Abdul Majid Kureishy and Khwaja Ghulam Saiyadain, representatives of the Muslim Educational Conference, and he consented to call a Conference of Muslims at Lucknow. This Conference was held on June, 26, 1937, at Salimpur House and in it the resolutions which were unanimously passed in 1934, were brought up again for discussion. As a result of the discussion some minor amendments were made and it was finally declared by the Hon'ble Minister of Education that :

"the Government of the United Provinces were anxious to do something in this matter without any further delay. The moment the Government accepts these proposals and they are gazetted as Government Resolutions, there will be no difficulty in carrying them out."

Congress Ministry and the Education of Muslims

But when these 'accepted' resolutions were put before the Government, the Cabinet of Nawab Sir Ahmad Said Khan did not think it expedient either to accept or reject them and postponed the matter to be decided by their successors, the Congress Ministry.

Sympathetic attitude of the Hon'ble Pandit Pearey Lal Sharma

In the Congress Ministry (which assumed office in July, 1937) the portfolio of education was entrusted to that saintly person, the Hon'ble Pandit Pearey Lal Sharma of Meerut, who, when approached by Maulana Syed Tofail Ahmad

and Moulvi Nizami Budauni, took a very sympathetic view of the matter. His speech at the Etawah Provincial Muslim Educational Conference which was presided over by the Hon'ble Dr. Syed Mahmud, Minister of Education, Bihar, (30th. and 31st. January, 1938) was a memorable one and after listening to it there remained no doubt in the minds of the Muslims that the long overdue decision of Government would be announced in no time.

Education  
Ministership  
Changes  
hands again

But what a tragedy! As soon as the Hon'ble Pandit Pearey Lal Sharma, after giving his 'message of hope' to the Muslims, returned to Lucknow, God knows what untoward events disgusted him on his arrival there that he tendered his resignation from the ministership, and Swami Sampurnanand, the Socialist leader from Benares, succeeded him. The Muslims who were for sometime taken aback by this unfortunate turn of events have now turned their eyes to Swamiji, and within about a month of his assumption of office Khan Bahadur Moulvi Fasihuddin, M. L. A., on Friday, April 1, 1938, moved the following Resolution in the U. P. Assembly :

"That this House recommends to the Government that immediate effect be given to the resolutions adopted by the Muslim Educational Conference in 1934, under the presidentship of the then Minister of Education."

The depressing  
debate  
in the U. P.  
Assembly

The mover after tracing the history of these resolutions said that they had been carefully examined by the previous Government, and hoped the present Minister had also considered the question

and would, therefore, come to a decision immediately. The Muslims' demands, he felt, were just and Government should consider them sympathetically.

To this Resolution an amendment was moved by Thakore Phul Singh (Congress) that the word 'immediate' be deleted and the words 'as far as possible' be added instead. He further wanted the following to be added at the end of the Resolution :

"Other than those dealing with the percentage of Muslims in Education Service of the Provincial Government and the District Boards."

A full fledged debate on the original resolution and the above amendment took place for two days on the first and 5th of April, 1938. Several Muslim members, with the solitary exception of Dr. Husain Zaheer, who was very bitter in opposing the Muslim Demands, supported the resolution and many Hindu members sided with the amendment. At last the Hon'ble Minister of Education intervening in the debate explained, at length, the policy of the Government of doing justice to all communities and assured that the whole matter was under their consideration. He had full sympathy for the cause of Muslim Education and hoped that after his assurance the mover would withdraw his resolution. If, however, that was not done and the mover pressed the resolution, the Government, said the Minister, would accept the amendment moved by Thakur Phul Singh.

Khan Bahadur Maulvi Fasihuddin thereupon had no alternative but to withdraw his Resolution, and

while doing so tried to impress upon the Government, in his closing speech that :

“The Muslims did not want to introduce communalism in education (as asserted by the speakers on the opposite side) but they wanted to maintain their separate identity and run the race on the Educational course with the other communities, without any handicap.”

The Musalmans of these Provinces are not satisfied with the Assembly Debate in which the speeches of responsible non-muslim members were very depressing, and although they are thankful to the Hon'ble Minister of education for his generous attitude, yet doubts as to future developments are brewing in their minds.

They did not like yet another postponement of action on these fully 'agreed' resolutions and having grown Impatient they are holding protest meetings against the decision of the Government.

The proposed radical changes in the Education System

Our doubts have been further confirmed by the announcement of the personnel of the two important sub-committees appointed by the U. P. Government to report on the necessary reforms in the educational system in these provinces.\*

The representation of Muslims in these Committees is neither adequate nor of a representative character. Naturally the All-India Muslim Educational Conference

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\*Published in the Government Gazette, United Provinces, Part VIII, dated the 2nd April, 1938.

which is ever vigilant on such occasions took a serious notice of it and the correspondence which has recently passed between Prof. A. M., Kureishy, M. A., Honorary Joint Secretary, of the conference and the Hon'ble Minister of Education, on the subject, is such as should be given here in full, so that not only the Muslim viewpoint regarding the proposed re-organisation of Educational system may become clear, but the generous, or other, attitude of our present Educational 'High Command' may also be easily understood by the readers of these pages. Prof. Kureishy wrote to the Hon'ble Minister of Education on 5th April, 1938.

Significant  
correspon-  
dence with  
the Hon'ble  
Minster of  
Education

"Dear Sir,

With a view to reorganising Primary, Secondary, and Higher Education of these Provinces, your Government has recently appointed two Committees.

As the terms of reference of these committees are very wide and comprehensive, which, when given effect to, will have far-reaching effects on the present order of things, it is essential that nothing should be done in a hurry, and all sections of public opinion should be given a chance to give full expression to their views.

You are probably aware that in May, 1913, when a Committee under the presidency of Mr. Justice Piggot was appointed to advise the Government as to the proper lines of advance in Primary Education, not only eminent educationts were requested to co-operate in its work, but important educational organisations were also invited to submit their Memorials before the Committee.

The All-India Muslim Educational Conference, Aligarh, a well-organised Institution, which has been



doing constructive pioneer work for the spread of Modern Education, all over the country for the last fifty years, was also asked to consider and give opinion, with special reference to the Educational Needs of the Mohammedans.

The Report which a Committee of the Conference submitted, covered the whole field of Mohammedan Education and the Government subsequently recognised in their Resolution dated the 25th August, 1914, that it gave 'valuable assistance.'

In view of the above observations it will not be out of place to bring to your kind notice the urgent need of taking into confidence the All-India Muslim Educational Conference, on this occasion also, when you have decided to make drastic reforms in the present system and curricula of education.

The effective representation of Muslim opinion through the Conference is all the more necessary because the Musalmans of these Provinces have definite and long standing grievances which are already under the consideration of your Government in the form of Forty Muslim Educational Demands.

I may, therefore, request you to

1. please appoint representatives of the A. I. M. Edl. Conference in the above mentioned two committees; and
2. give the Conference sufficient time to prepare and submit the case of Muslim Education before you.

I am sure that if you will agree to my requests the recommendations of the Committees appointed by you

will be more substantial and will gain real confidence of the Muslim Community at large.

With respectful regards,

Yours faithfully,

(Sd.) A. M. Kureishy.

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To this letter the Hon'ble Mr. Sampurananand gave the following reply :

Ministry of Education,  
United Provinces,  
Lucknow, April 9, 1938.

Dear Sir,

Your letter No. 234/753, dated April 5, 1938.

I am quite aware of the work being done by the Muslim Educational Conference and am sure that it will be able to prepare and submit some useful data for the consideration of the Committee the Government is setting up.

But I can not accept the principle of giving representation to bodies which concern themselves with the education of particular communities. After our Committee has submitted its report and the Government has arrived at certain definite conclusions, it may be desirable—I say this only hypothetically—to consult certain bodies as to how to implement these conclusions as regards particular communities.

As it is, the Committee appointed by us contains representatives of all shades of opinion.

Thanking you,

Yours faithfully,

(Sd.) Sampurananand.

---

On receipt of this reply Prof. Kureishy again wrote a letter to the Hon'ble Minister of Education, on the 16th April, 1938, which runs as follows:

Dear Sir,

Thanks for your letter of the 9th instant. When I addressed to you my last letter I was not aware of the debate in the Assembly on the Resolution of Khan Bahadur Maulvi Fasihuddin Sahib on 'Muslim Educational Conference Demands.'

The debate and your letter to me leave no doubt in my mind that the Muslims in these Provinces are faced with difficulties to overcome which they shall have to do a lot of uphill work.

You don't accept 'the principle of giving representation to bodies which concern themselves with the education of particular communities'. Yet I find a gentleman from Benares, as member of the Committee. If you had really considered it undesirable to have on your Committees persons belonging to denominational institutions, the principle ought to have been uniform in its application and not vitiated by the erratic inclusion of some institutions and the exclusion of others. I know the report will be that they were not selected as representatives of denominational institutions and that they have been appointed because of their individual merits. I beg to submit that this is no justification for the action of your Government, because there are other institutions, at Aligarh and else-where, that possess educationists of recognised standing who in their own right and on the grounds of educational qualifications and experience alone can challenge comparison with the members of your Committees. It can, therefore, hardly be in the interest of the country to exclude highly qualified men simply because they happen to

belong to certain denominational institutions-in fact to a creed not favoured by the Provincial Government of the day.

Again I will venture to draw your attention to an anomaly in your letter. You say that you are 'aware of the work being done by the Muslim Educational Conference' and are 'sure that it will be able to prepare and submit some useful data for the consideration of the Committees the Government is setting up.' After having thus accepted in principle the desirability of making use of the assistance of one of the oldest educational organisations in our Country you go on in a cautious and non-committal way to hold out the possibility of consulting 'certain bodies' with the object only of 'implementing the conclusions' of your Committees as regards particular Communities.

This appears to me hardly logical and fair as it amounts to a blunt refusal to make use of the assistance which old institutions like the All-India Muslim Educational Conference are prepared to offer. And the claim of these old denominational institutions to be heard cannot, in my opinion, be overlooked easily. You are probably aware that the so-called denominational institutions in spite of being dubbed as communal these days, had come into existence with a definite object-namely, the preservation of denominational cultures with a view to their contributions to the culture of the Nation as a whole. Not only the Musalmans but other religious Communities in India also found that the educational apparatus set up by a foreign Government tended to undermine the cultures and traditions of very large sections of the population of India. This tendency was observed long ago, and it is now almost on the lips of every one that the education imparted by the British has been a complete failure.

The Congress Governments in all provinces where they are in charge, are now endeavouring to replace that educational system by a national system of education which has yet to be evolved. The new system will be equally abhorrent to some religious communities including the Muslims, if they are not consulted during its evolution, and if they ultimately find that their traditions and cultures are either ignored in the new system or have been accorded a subordinate position.

All truly Indian Governments have always favoured and encouraged systems which are peculiarly fitted for different communities, on account of the undeniable contribution they are in a position to make to our common national culture, and it is with this point of view that Aligarh wishes to be represented in the Committees which have been appointed by your Government for the educational reorganisation in these Provinces. After the Committees have submitted their reports, it will be, in my opinion, too late to 'implement' the resolutions of outside bodies. We wish to have a say at the primary stage—the stage of initial suggestions. I am afraid that it may also be put up as a defence later that the unity of the recommendations of the Committees will be broken, if its recommendations are not accepted as a whole.

I will, therefore, venture to request you, once more, to give seats to the representatives of the Conference, to the Committees you have appointed.

I remain,

Yours faithfully,

(Sd) A. M. Kureishy.

This most reasonable, and at the same time, forceful letter of the learned Professor brought the cat completely out of the bag, as the final reply of the Hon'ble Minister of Education will show. He replied:

Ministry of Education,  
United Provinces,  
Lucknow, April 19, 1938.

Dear Sir,

Thanks for your letter No. 355/903 dated April 16, 1938. I have carefully gone through your letter and feel that no useful purpose will be served by entering into a discussion in this connection.

Yours sincerely,  
(Sd.) Sampurananand.

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## PART III

### WHAT NEXT ?

The resentment of the Muslims

What next ? is the question which we are now asking each other after the reply of our Socialist-cum-autocrat Minister of Education. The sweet and charming utterance of Pandit Pearey Lal Sharma, that

“The Nationalist attitude towards minorities was ‘Whatever is demanded is presented’\*”

or the inspiring declarations, from time to time, of Premeir Pantji and other Congress Leaders are now fast losing their value in our hearts. And it will be no wonder if after losing their faith in the “dictatorship” of the “peoples’ representatives”, the Muslims are led in their desperation to do things which so far they could not contemplate.

The decision regarding the Forty Muslim Educational Demands has been postponed and in the new schemes of education that are hatching, the accredited representatives of the Muslim Community have been given no place. The future, therefore, seems to be very dark indeed, of the ‘special education’ of Musalmans of these Provinces.

The committees appointed by the Government have begun their work and the Hon’ble Minister of Education in his inaugural Address at the joint meeting of these

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\*Speech in the Legislative Assembly, U. P., April, 5, 1932.

committees on 22nd April, 1938, has declared that :

“I do not want tinkering reforms which content themselves with putting a patch here and a patch there. I wish an absolutely new orientation to be given to education and what is equally important I want that the new scheme should be put into operation simultaneously all over the Province. I do not wish to try experiments in isolated test-tube like areas . . . . . If your proposals are really as far reaching as I wish and hope them to be, we shall have to bring in legislation and amend or repeal a number of existing Acts. Also, other necessary arrangements will have to be made and the scheme, if it is adopted by the Government and sanctioned by the Legislature, can not possibly come into force before July, 1939. But it should be possible for you to make suggestions of an interim character which we can incorporate into our present system from the next session.”

These drastic and radical changes in the Educational system which the Hon'ble Minister wants to bring about with such haste, will (as announced by him) be based on the “Wardha Scheme.” The “Wardha Scheme”, no doubt, has captured the imagination of the people at large, yet the Musalmans, owing to their present suspicion and distrust, which is born of the bitter experiences of the past, have so far held back their recognition of it. Unless this recognition is secured any scheme of Educational Reform which is founded on the Wardha Scheme will not find favour with the Muslims. And the conditions for such recognition are that the Muslims should be expressly and explicitly assured that:



Four  
essential  
require-  
ments

1. All their denominational institutions which have been brought into existence under the Meston Scheme or through some other independent Agency will be reformed and improved and not closed for good.

2. The forty 'agreed resolutions' of the previous High Educational Authorities will be given effect to at an early date.

3. Due facilities will be provided for religious instruction to Muslim boys and girls.

4. All organised efforts on the part of the members of the majority community to minimise the importance of Urdu as the commonly spoken and written language of these Provinces will be checked.

Due recognition of the above four essential conditions is absolutely necessary to gain the co-operation and confidence of Muslims for every new scheme of Education. Time has not come and will not come in the immediate future when the Government can overlook these special needs of the Muslim Community. Moreover when we insist upon the special needs or requirements of the Muslims, we find that there is a justification for them too as the following observations on each requirement will show :

The preser-  
vation of  
Denomina-  
tional  
institutions  
of the  
Muslims

These institutions have of necessity existed for a very long time and have played an important part in the education of the Muslims, and they still continue to remain popular with the Musalmans mainly for three reasons:

1. For the sake of religious and moral instruction, which can be provided therein.

2. For providing Education for those who do not join Government Institutions for want of accomodation or the absence of Islamic atmosphere and

3. Special regard which is being paid by Muslim teachers to the interest and welfare of Muslim boys.

Inspite of the unsatisfactory condition of Islamia schools and, Madrasas which is due to their being inadequately aided, there are in these Provinces, besides secondary and Higher Educational institutions, Madrasas, Islamia schools and maktab numbering 3,691 with an enrolment of about 1,17,453 Muslim boys and girls.\* It is not easy to scrap such a large net-work of well-established institutions without seriously wounding the susceptibilities of Muslims. The wise step, therefore, for the Reformers of the Educational system will be to mend and not to end these educational institutions for the Muslims.

Immediate  
action on  
the Forty  
Muslim-  
Educational  
Conference  
Resolutions

Much has already been said in the foregoing pages on the subject of these resolutions.

Further it will suffice to add that these

Resolutions have been put forward as a result of 'a large number of grievances, which have been outstanding for the last 30 to 40 years'. 'There has been a regular clamour on behalf of the Muslim community that they have been suffering in the matter of Education through some unknown sources, and when these just grievances have already been 'admitted' by the last three

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\*General Report of the Mohamadan Inspector of schools for the quinquennium ending March, 31, 1937.

ministries of Education there is no justification for the present popular ministry to keep them shelved any longer. The Muslims have been feeling very sorely on this question, and they can not rest content unless it fructifies soon

**Facilities for religious instruction.** The absence of religious and moral instruction in public institutions is the greatest defect of the existing system of education. 'This is the result of circumstances which are the necessary accompaniment of the present conditions of life in this country'. There can be no difference of opinion on the point, that religious education is necessary for every community, 'but it has a special significance so far as Musalmans are concerned, whose whole attitude towards modern system of education has been materially influenced by the fact that religious education was not provided in public institutions, and as a result they kept themselves almost entirely aloof from it, and suffered the serious consequences which have affected the position and prospects of the whole community in this country'.

Therefore, so far as the Musalmans are concerned, the value and necessity of religious education is two-fold :

1. 'In the first place we need it for laying the foundation, in the minds of our youths, of those eternal truths, Islamic principles, and moral virtues which are essential for the formation of character and social training, and

2. 'In the second place if adequate provision is

made in public institutions for religious instruction it will attract Muslim students in larger number.\*

Safeguard-  
ing the Urdu  
Language

‘The problem of language is a ticklish one’ and is being keenly debated these days. It is needless to point out that Urdu or Hindustani has been recognised as the common language of all the educated classes of these Provinces. There was a time when Persian was the only medium of instruction in our maktabas and schools, and Hindu and Muslim students, in order to qualify themselves for the Government Services, used to resort to these schools. During the whole of the Muslim period, extending over eight hundred years, Persian was the sole medium of popular learning. Arabic and Sanskrit were studied by very few people, and chiefly for religious considerations. A sort of sanskritised Hindi language, used in verse, came into existence during the Muslim period, but its use was absolutely confined to poetry and it had no prose literature. There is no instance in History showing that the Sanskritised Hindi of the poets was ever utilized for business of any kind.

‘The intercourse between Hindus and Muslims gave birth to a new language, intelligible to both,-consisting of words and phrases derived both from Sanskrit and Persian sources. The substratum of this new language was, of course, the language spoken by the bulk of the population, but the polished and elegant Persian contributed a large number of words and phrases which

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\*For a detailed scheme of religious education for both Shias and Sunnis see Karamat Husain Committee Report, 1914.

had already become naturalized; just as now-a-days a good many words and phrases of the English language are freely used, even by those who have not studied the tongue. The language, that thus came into existence, was a living language, and was adopted by the people of the Country. It began to develope, both as a spoken and written language, and in course of time, it replaced the Persian language completely and came to occupy its legitimate position as the true vernacular of the country. In 1837, Persian was abolished from the courts, and Urdu was substituted for it. The whole literary class of people, which formerly used to read the Persian gradually began to read Urdu instead. Education in Urdu was sought, as it was the best suited language for the business of life. There was, at that time, no rival in the field, as the so-called Hindi was still the language of poetry, and no book worth-mentioning was published in prose in that language.'

'The Urdu language in the meanwhile, went on making progress by leaps and bounds, and, in course of time, established itself (with the joint efforts of Hindus and Muslims) as the only language of business in the Country.

'It has now become the 'Lingua Franca' of India, and it is the only language which is the mother-tongue of the people of these provinces, and the educated Hindus and Musalmans speak no other language. This language is capable of giving suitable expression to every idea and is understood by all, whether Hindus, Musalmans, or Christians. It has a great advantage in this, that it

can readily and easily assimilate scientific and technical words and phrases from foreign languages.\*

But this language which was making progress 'by leaps and bounds' and was to become one day the most popular language in Asia, has for some time past been meeting with an artificial check.

'The Hindi-Urdu controversy in Upper India instead of dying down has been revived and is sustained almost to a bitterness. The fight is over the particular script which should be adopted and not so much for the dialect itself. . . . . No doubt the Hindu Community commanding a large majority, is in a position to give a greater impetus to the study of the Nagri character and language.†

In view of the very large fraction of the Indian population we have to deal with, and of the large extent of ignorance that prevails in it, for a long time to come a microscopic percentage only of the Community will be able to study an unfamiliar script and language. This will be a serious hindrance to the solution of the educational problem of this Country, and will retard the educational progress of the masses. Urdu, with Persian Script, therefore, should be given free scope, so that it may occupy its due position in the linguistic world.

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\*History of language-problem-Karamat Husain Committee Report.

†Presidential Address of Dr. Sir Shah Mohd. Sulaiman, delivered at the Ajmer Session of the A. I. M. Edl. Conference, 1928.

## CONCLUSION

We have recounted above a history of Muslim Education since the seventies of the past century with a view to acquainting those interested in Moslem Education with the discouragements and disappointments which the Moslem community had to face in its struggle against the vacillating and dilatory policy of the powers that be. We have tried to sum up the main elements of the present situation and to point out the dangers ahead of the community if it acquiesces in the existing state of things. Schemes of educational reorganization are afoot in the country based mainly on the framework supplied by Wardha. These schemes have to be examined critically and a place found in them for the Moslems. Universalization of education is a laudable objective, but it should take due cognizance of the special needs of the different communities in the vast continent of India.

The Indian educational problem is far more complex than the educational problems in other parts of the world. Its difficulty is due to its many-sidedness, to the necessity of evolving an educational scheme that is equitable and fair to all sections of the Indian population. Moslems form by far the largest minority in this country and the preservation of their culture, which has meant so much to India in the past, is the sacred duty of all lovers of the country. It is time for our countrymen to forget petty prejudices and pooled their resources for the purpose of evolving a framework of education that could be comprehensive enough to include

in it, really and truly, all that is best in the cultures of the various peoples that inhabit this country. Once this principle is accepted, the necessity of making adequate provision for the education of Moslems becomes paramount.





## APPENDIX I

### The Position of Muslims in Education

The total population of India according to the last Census, in 1931, was 35,05,17,086 and the percentage of literates of all religions was 8·0%. The percentage of English literates was 1·0%.

The population of Muslims was 7,74,82,490 and the literates among Muslims were 5·4%. The percentage of English literates in the Muslim Community was 77%.

The total population of the United Provinces was 4,84,0,8763 and the percentage of literates of all religions was 47%.

The Muslim population in these Provinces was 71,81,927 and the literacy among the Muslims was 5%. English knowing literates were 69%.\*

The proportion of Muslims in the different branches of Education in U. P. was as follows:—

Number of pupils in	Muslims, 1931-32.	Hindus,† 1931-32.
Primary classes.	1,97,093	8,93,578.
Middle classes.	21,736	1,12,134.
High classes.	3,994	15,638
Intermediate & University classes.‡	2,154	8,646.
Total	2,24,977	10,29,996.

\*'Literacy in India', by Moulana Syed Tofail Ahmad (A Conference Publication).

†Including the untouchables and the backward classes.

‡Including the students of the Muslim University, Aligarh.

Report of the Conference on Muslim Education in the United Provinces, Appendix II, Note of the Director of Public Instruction.

The percentage ratio of Muslims to total in Institutions for Males and Females was :—

	Males	Femals.
Primary Stage.	16'6	16'2
Middle Stage	15'5	5'7
High Stage	17'9	3'8
Collegiate Stage	24'1	8'6*

The representation of Muslims in the education Service was as follows :—

'Of the 43 posts in the Indian Education Service, only 12 were filled, one of these was held by a Muslim. Against Indian Educational Service vacancies, 11 posts were created, one of these was held by a Muslim. There were 133 posts in the United Provinces Educational Service, of these 16 were held by Muslims. The proportion of Muslims in the Intermediate College, High and Normal Schools was :—

Kind of Institution	Post	Total No. of Posts filled	Muslims	Others	Percentage of Muslims
Intermediate Colleges.	Principals	8	1	7	12'5
Govt. High Schools	Headmasters	48	2	46	4'2
Govt. Normal Schools.	Do	8	-	8	-
Total	--	64	3	61	47†

\*The comparatively high proportion in the Higher stages of education of Muslim boys and girls is largely due to the Muslim University and the Muslim Girls' College, Aligarh.

†Report of the Conference on Muslim Education, 1934, Appendix II.

## APPENDIX II

### The Proportion of Muslims in Educational Services

The policy of giving thirty percent representation to Muslims in the Government-controlled Educational Services should be continued and given effect to for the following reasons :

1. It is in conformity with the statutory weightage of Muslims in the Local Legislatures.

2. The D. P. I's note appended to the printed proceedings of the late Hon'ble Minister of Education's Conference (vide p. 27), contains the following observations :

*Non Gazetted Posts.*—In making appointments the Director appoints the best qualified applicants, but

(a) he reserves 30% of vacancies for Muslims, provided qualified Muslims are available.....”.

(b) *Future policy.* The present practice of reserving 30% of appointments for Muslims recruited to non-gazetted posts will continue.....”.

3. The late Hon'ble Minister of Education, in his official capacity had definitely said in connection with this matter as follows :—

“So far as Government is concerned 30% is guaranteed .....”. (Vide line 3, page 5 of the printed deliberations of the Conference on Muslim Education, held in June, 1937).

4. So far as is known the Public Service Commission has in its recent selections of trained graduates and undergraduates, adopted the same percentage, viz. 30%.

5. *The District Board and Municipal Board Educational Service.* It was decided in the late Hon'ble Minister of Education's Conference :

(Resolution 3), "that the proportion of Muslim teachers employed by Local Bodies, should be the same as the proportion of Muslim members in local bodies, .... "

which is not less than 30% at least in the Municipal Board, because the actual percentage of Muslim population in Municipalities in the United Provinces is 39·3 and in some of the municipalities the Muslims are above 50%.

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# NEW CHARTER FOR EDUCATION

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INTERIM FLEMING REPORT  
YOUTH SERVICE AFTER THE WAR  
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A  
NEW CHARTER  
FOR  
EDUCATION

BEING AN APPRAISAL OF  
EDUCATIONAL RECONSTRUCTION  
NORWOOD REPORT  
INTERIM FLEMING REPORT  
YOUTH SERVICE AFTER THE WAR  
YOUTH REGISTRATION IN 1942

By  
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# A NEW CHARTER FOR EDUCATION

## 1 Proposals Made and Proposals Lacking

The War has only served to emphasise what educationists had recognised much earlier, that the national interest as well as the needs of the vast majority of our children call for an entire re-casting of our educational system. No minor modifications would suffice; nothing less than a New Charter was required.

In the White Paper on *Educational Reconstruction*,<sup>1</sup> the Government has given us their proposed framework for this New Charter. They accept Disraeli's dictum, that 'upon the education of the people of this country the fate of this country depends', and emphasise, to use their own words, that 'in the youth of the nation we have our greatest national asset'. In order to supply the country with a complete New Charter for Education, however, the framework supplied by this basic White Paper calls for amplification in several important directions. This the Board of Education has realised, and has made arrangements for certain special enquiries to be conducted.

First, a Committee under the Chairmanship of Sir Cyril Norwood has reported upon *Curriculum and Examinations in Secondary Schools*.<sup>2</sup> Second, a Committee under the chairmanship of Lord Fleming has reported upon *Abolition of Tuition Fees in Grant-aided Secondary Schools*.<sup>3</sup> Third, the Youth Advisory Council has reported upon *The Youth Service After the War*.<sup>4</sup> Fourth, the Board of Education has published a report upon *Youth Registration in 1942*.<sup>5</sup> The proposals of these various reports are examined below, and the contribution which they would make to filling out the framework for the New Charter of Education assessed. From this it is clear that several important gaps are left which it is essential to fill before our Charter can be complete and can cover all phases of our education.

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<sup>1</sup> *Educational Reconstruction*, Cmd. 6458. H.M.S.O. 1943.

<sup>2</sup> *Curriculum and Examinations in Secondary Schools*, H.M.S.O. 1943.

<sup>3</sup> *Abolition of Tuition Fees in Grant-aided Secondary Schools*, H.M.S.O. 1943.

<sup>4</sup> *The Youth Service After the War*, H.M.S.O. 1943.

<sup>5</sup> *Youth Registration in 1942*, Cmd. 6446. H.M.S.O. 1943.

The first of these gaps concerns the Public Schools and the contribution which they are to make to education. This thorny question is under consideration by Lord Fleming's Committee (their report on fees referred to above is merely an interim statement). In July 1942, this Committee was asked by the President of the Board of Education

'to consider means whereby the association between the Public Schools (by which term is meant schools which are in membership of the Governing Bodies' Association or Headmasters' Conference) and the general educational system of the country could be developed and extended; also to consider how far any measures recommended in the case of boys' Public Schools could be applied to comparable schools for girls.'

Clearly it will be impossible to achieve that

'social unity within the educational system which will open the way to a more closely knit society and give us the strength to face the tasks ahead,'

at which the White Paper so rightly aims, until the Public Schools have been given a new function within the general educational system of the country.

The second, and most serious, gap which so far remains is concerned with the problem of recruitment and training of teachers, upon which must eventually hinge the success of all other proposals for educational reconstruction. This question has been referred to, and is still under consideration by, a Committee under the Chairmanship of Sir Arnold McNair. The views of this Committee will be eagerly awaited.

There are, however, still other gaps which the Government as yet appears to have made no provision for filling. First, there is no provision for an enquiry into the purpose and curricula of the two types of secondary school which were not covered by the Norwood Report, viz. the Technical and Modern Schools. Yet it is urgent that such an enquiry should be made forthwith in order that these two types of schools shall be firmly established in the new order upon a foundation which shall hold some promise of parity of status between secondary schools. Then, it would be impossible to accept a Charter of Education as complete which had not prepared for any necessary reform in the apex of the whole system, that is, our universities. It is true that the White Paper refers to the problem of the mode of access to the universities and that the Norwood Report elaborates upon this problem. But nothing is said nor, it appears, is anything official being prepared upon the organisation, teaching and research of the universities

themselves, together with the part, and how large a part, they should play in the life of the community.

The immediate problem, however, for educationists and all public-spirited people is to give the most serious consideration to those basic proposals which should form the content of the Education Bill promised by the Government for this autumn. Such consideration the President of the Board has asked for, and indeed provided for, by the publishing of a White Paper in advance of the introduction of a Bill. At a moment when the tide of war is moving fast in our favour, there is danger that the times are not auspicious for attracting the attention of the public to education. None the less, the content of our New Charter for Education, and indeed whether it will in any real sense be a New Charter at all, may well depend upon the degree of informed appreciation and criticism which the public gives at this time to the Government's plans. It is already clear that there will be no lack of applause for the proposals which have been published. But no service will be performed even to today's President of the Board of Education, still less to the children whose interests are involved and to the future of our country, if the true bearing of these papers and reports on the realities of the educational system and on the need for its reform does not receive close scrutiny and criticism. There can be no disagreement with the Government in aiming 'to ensure a fuller measure of education and opportunity for young people and to provide means for all of developing the various talents with which they are endowed and so enriching the inheritance of the country whose citizens they are'. The question is whether reasonable progress can actually be made in this direction without introducing radical amendments into the proposals so far made public.

## 2 The White Paper on Educational Reconstruction

### SUGGESTED REFORMS

Mr Butler arouses many hopes, not the least by the decision to recast the educational system as a whole, and not once more to tinker with disconnected parts of it. Moreover, many of those reforms are here proposed which educationists have been urging ever since the last war and which the Consultative Committee under Hadow and Spens through the recommendations of their

famous reports hoped to bring within the field of practical politics. When reshaped, our educational system is to incorporate the following reforms :

- (1) The school-leaving age raised to 15 and later to 16.
- (2) Compulsory part-time education between school-leaving age and age 18 at the new 'Young People's Colleges'.
- (3) Primary education to end for all children at age 11 and a proper secondary education to follow for all children in one of three types of secondary school—'Grammar', 'Technical' and 'Modern'. These three types of schools are to be of equal educational and social standing and no fees are to be charged in any of the schools maintained or aided by the L.E.A.'s (Local Education Authorities)—not in direct-grant schools, if the Interim Report of the Fleming Committee is accepted.
- (4) The 'Special Place Examination' to be abolished and selection for the secondary school to be based upon school records together with intelligence testing where necessary, and 'with due regard . . . to their parents' wishes and the careers they have in mind'.
- (5) L.E.A.'s to be charged with the duty of providing Nursery Schools where the Board of Education deems them to be necessary (in place of the existing permissive power).
- (6) In all schools the day to begin with 'a corporate act of worship', and religious instruction outside the denominational schools, based upon an agreed 'syllabus', also to be statutory.
- (7) A diversity of provision to be made for the 'non-provided' schools, the general upshot of which is that unless the owners can meet half the cost of necessary alterations and improvements, they will lose their right to appoint teachers (although they may expect to be 'satisfied' about certain 'reserved' teachers who would direct the religious instruction). Such schools would then be known as 'Controlled Schools'. Where the Managers are able to meet half of these costs, they would retain their powers for appointment of teachers, and the schools would be known in future as 'Aided Schools'.
- (8) All private schools to be registered and inspected, and to be closed if they do not reach the required standards.
- (9) Primary schools to be better designed and equipped; the average size of their classes to be substantially smaller than at present.
- (10) Among the local authorities, only county councils and

county borough councils to be L E A's. These are to have jurisdiction over the whole range of education. The so-called 'Part III' Education Authorities who control only elementary education are to disappear, with the following concession: if they cover a population of at least 60,000, or a minimum elementary school population of 7,000 children, boroughs and urban districts 'will have the right to have a separate district committee'.

- (II) Finally, other highly important spheres of education not to be excluded from the scope of our new educational plans. Developments are to be expected in adult education; in technical, commercial and art education; in the Youth Service; in the school medical service; in the provision of school meals; and in assistance for poor scholars towards winning a place in a university (though financial provision is not made for this in the Appendix).

It is plain, therefore, that if the spirit of the White Paper is incorporated in a new Education Act, we shall be given for the first time in British history a measure which goes some way towards viewing our educational system as a whole—from the provision of nursery schools, an improved primary system, a remoulded secondary system, better control over the non-State schools, to a youth service, assistance in reaching the university, and the provision of education for adults. With these steps proposed in precisely those directions which so many educationists agree to be indispensable, just how far, we must ask, should we thus be advanced along the road of educational reform this autumn by the Act?

There can be no doubt that with policy and practice thus reshaped, education in this country will have taken great strides forward. There can be few voices, and those unimportant, which will be lifted against the proposal to raise the school-leaving age to 15 and thereafter to 16, or against the introduction of a minimum of compulsory part-time education up to the age of 18 for adolescents and young persons already at work. Again, the need for a radical overhauling of our junior Elementary Schools is notorious. Above all, few educationists with the good of our publicly-provided system at heart would doubt that the achievement of a common secondary system of education for all children past the age of 11, with different branches but a common standard of building, equipment and, in particular, size of classes and staffing, would represent a development which has been all too long delayed. We are suffering today from the dead-weight of a Special Place Examination which was highly competitive because it selected

only a minority of children for a secondary education, and which, in consequence, left the remainder to be content with schooling still provided for under the elementary code and on elementary standards (however terminology might try to give a different impression). While the average cost per child of school buildings amounted to £103 a year in secondary, and only to £36 in post-primary, schools because the latter were equipped at elementary school standards, no amount of protestation that all these schools were equal in status was of any avail. Nothing but the establishment of a common secondary code could alter things.

## THE SCHOOL-LEAVING AGE

There are, however, certain aspects of the new programme which are cause for great concern to many educationists, especially to those whose interests are not confined to the four walls of the classroom. They are most of all disquieted because, despite the suggestion that the school-leaving age should be raised to 15 'as soon as possible after the war', there is no sort of target set for the next essential step. All that we have in the White Paper is 'that provision should be made for a further extension to 16 at a later date'. There is a substantial body of agreement upon the real need for children to postpone entering the field of full employment until they are 16, a view which was concurred in by the Report of the Youth Advisory Council: 'we believe that 16 should be the age to be aimed at as soon as conditions permit.' Educationists cannot but feel that in this respect the White Paper, which purports to be the outline of a radical recasting of the national education service, has failed to express the proper urgency and is lacking in the necessary firmness of purpose. It fails also to provide for maintenance grants to cover the extra year or years of school attendance. But, as the Youth Advisory Council again points out, a raising of the leaving-age without such grants 'would be the equivalent of a tax on parents'. It is undoubtedly true that 'working families with several children cannot afford such additional expenditure, and means must be found of assisting the mothers and fathers of families rather than of putting additional burdens on them'.

## EQUIVALENCE OF SECONDARY SCHOOLS

In respect to the school-leaving age also, it is doubtful whether the essential principle that 'the conditions in the different types of secondary schools must be broadly equivalent', is going to be genuinely observed. As the White Paper says, the longer school

life offered to its pupils has been an important factor contributing to the prestige in which the 'secondary' school has been held. It would have been encouraging had the White Paper made it clear that in future the Modern, and Technical, as well as the Grammar Schools were to provide for the best of their pupils staying for several years beyond the minimum age of 15 (later 16). In fact, the achievement of equality between the three types will not be easy in this as in other matters. Thus, parents sending children to secondary schools of today, to become the 'Grammar' School of the post-war, are normally required to keep them there until the end of the school year in which they reach their 16th birthdays. What is to happen to such agreements in the future? They can clearly not be extended to apply to children in all other types of secondary school, for that would be tantamount to the immediate raising to 16 of the statutory leaving age. On the other hand, they cannot be applied to the 'Grammar' Schools only, or to the Grammar and Technical Schools but not to the Modern Schools, without immediately brushing aside the aim of making the three types broadly equivalent. But this is a thorny point and the White Paper is silent upon it. In fact, as Mrs Adamson, a member of the Standing Joint Committee of Working Women's Organisations, said in the Debate in the House of Commons, 'until the age is raised to 16, secondary education in the real sense of the word cannot be provided for the mass of the people of this country, whatever name we may give to the new secondary school'.

It is not, however, only in the matter of the 'leaving age' that the chances are slender of the Modern Schools achieving a real parity of status with Technical or Grammar Schools. A widespread impression has in fact already got abroad that, however much it may be asserted that the Modern Schools will be equal in standing to the academic Grammar Schools and the scientific Technical Schools, that assertion will in no sense be true. The Modern Schools, it is concluded, will be nothing more than the senior elementary schools of today under a new name. The fact is that the White Paper, if it does not actually confirm this impression, does little towards removing it. If it were true, as the White Paper says, that 'their future is their own to make', then there might be grounds for maintaining that 'it is a future full of promise'. Unfortunately, however, there is small reason for hoping that this promise has any reality. It cannot begin to be true until the overwhelming handicap imposed by the leaving-age is removed. The White Paper states that 'conditions in the Modern Schools will be assimilated to those in the existing secondary schools, in such matters as standards of accommodation and the

size of classes' (p. 11). Unfortunately, however, the new standards of staffing are not laid down, nor the stages by which they are to be achieved.

Furthermore, while all this is necessary, it is also vital that teachers in the Modern Schools shall be held in the same esteem as their counterparts in other secondary schools. If salary scales assigned to teachers in Modern Schools remain lower than those in force in other secondary schools (no specific mention is made in the White Paper of teachers' salaries in the Modern and Technical Schools), public opinion will certainly draw its own conclusions and rate the Modern Schools at a correspondingly lower level. Such an opinion will also be encouraged if we are to understand that, even when new methods of selection have been developed, the vast majority of children will still go to the Modern School, the junior Technical School, although somewhat enlarged, being still very selective.

## **CURRICULA OF TECHNICAL AND MODERN SCHOOLS**

It is indeed urgent that before such a situation develops there should be a thorough examination and assessment of the purpose of these two types of school and of the curricula they should follow. It is most unfortunate that the deliberations of the Norwood Committee (whose Report will be discussed in more detail below), who were asked by the President in October 1941 'to consider suggested changes in the secondary school curriculum and the question of School Examinations in relation thereto', should, apart from a brief survey of the proposed new single structure of secondary education in its wider sense, apply merely to Grammar Schools. It was undoubtedly a serious tactical error for the Board to permit the Grammar School curriculum to be reported upon in detail at this moment without any parallel studies being undertaken for the other two types of secondary school. The problem was not overlooked in the White Paper, for it said that 'under present conditions the secondary school enjoys a prestige in the eyes of parents and the general public which completely overshadows all other types of school for children over 11. . . . If education is to serve the interest both of the child and of the nation, some means must be found of correcting this bias.' Yet it is just such an action as the publishing of another special report for the Grammar Schools, which will continue to bolster up that prestige and make it impossibly difficult for the Modern Schools to begin to compete. The proposed development of secondary education into three



parallel and equal streams is not a conception which has emerged since the Norwood Committee was given its terms of reference. The Consultative Committee of the Board of Education had recommended this in the Spens Report which appeared, just before the war, in 1938. Indeed, the Spens Report had also examined and reported in detail upon the curriculum of the Grammar Schools, and this circumstance in itself might have dissuaded the Board from allowing attention to be concentrated once more upon these schools.

At all events, it is most unfortunate that immediately upon the publication of a White Paper promising that in future 'secondary' shall refer to a stage in education and shall not refer only to a single type of school providing for this stage, the Board should have issued a Report, wherein 'secondary' schools is used once more in the old sense. Furthermore, as emphasised above, there is a real need for expert inquiry into the purpose and curricula of the other two types of secondary school. The very fact that the purpose and curricula of the Modern Schools are at present vague and ill-defined in comparison with the Grammar, and even with the Technical Schools, is itself a handicap upon the Modern Schools in the attempt to place them upon an equal standing with the others. If the Modern Schools are not to be regarded as nothing better than the old senior elementary schools, there is an urgent need for exploring the appropriate methods by which learning and teaching should be carried on in these schools. These activities must be directed in a way radically different from that now common in the majority of the senior elementary schools, before parents can begin to regard the Modern Schools as secondary in any true sense of the word. Some of the newer senior schools are doing excellent work and opening up new paths with their pupils. Their work should be explored as showing a promising approach for the new Modern Schools, and the whole of the Modern School field of work should be presented as an opportunity for experiment in a new sphere of educational venture. Before that end can be achieved, however, the provision for these schools, and the attitude of the public towards them, must be radically different from what the authorities appear ready to regard as acceptable today.

## YOUNG PEOPLE'S COLLEGES

Another disappointing feature of the White Paper is the section about Young People's Colleges. The abrupt transition of immature boys and girls from full-time schooling (with the exception of those unfortunates who do part-time work as newspaper or

errand boys before leaving school and about whom the White Paper is silent) to full-time employment with no provision whatever for education during the working hours, has long been a grave concern to many. As the Youth Advisory Council say so cogently, 'the present practice of throwing boys and girls into employment at the age of 14 not only wastes, to a large extent, the money which has been spent on their formal education up to that point; it also shows the failure of our educational system to observe the principle of continuous growth. . . . They would be both better workers and more enlightened citizens later on if their transition from full-time schooling to full-time employment were a longer and more regulated process.' There can be no dispute that, at a moment when the very basis of our educational structure is being re-planned, this state of affairs must be changed. A welcome is therefore assured for the 'Young People's Colleges', which are to be a centre for continued education during the first years of employment. The White Paper, however, recommends that only on one day a week, or its equivalent, shall juveniles be released by their employer for such education. But, as the White Paper itself points out, 'it is held by some that the first introduction to employment might well be on a half-time basis'. The Youth Advisory Council make no bones about the matter: 'we are concerned to assert the principle that up to the age of 18 the first call on the working day should be education, in its widest sense, rather than wage-earning. It is not enough that boys and girls should be released from industry, agriculture or domestic service for a limited period in the week. Continued education must be regarded not as a concession granted by the employer, but as a right given by the community.' The principle of continued education was an integral part of the Fisher Education Act which was introduced towards the end of the last war. For various reasons the provisions of that Act failed; but are we a quarter of a century later, and despite that widespread feeling on this matter, not to do more than release these adolescents for the equivalent of a single day from their employment? The White Paper confesses that this is clearly a minimum. But while there is no disputing the Government's contention that the new service can 'only be established by stages and developed gradually', we had every reason for expecting that the Government would nevertheless set the minimum higher than it has done, and incorporate in the New Charter a target of half-time education in Young People's Colleges, or something near it.

In the second place, it must be questioned whether the Government is envisaging this continued education in such a way that it will be as attractive as the new name suggests. We are told that the

Colleges 'should offer all the facilities necessary to promote, outside the actual hours of instruction, all kinds of activities, recreative and cultural'. If so, it would of course be out of the question to use for the purpose old elementary schools and similar buildings, or to utilise makeshift equipment. During the adolescent's leisure hours the Colleges would have to compete with the appeal of the cinema,<sup>1</sup> at least upon the buildings of which no expense of comfort and even luxury is generally spared. The Colleges will not compete successfully if they are housed in mean or drab premises. Yet, the expenditure to be made will clearly allow neither for a very prompt start upon the programme of providing these Colleges (in the third year only £400,000 is to be spent) nor ultimately for more than a very moderate equipment—£5.3 millions a year (in comparison with £6.3 millions which are to be spent on medical inspections and treatment, and £10.8 millions on nursery schools).

Finally, there is the Appointed Day for the start of compulsory part-time education. This is to be the same for the whole country, a feature which is intended to correct one of the defects of the Fisher Act of 1918; for the failure of that Act to lay down national uniformity was one of the reasons why the continued education planned in it was never put into practice. Nevertheless, it is to be hoped that the new rule of national uniformity will not furnish an excuse for delay in launching the Young People's Colleges everywhere.

## PROVISION FOR ADULT EDUCATION

In the sphere of adult education, the White Paper has unfortunately failed entirely to meet the needs of our people. The Paper admirably states the case for this education:

'without provision for adult education the national system must be incomplete . . . the measure of the effectiveness of earlier education is the extent to which in some form or other it is continued voluntarily in later life. It is only when the pupil or student reaches maturer years that he will have served an apprenticeship in the affairs of life sufficient to enable him fully to fit himself for service to the community. It is thus within the wider sphere of adult education that an ultimate training in democratic citizenship must be sought.'

But when we turn to the Appendix to discover what actual financial provision has been made for providing this indispensable

<sup>1</sup> The registration interviews during 1942 revealed that going to the pictures is the most popular way of spending leisure time among young people. For a discussion of the strength of this appeal, also see *Girls Growing Up* by A. P. Jephcott (1942).

training for the citizens of our democracy, it is shocking to discover not only that technical education is lumped together with adult education, but that the scale of expenditure proposed for these two fields is so small as to be ludicrous. The Paper tells us that 'the development of technical and adult education is not included among the matters to be dealt with in the first four-year plan' which is to begin 18 months after the end of hostilities. Even the 'ultimate cost' is not to exceed the pre-war expenditure by more than £2.7 millions a year for these two services. Challenged upon this subject in the House of Commons, the Parliamentary Secretary to the Board of Education (Mr Chuter Ede) explained that

'the reason that the expenditure shown for adult education is so low is the fact that we do not require new buildings for it . . . it is carried on very largely in existing buildings.'

Before the war, adult education in its various forms embraced no more than about one-fortieth of all adults. Even for this limited group provision was far from adequate. The work was largely housed in borrowed buildings, classrooms in schools or colleges, or in hired halls. But has the Board really decided that such a state of affairs is proper and adequate for the 'ultimate training in democratic citizenship' which our adult population is to find?

A major part was played by tutorial and other classes provided by University Extension departments and the W.E.A. Even before the war, however, it was realised that it was not sufficient to confine education to lectures for the serious and intellectually-minded adult student. It was realised, as in Denmark, that the adult movement should be providing for the other vast body of adults who were not touched by these courses. Already new methods were being explored, but their development in practice was largely frustrated by an inadequacy of financial support, and by lack of accommodation for holding meetings. The war has stimulated in many directions the interest of adults, and it is urgent that this interest shall not be allowed to die after the war, but on the contrary it must be nurtured and developed. The National Union of Townswomen's Guilds has pointed out not merely what difficulties they have faced through the shortage of buildings for holding their meetings, but also what they would like to see developed:

'a large central building with a concert hall and first-class piano, a cinema projector and screen, as well as halls for small societies, catering facilities, committee rooms, and rooms for discussion groups and class work.' (Letter, *Times Educational Supplement*, 14/8/43.)

Similar hopes are shared by all those concerned to develop centres to which adults shall be naturally drawn in their leisure hours and where they can meet together to share their common interests and to develop their full powers. The White Paper has indeed recognised that

‘there will be room for new methods and new approaches to meet new demands. In particular, there will need to be developed appropriate centres, including a number of residential colleges,’

but those words find no reflection in the financial provision made in the Appendix, and the Parliamentary Secretary’s statement to the Commons appears to be in flat contradiction to the above words of the White Paper. The Government should in fact review the financial proposals at this point, bearing in mind its own warning that the whole new national system of education which it is proposing to develop must be incomplete, and, even more, largely wasted, without provision for adult education. If adult centres are not developed on generous lines, the majority of adults, like their adolescent children, will continue to find more attraction in useless diversions.

It is important to realise that three-quarters of our children leave school at the immature age of 14. As the White Paper says:

‘it is now generally accepted that 14 is too early, in the conditions of modern life, for full-time schooling to cease’ and it is proposed that in future children shall spend one more year, and later, two more, at school. Nevertheless, as Sir Richard Livingstone has so properly emphasised,

‘these men and women who have left school at 14 will be the majority of the electorate during the next 30 years—one of the most critical in our history.’

The well-being of the nation demands that something substantial shall be done for *this* generation of young people. The nation owes these individuals some supplement to the hopelessly inadequate training which they have so far been given for the purpose of shaping out for themselves as individuals a satisfying and creative life. This is the more true today because evacuation and other war-time measures have interrupted or upset even such education as they would normally have received. It is little enough that can in any case be done for most of these young people, but no effort should be spared in trying to stimulate the interests and powers of that generation. The nine residential colleges for adult education which exist today must be added to and their counterparts established in village and town, so that the adult education which

is nothing less than a national necessity shall be provided for in no mean fashion and shall become universal and lifelong among the nation's grown-ups. It is to be hoped that in reviewing provisions for adult education the Board will take into account more of the facts and needs in this sphere than they can possibly have done in framing their present proposals.

## PROVISION FOR TECHNICAL EDUCATION

The inadequate scale on which the White Paper budgets for technical education, after all the experiences of this war and with the prospect of sharp foreign competition in the post-war period, is unbelievable. In common with adult education, it is excluded from the first four-year plan, although 'some allowance has been made for preliminary expenditure in respect of technical education'. Thereafter, technical and adult education combined are to receive, in addition to their pre-war appropriation, £300,000 in the fifth year of the plan, £800,000 in the sixth and only £1,200,000 in the seventh year of the plan. In explanation of the small additional sums proposed for technical education, Mr Butler explained to the House that provision had been made merely for loan charges and not for capital to construct new buildings. Even so, it is impossible to have any confidence that the scale of financing envisaged for technical education is not absurdly inadequate to meet the country's needs. These are clearly brought out in the White Paper itself:

'technical education has not hitherto made that advance which the needs of a highly industrialised community demand. In particular, the standards of the buildings and equipment in use have often been deplorably low, and comparison with what can be seen in many other countries which have been our competitors in the world markets, can leave little cause for satisfaction.'

How far the Government's financial proposals fall short of effecting a serious attack upon our inadequacies, is clearly seen when it is realised that £200,000 or more is needed to construct and equip a single modern technical college and that the pre-war programme provided for a capital expenditure of some £12,000,000 (a figure which, as the White Paper says, would have to be considerably higher after the war in order to carry through the same programme). The Paper speaks of the need for revision and even expansion of this programme, but its terms are so cold that they conflict oddly with the 'needs of a highly industrialised community' which had just been emphasised. Speaking in Birmingham, where the future

of technical education is naturally a matter of great concern, the President has said that no parts of the Government's scheme were more important than those dealing with technical education. If so, it is to be hoped that the Bill when it is introduced will contain provisions which more nearly reflect Mr Butler's estimate of this importance.

## BOARDING SCHOOLS

Two topics of outstanding importance in education today have unfortunately received only scanty reference in the White Paper and it is to be hoped that specific provision will be made for them in the forthcoming Bill. The first is the provision of boarding education within the ambit of the State system. As the White Paper says, there is a growing opinion that such provision should be made. It is most unfortunate that the Government did not develop here its proposed policy in this matter, i.e. whether a boarding education is to be available for all those parents who desire it for their children, or whether it is to be confined to certain groups of children for whom it would be specially recommended. Thus, should the opportunity of boarding facilities under the State be limited to such groups of children as the following: those with parents kept abroad, those from broken homes (as recommended by a welfare officer), those with permanently ill parents, 'difficult' children (as recommended by a psychologist)? Or should it be provided more widely, e.g. for children from rural and other areas of scattered population, for those where the home circumstances are poor, especially perhaps in certain important years of schooling, or for advanced pupils studying for university examinations? Why should it not be possible for parents of limited means, as much as the more wealthy parents, to send their children to receive a boarding education? It is safe to forecast that there would be small danger, even if the maximum of opportunities in this direction were given, of a large demand by parents for the provision of boarding facilities. Generally speaking, parents want to have their children at home with them. In any case, the cost of boarding, as distinct from tuition charges, would presumably be shouldered partly by the parents in accordance with their ability to pay, assessed by an income scale. These questions, it would seem, must be settled by the Government itself, apart altogether from any proposals which may emerge from the Fleming Committee; for the latter's proposals can scarcely be expected to do more than show to what extent actual accommodation in existing boarding schools might be made available for filling by

the State. The President's statement on this matter in presenting his plan to the House of Commons needs amplifying. He said that

'it is the Government's desire that boarding facilities shall be provided by local authorities so that parents who for good reasons desire a residential education for their children may find the facilities available'.

## RURAL EDUCATION

Then, rural education which, as Mr H. M. Burton so clearly shows,<sup>1</sup> is greatly in need of special and separate consideration, does not receive it in the White Paper. In the Debate the President assured the House that he is pursuing this problem and it is to be hoped that he sufficiently realises the extent to which rural education has been neglected, largely because it has been left to make what it could out of schemes drawn up to meet urban conditions. It is essential that Mr Butler's further enquiries in this direction shall be brought to fruition in time to incorporate definite proposals and provision for rural education into the Bill itself.

## THE TIMETABLE FOR THE REFORMS

When all these reasons are reviewed why many educationists are not as satisfied as the general public with the scheme put forward by the White Paper, it will be seen that their major cause for anxiety and dissatisfaction is not with the proposals which are expounded in the text of the Paper, but with the Appendix. Here is to be found the timetable to which it is proposed to work in introducing these reforms and here too the scale of expenditure which is envisaged. Dissatisfaction with the proposals for certain of the individual items have already been discussed. When looked at as a whole, the Appendix does unmistakably spread a very black shadow over the high hopes raised by the very phraseology used to present the proposals of the text. The time schedule proposed lacks all sense of urgency. No real start can be made, we are told, 'until at least 18 months after the end of the war', though we are not told whether this start must wait until the war in the Far East as well as that in Europe is over. If the 'end of the war' were to come in June 1945, the school-leaving age would be raised in January 1947, free education introduced in secondary schools in 1949, and a real drive made on provision of Young People's Colleges in 1950. The major part of the scheme for reform of full-time education is to move so slowly that children now being

<sup>1</sup> In *The Education of the Countryman* (1943).



born may reach the compulsory leaving age before the 'ultimate cost' is reached. And unless this programme of reform in education is to prove the exception to the rule, even the slow pace envisaged in the Appendix must be regarded as highly optimistic; for no educational scheme in the past has ever been approximately kept to its timetable. It is essential that the timetable should be redrawn in order to express the urgency which educational reform demands and deserves.

## THE SCALE OF EXPENDITURE

As already seen for individual items, however, it is not merely the rate of progress set out in the Appendix which has given rise to anxiety, but also the scale of expenditure which is suggested. If all the items are taken together, the additional expenditure in the seventh year of the reforms would be only £40,100,000, and 'ultimately' only £67,400,000 above the pre-war level. The total 'ultimate' cost proposed is only £190,400,000 per year. Today we are spending £16,000,000 every day on the war. But, more disconcerting still, it is doubtful whether these sums can be raised on the basis proposed in the White Paper—at first 48% and later 45% from local authorities. The contribution of local rates to education is planned to increase from the £48 millions of 1938-9 to £79,900,000 'ultimately'. Rates on the average would have to be increased by 16% to bear the additional financial burden proposed for education alone (quite apart from other demands which will be made on them as part of many other reconstruction programmes). Referring to this matter in the House, the President said that

'it is proposed that the poorer authorities shall be aided in addition by special provisions, which will be set out later, to enable them to take their part in the reforms which are suggested.'

It is true that the existing Part III Education Authorities are to be abolished and educational powers concentrated in the hands of the county and county borough councils; but even so, until the much-needed revision of our present rating system is effected, many of the new authorities will be so poor that they will have to be helped very substantially indeed if they are to be able to work the new scheme and if the gross differences which now exist between the educational services of one authority and another are to be swept away.

## OPPOSITION FROM THE CHURCHES

On the vexed question of the dual system, the Government proposes a compromise in an attempt to reach agreement. It is undoubtedly true, as the Member for the University of Wales emphasised in the Debate on the White Paper in the House of Commons, that 'it cannot be said . . . that the compromises of the past have notably furthered the cause of either religion or education, compromises which we accepted because we valued a quiet life above logic and a clear conscience' (*Hansard*, Vol. 391, No. 97, 1872). It is seriously open to question therefore whether this present compromise will not similarly hamper educational progress, especially as the present proposals will extend the controversy for the first time into the sphere of secondary education.

But even when compromise has gone so far in making concessions, the sectional religious interests concerned are so far from being satisfied that there appears a considerable danger of their making ready to jettison the whole Bill on this account. The Roman Catholic Hierarchy of England and Wales have issued a statement in which they say, 'our people will stand united and determined in what to them is a matter of life and death. They must use every available means to make the justice of their claims widely known and completely understood. We trust that before the Education Bill is tabled, before it is too late to prevent disunity and contention among the people of England and Wales, an equitable arrangement will be sought and reached.' The Hierarchy gave no assurance that in the last resort they would not oppose the Bill as a whole. The expressions of Roman Catholic Members in the Debate in the Commons ominously suggested a readiness for battle. Similarly, the Free Church Federal Council have passed a resolution in which they welcome the White Paper but complain of inadequate treatment for the problems associated with the dual system. They conclude that 'the Council has no option but to continue its resistance to the proposals in relation to the dual system unless the alternative suggestions are substantially adopted'. Again, there is no assurance that the opposition will not go so far as to wreck the whole Bill.

At a moment when there is unanimous agreement on the need for a new Education Act which shall promote a real reconstruction in our educational system, it would be lamentable if partisan considerations which are not strictly concerned with education at all were to stand in the way of progress, even where educationists admit no doubt about the need of reform and only question the best and most speedy methods for securing it. And the whole of any forward-looking educational plan must be wrecked unless

a scheme can be accepted which shall deal drastically with many of the voluntary schools in order to render them suitable as part of a reorganised system of education. The President summarised the position when he said, in introducing the Debate on the White Paper to the House, 'over one-half our schools are denominational. . . . It is on this sector of the front that reorganisation of the schools into senior and junior departments has proceeded most slowly. Without this reorganisation true secondary education cannot be provided for the senior children. . . . Moreover, conditions in denominational schools are quite often bad, owing to the lack of funds. Whether in town or village, the conditions in the classrooms, the recreative facilities and the sanitary conditions are often below standard' (*Hansard*, Vol. 391, No. 97, 1833).

Any denominational opposition to the passage of an Education Bill which would deal satisfactorily from a national and educational point of view with denominational schools, must be based on sectional religious interests. Educationists must, therefore, take care that their very proper anxieties to press during the interval before the Bill is introduced for modifications, some of them radical, in what is proposed in the White Paper, shall not be construed as an opposition to the Bill based upon other than educational motives. They must not allow themselves to be identified with those who would torpedo any Bill if it touched denominational schools.

In fact, there can be no doubt whatever that there is very wide agreement in educational circles, even among Catholics and Free Churchmen, with the educational aims which the plan lays down. These provide a basis for advance which should be strongly supported. The aims are described by Mr Butler as intended 'to secure for children a happier childhood and a better start in life; to ensure a fuller measure of education and opportunity for young people and to provide means for all for developing the various talents with which they are endowed and so enrich the inheritance of the country whose citizens they are. . . . But diversity must not impair the social unity within the educational system which will open the way to a more closely knit society and give us strength to face the task ahead. . . . It is the object of the present proposals to strengthen and inspire the younger generation.' And even when it comes to interpretation of this aim, although at several points, as already discussed above, the detailed programme falls short of the target at which Mr Butler aims, nevertheless many of the proposed changes are by common consent long overdue and are naturally therefore meeting with general accord in the Press and Parliament. It would be a major tragedy involving

several generations of our children and the whole future of our country if at least these accepted changes (quite apart from anything further) were obstructed or delayed by the interference in affairs of education from an outside force. Some agreed compromise must be worked out to enable progress and reform to go forward on the whole educational front and not permit frustration by the Voluntary Schools.

### THE NEED FOR IMMEDIATE ACTION

The passing of a new forward-looking Act must not be postponed any longer than is needed for the exploration of all the evidence. Doubt was widely expressed in the Debate on the White Paper in the House of Commons as to whether the Government really means business in the task of reconstructing our educational system. Especially did the leisurely timetable and inadequate financing set out in the Appendix make Members question whether the body of the Paper had not engendered more enthusiasm than it proposed fulfilling. They were also fearful in case the Board was prepared to be unduly modest in pressing the claims of education among the multitude of other claims which will be pressed at the end of the war. There is no doubt of the Government's wisdom in emphasising at the head of this Paper that it is upon the education of its people that the fate of this country depends. Yet, while mindful of the many claims which will be made upon the nation's resources after the war, educationists cannot help showing, with many Members of the House, an uneasiness at the President's warning in the White Paper that 'the rate at which it will be possible to proceed will depend on the financial resources available, having regard to our existing commitments, to the new claims we may have to meet and to such orders of priority as may have to be laid down. The rate of development of the proposals will therefore have to be determined from time to time in the light of these considerations.'

As the Member for the Combined English Universities said, the task of translating this White Paper into an Education Act which shall be fully worthy of our people will demand from the President 'the fire and driving force of a Luther' (1993). That drive will be necessary not merely to get such an Act upon the Statute Book, but all the more to ensure that it is fully implemented. There comes to mind at this moment the sad history of delay and ineffectiveness which has beset so many movements for reform in education. As the Parliamentary Secretary to the Board of Education said in his concluding address on the Debate in the House of Commons, 'every one of the points that have been

raised in this discussion was raised and dealt with in imperishable words by Mr Haldane' in the Debate on the Education Bill of 1902. But if the proposals which are now made in the White Paper were already seen to be necessary at the beginning of the century, that is all the more reason why at this time there must be no toleration of delay. High priority for the means to implement fully a comprehensive Education Act must be insisted upon.

## THE NEED TO TRAIN TEACHERS

As an earnest of intentions to brook no delay, it would be encouraging if the Board began forthwith upon certain preparations which are necessary and which could be undertaken now. The Member for the Combined English Universities urged the President to go ahead with the local authorities in arriving at approved plans for the various areas, in the drawing up of Instruments or Articles of Government which shall protect the individuality of secondary schools and perhaps of primary schools also, and in making plans for the use of such large country houses or other buildings which may be available for immediate use by schools after the war. And above all it is urgent, if the whole scheme is not to be delayed, that plans should be started immediately for the training of the large body of teachers upon whom the success of this or any other scheme in education must depend. For it is not merely that a large increase in the number of teachers will be called for by raising the school-leaving age, reducing the size of classes, and launching the Young People's Colleges; even more important, many teachers will be called upon to adopt altogether new methods of teaching and of approach to their scholars. These things cannot be done without time. Early plans should be made for them and, wherever possible, the requisite training should be begun. Yet, the section of the White Paper dealing with the problem of providing teachers was disappointingly vague. This is true, even if we allow for the fact that the views of the McNair Committee on the recruitment and training of teachers are still awaited. Nobody expects 'final' plans yet. Mr Butler, however, estimates that 70,000 additional teachers will be required even in the initial stages of the Government's proposed reforms: yet, the White Paper merely talks of 'short intensive courses', of unspecified content and value, to be financed under the 'Further Education and Training Scheme'. This is all the White Paper has to say on this crucial matter. Furthermore, the Government appears to be misinformed if it is relying upon a large number of

Service men and women wanting to enter the teaching profession under present conditions.

Without doubt the White Paper has the heart of the matter when it says that the teaching profession should be 'a cross section of the interests and experiences of society at large', and that 'it is not reasonable to suppose that, if the country treats its teachers well, there will be any dearth of men of ability and character to meet the demands of a reconstructed educational system'. But the matter cannot be left there. The Government must make it clear to young men and women just how it proposes to treat them well, and what prospects teaching as a career is to hold out for them. If this cannot be done speedily through the McNair Report, some other means of announcement should be chosen without delay.

## 3 The Norwood Report

### INTRODUCTION

While we are thus absorbed, however, in discussing and examining the proposals which the Government have laid before us for this Bill, it is as well to have been reminded by Sir Fred Clarke that none of these proposals 'in themselves contain the answer to the problems of education with which we are now to be faced. . . . It is no part of its (the White Paper's) purpose to redefine the ends towards which the educational process should be directed, nor to indicate the methods by which that should be done' (Article in *Spectator*, August 20th, 1943). A searching revision of the content, not merely of the machinery, of education is needed. On this matter of clothing the bare bones of administrative organisation, the Norwood Report on 'Curriculum and Examinations in Secondary Schools' has something to say.

The Committee were appointed with the rather narrow task of considering 'the Secondary School curriculum and the question of School Examinations in relation thereto', and they addressed themselves to this task in a rather narrow and unenterprising spirit. As mentioned above, they interpreted 'secondary' to mean only that section of the secondary school system which Mr Butler proposes to call, after his reorganisation of it, 'Grammar Schools'. Further, they have gone on the assumption that teaching in the Grammar Schools will remain much as it has been in the past, with the result that they have been content to tinker with the question of curricula and examinations and to suggest how some of the least satisfactory habits of our present Grammar School

teaching might be eliminated. The Committee have, therefore, in effect shown how teaching might be levelled up to standards now prevailing in many of the best-managed public schools. Their recommendations are 'sound' in a conservative sense; for they 'are conscious that the tradition of secondary education is a fine tradition', and 'it would be an unforgivable wrong to those who came after not to conserve what is good from the labours of the past' (p. viii). All this may be useful, though extremely limited in comparison with the service which the Committee might have rendered education. Curiously enough, however, they appear to regard their recommendations as of much greater significance; for, according to the Preface of their Report, they considered themselves 'committed to deal with secondary education in its broadest sense'.

### THE AIMS OF SECONDARY EDUCATION

Even for the purposes of this limited approach, the Committee had to ask themselves the basic question, what is the object of secondary education? Their brief answer to this is couched in what Sir Fred Clarke calls 'time-honoured but vague and hollow rotundities', of a kind which have certainly laid the Committee open to much, perhaps undeserved, criticism. The purpose of education, they say, should be 'to help each individual to realise the full powers of his personality . . . in and through active membership of a (school) society' (p. viii), a principle which led them 'to rediscover an old truth—that the curriculum must fit the child, and not the child the curriculum'. Hence they insist on a need which has very largely, in a schoolworld dominated by examinations, been lost sight of in the past, namely, the need for education to be 'child-centred'. No objection can be taken to this reasoning as *one* of the important guides to educational practice in a democracy.

More dubious are the next steps in their argument: how, and in what directions, are the personalities of children to be developed? 'Ultimate values,' not merely 'temporary convenience', say the Committee, must provide our standards here. These ultimate views are 'independent of time or particular environment, though realisable under changing forms in both. . . . No programmes of education which concern themselves only with relative ends and the immediate adaptation of the individual to existing surroundings can be acceptable.' This view, which could of course provide the professional philosopher with material for endless comment and criticism, has been interpreted by some critics as enshrining the most damnable reaction, since modern science concerns itself solely with relative values and ends. An

examination of the Committee's detailed proposals for the teaching of individual subjects, however, reveals that this is an uncharitable interpretation. What they were really trying to say seems to be two things : first, that education must not yield to the special temptation of our age, which is to concentrate too much on the latest ' scientific ' fad or fashion, sure soon to be out of date, rather than upon information of more accepted and lasting value : second, that children must be taught the basic principles of thought and conduct which underlie our civilisation as well as be shown their modern manifestations (or perversions). One of the chief tasks which our secondary education has yet to shoulder (although the Committee are too discreet to mention it) is to develop in the citizens of the future a healthy critical faculty which they will be prepared to use. The development of a critical faculty depends partly, by psychological necessity, on a grasp by the mind of underlying principles or values which can be accepted as relatively unchanging and by reference to which problems can be questioned. No one can dispute the wisdom of adapting secondary curricula to this end—and many of the Committee's specific suggestions are well calculated to do this.

## THE ATTITUDE OF TEACHER AND PUPIL

Turning next from the content of curricula to the manner in which they should be taught, the Committee emphasise the value of ' sound learning ' and the importance of the ' disciplines ' of ' systematic effort ' rather than a ' preoccupation with subjects '. They appear here to be drawing attention to the danger of merely cramming a mass of facts for a short time into the pupil's head. Already the examination system has tended, especially in some subjects such as geography, to entice our teaching away from what have on the whole been, in this respect, healthy traditions, and to overlay it with too much memorising of facts unrelated to the interests and life of the child. With this same danger in mind, the Committee set their faces against introducing into the secondary syllabus a host of new subjects ranging from Russian History to Comparative Religion, and wish to develop a thoughtful and intensive study of a relatively small number of basic fields.

Finally the Committee are much impressed with the value of ' learning for its own sake '. In one sense, of course, this maxim contains a valuable truth ; nothing can be more subversive of a self-respecting educational system than the refusal by parents and children to value teachers and learning except as instruments to something else, such as getting a job or being socially accomplished. Unless the teacher can be respected as having something



'valuable in itself' to impart to the child, not only the teacher, but the habits of thought and conduct and the importance of the topics he has to inculcate will alike be despised.

## THE SOCIAL FUNCTION OF SECONDARY EDUCATION

On the other hand, learning, however 'intrinsically' valuable, does not take place in a vacuum. Its value is derived from the important part it has to play in adjusting the child to the needs of adult, democratic society. The Committee's recommendations are up to a point, and in a limited way, useful in indicating what current tendencies in our Grammar School syllabuses should be developed, and what abandoned, as a means to making them valuable in this sense. The Committee, however, seems to be aware only in a vague, not to say dim, way of education's only ultimate purpose, which is its social purpose. In a Report of 140 pages, they devote only three-quarters of a page explicitly to 'Education for Citizenship' (as if to imply that the other principles they lay down, and precepts they advise, could be in some way divorced from making children better citizens). What they say on the subject is that they 'have no doubt' that 'British men and women should have clearer conceptions of the institutions of their country', its history, social and economic structure, the citizen's function, etc. (p. 58). Explicit teaching of such subjects, however, should be confined, in their view, to children who have reached the sixth form stage or thereabouts. The younger children should learn from 'what is sometimes called the "tone" of a school', the feeling of living in a society and taking their just place in it, while other social, political and economic information should be imparted to them 'incidentally, by appropriate illustration and comment and digression, through the ordinary school subjects, particularly History, Geography, English and foreign Languages and Literatures' (p. 58). Thus, through their history lessons 'by the age of 16 every pupil should have had the opportunity of studying those aspects of British and World History which relate to the conditions of the age in which he lives', with a fuller treatment of the British Commonwealth, the U S A and Russia, together with questions of central and local government and 'such topics as the growth of democratic ideals' (pp. 100 and 101) above the age of 16. Again, in geography, the Committee lay very great stress on subordinating the usual fact-learning to field work or local surveys, 'a type of work which holds out great promise as an introduction to practical citizenship' (p. 103). These practical recommendations are good, so far as they go, and

should be pressed in every secondary school. The one debatable point is whether politics and economics might not be taught, in a simple form, to younger children. But this is a matter of experience, and might be differently applied in various schools where the children come from different classes and groups, some more intellectually and socially alert than others. Undoubtedly, if a more intelligent and politically aware type of citizen is going to be produced in this country, it is urgent that as much formal instruction as possible in 'civics' should be given. School is the obvious place, and if some children leave before the sixth form, they ought, if they can adequately absorb the teaching, to be given explicit instruction in 'civics' before they leave. No doubt further opportunities can, and will, be developed in the course of part-time education.

The Committee harp overmuch upon 'learning for its own sake'. This tendency, together with their vague, traditionalist phrasology and their refusal to face squarely, and state openly, the fact that all proposals for educational reform must be guided by a conception of society and the part to be played in it by the teaching of children, is bound to lay their report open to serious suspicion. First, is this characteristic of Grammar Schools in imparting 'learning for its own sake' a characteristic which the Committee thinks elevates them (and Mr Butler, it is to be feared, may continue to elevate them) above the Technical and Modern Schools? If so, are the Grammar Schools to have a monopoly of this 'superior' type of learning, thus maintaining their position, even under the reorganised secondary system, of greater social desirability than that of the other types of school? In that case, the Committee may (perhaps unwittingly) be providing the Board of Education with one more excuse for not introducing a genuine equality and 'unity' into the new secondary system (a reform which, we have seen above, will in any event be difficult to secure.) In the second place, Professor McMurray has pointed out (as reported by Sir Fred. Clarke in *Education and Social Change*, p. 21) that 'the cult of knowledge for its own sake tends to arise in a society which is quite ready to accept the techniques of a new order, but not ready to accept any essential change in the structure of an existing order, nor to allow the displacement of a standard culture in which it has a vested interest by one which would transfer the social advantages to another class. . . . The ideal . . . may express the interest of a regime which has the strongest reasons for not wishing to see new knowledge used *instrumentally* all along the line, that is, in social and political reconstruction as well as in the provision of scientific techniques'. Is the unenterprising

and timid nature of the Committee's Report due to their (perhaps unconscious) fear that out of the secondary schools may come young people seeking social reform? Yet, they can hardly have been unaware that even the cautious changes they have advocated will, if properly carried out, stimulate criticism, and a desire for change, in the young.

At any rate, the Committee have interpreted their mandate in such a way as to do a very half-hearted job. Their recommendations are certainly calculated to develop the child's interest in learning, to teach him how to concentrate and tackle problems, and to give him some knowledge of principles which will help him to take a critical and intelligent attitude to life. But two vital recommendations the Committee omits to make: first, that the child should be *encouraged actively* to use his critical powers and to take an evaluating attitude towards information and proposals, thus being shown how to apply the knowledge of principles and values which he has acquired; second, that the whole work of teachers should be so orientated as to bring out the social, and if possible historical, relevance of the subject matter they are handling. The entire life of a school is vitalised and the worth of its work enhanced if the teaching staff will approach instruction from this angle. Again, it helps them to remember that a school has a definite, and important, function and part in the greater society. This stretches all the way from teaching grammar not as a dry-as-dust subject, but as part of the art of communication which every citizen should effectively command, to organising the school activities in such a way that the school shall form a genuine little society imperceptibly accustoming its members to constructive, democratic living. Here, everything depends on the quality of the teachers, and the training they have been given: and the Committee may have considered that this fell outside their province. Yet, in other respects they discuss how subjects should be taught, as well as what subjects, and they agree that a school must form a society (but they hesitate to say of what kind). It is, therefore, most regrettable that the Committee failed to give explicit recognition to the social focus of education and to lend their weight to those efforts which are being made by the more enlightened educationists towards bringing teaching into line with the requirements of today.

Speaking for the Government in the House of Lords, the Earl of Selbourne referred to the 'highly authoritative' nature of this Committee. It is to be hoped that the Government will bear in mind that this report comes from the Committee of the Secondary School Examinations Council and that it is therefore authoritative

only in a certain sphere. If the secondary system is to play its proper part in equipping our youth to come successfully through these times of exceptional upheaval, something more must be done than merely to follow the suggestions of this Committee on the matter of curriculum. As they stand, they have, in some highly important directions, offered no more than a pretext for inaction, which might easily be used to give comfort to the forces of reaction. The question of the content and method of approach to the curriculum urgently needs to be set in a wider and more comprehensive framework.

## THE SCHOOL CERTIFICATE EXAMINATION

Concerning school examinations, on the other hand, the Committee speak as authorities on the question and their proposals here should undoubtedly receive the Government's most careful attention. Their recommendation that the School Certificate Examination should in due course be transformed from an external examination conducted by the university examining bodies into an internal examination conducted by the schools themselves is one which has the support of many teachers in our secondary schools.

The Committee has weighed most carefully the evidence presented in favour of and against the School Certificate Examination. Especially do they bring out that in past years the examination undoubtedly had a beneficial influence in providing a scaffolding for the construction of the new edifice of secondary education. It enabled teachers to gain a sense of standard in their work as the achievements of their pupils were measured against those from other schools, particularly those with a longer tradition in secondary education. Drawing upon their experience of this examination from its inception, however, the members of this Committee agreed that by now the examination has fulfilled its usefulness, and is dictating the curriculum and dominating the life of the school to the detriment of both. Teachers find in it not a stimulus and goal for their work, but a curtailment of their freedom to develop those qualities and appeal to those interests in a child which may not be easily susceptible to external examination. 'The examination in its present form is having a cramping effect upon the minds of teachers and pupils.' Moreover, 'secondary education has become too varied to be confined within a rigid scheme'. The uniformity apparently achieved by the examination is illusory since standards cannot be made genuinely uniform on so vast a scale. The majority of teachers will indeed be grateful to the Committee for the firm statement of their belief 'that the

time has come when the teaching profession should have the chance to shoulder its own responsibilities and thereby gain its freedom and enhance its prestige'. The goal and stimulus which the School Certificate has provided can be, and should now be, given by the schools and teachers themselves.

In order to minimise any difficulties of adjustment from an external to an internal examination, the Committee recommend that for an interim period of seven years the University bodies should continue to examine, but that there should no longer be regulations requiring compulsory subjects, combinations of subjects, or syllabuses. The wisdom of the Committee's long-range proposals are indeed such that it seems unfortunate if it must take as long as seven years before they can be put fully into operation.

### **SIXTH FORM EXAMINATIONS AND UNIVERSITY SCHOLARSHIPS**

Next, the Committee have turned their attention to the examinations faced by the sixth-form students, and in all these deliberations the guiding principle followed has been that 'it is essential to good Sixth Form work that the whole of a pupil's time should not be given to examination requirements'. Their point of view is that of the school and of the schoolmaster, and they have made suggestions which would undoubtedly relieve many in sixth forms from the necessity which now faces them of sitting a multiplicity of examinations. Such a development could not fail to meet with general approval. The Committee, however, are naturally unable to speak with equal authority for the university point of view, a view which impinges directly upon the schools through the university scholarship examination. As the Committee say, they are 'moved not by any wish to meddle with scholarship examinations, which are primarily the responsibility of the Universities, but rather by concern for the welfare of the Sixth Form pupil of the secondary Grammar School'. The Committee's proposals, however, are suggestive and deserve careful consideration.

It is recommended that the Higher School Certificate Examination, with its dual purpose of selecting State scholars and of providing a certificate of 'general' ability at the Sixth Form stage, shall disappear. Its place should be taken first by a 'School Leaving Examination' conducted by University Examining Bodies twice a year, in March and July, the purpose of which would not be to show evidence of 'general' ability, but rather 'to provide such evidence to pursue a particular line of study as individual faculties of Universities and particular Professional Bodies may

see fit to require'. The function of selecting State scholars and those to be given L E A awards would be taken over by a totally separate examination also conducted by University Examining Bodies and held in March. After the written examination—henceforward to be freed from prescribed books and syllabuses of work—the Examining Body would send recommendations for award to boards composed of representatives from the L E A's, the universities and the teaching profession. School records would then be taken into account and the recommended candidates interviewed. The Board of Education would make the final awards and would give to the successful candidates adequate aid for their proposed course of study, account being taken, however, of their parents' income. Apart from candidates chosen thus for State scholarships, it would then be open to L E A's to make additional awards, and these (though not apparently the State scholarships) could be held for other advanced training apart from university work. The State would pay half the cost of such awards. (The practice now followed by many Authorities of granting loans to students for further education is, fortunately, discouraged by the Committee.) By this scheme the Committee suggest it should be possible to effect an equalising of the opportunities in different parts of the country,<sup>1</sup> and bring the supply of awards most nearly in line with the demand for them—they declare that 'the only limit which we envisage would be that imposed by dearth of sufficiently qualified candidates'. Any scheme which succeeded in these two ends would indeed have accomplished a great advance; for, as the White Paper itself commented on this very problem, 'the aim of a national policy must be to ensure that high ability is not handicapped by the accidents of place of residence or lack of means in securing a university education'.

Concerning the scholarships which the universities and colleges themselves offer, the Committee has two proposals to make. First they urge that the winning of such a Scholarship should 'in itself constitute a claim upon public funds for assistance towards the cost of living at the university, subject to evidence that such assistance is necessary'. With such a proposal no one can disagree, since it would free the scholars-elect from the burden which now presses upon a majority of them, namely, to continue to study for and compete in other examinations in order to supplement the emoluments of their college scholarships. These last are normally

<sup>1</sup> The recent Report on University Entrance Scholarships in England and Wales by the Committee on Post-War University Education (of the British Association for the Advancement of Science) recommended that the 1,500 major scholarships annually awarded by L E A's should be pooled in order to remedy the unequal chances of gaining L E A Scholarships.

not sufficient by themselves to cover all the expenses of college or university residence. The universities and colleges, on their part, would also welcome such a development; for they would then be free to advise their scholars-elect in the most profitable use of the interval of time before they take up their scholarships.

The second proposal of the Committee in this particular field is not, however, one on which it is possible to secure such agreement. They propose that the Universities should synchronise their scholarship examinations during a single week in December. The Committee comment that 'only in this way, we believe, can the tour of College and Universities by an unsuccessful candidate be ended; that it should be ended we believe most schoolmasters would agree'. Some schoolmasters would also see in such a change a way of escape from the steady forcing-up of standards to artificially high levels in these examinations, a tendency which many of them attribute to the competition between the universities and colleges through their separate examinations. In this competition each hopes to secure for themselves the ablest candidates. Very probably, however, this diagnosis of the trouble is a mistaken one. It is more than likely that the standards have inevitably been raised as the demand upon a limited supply of Scholarships has steadily grown. The growth of demand has reflected the spread of secondary education and the improvement in its own standards of scholarship ever since the beginning of this century. In any case, as other means of assistance come to be offered more liberally, it should no longer be necessary for colleges and universities to expect the scholarship candidate to cram up in order to reach a pitch which has been described as a 'mock degree' standard. As pointed out below, it is probable that these college and university scholarships will always be specially sought after before other means of assistance, but the fight should not be quite so intense when the issue is no longer one of winning a university scholarship or receiving no university education at all.

But whatever schoolmasters may feel on the matter, University and College examiners are far from agreeing in this proposal. The sub-warden of Wadham College, Oxford, draws attention to the fact that if it is intended that at Oxford and Cambridge and other Universities with constituent colleges, there should be held a single large university examination, instead of the several examinations during the year now held by separate colleges or 'groups' of colleges, the suggestion cannot be regarded as a step forward, for the intention of these examinations is to discern academic promise for the future. A single large examination would willy-nilly reduce to just one more test of past achievement. If, on the other hand,

so radical a change is not intended, but rather that while the 'group' system should remain, their examinations ought to be held simultaneously, then Mr Lennard has two main objections to bring forward. In the first place, he points out, unless by an unlikely chance the ablest candidate entered for the various groups in exact proportion to the awards which they had to offer, then obviously 'some groups would have to reject abler candidates than some of those elected by other groups'. In the second place, there is the disappearance of a 'second chance' in competing for university and college scholarships. Not merely are candidates liable to physically or temperamentally unlucky days, but, says Mr Lennard, examiners, even under the favourable conditions of personal interviews, are far from infallible. The Norwood Committee, anticipating this objection, called attention to the fact that a later examination is to be held in March, by which they presumably mean that for selecting State and L E A scholars. It might in future be true that the able candidate who for some fortuitous reason (e.g. nervousness or illness) had failed to secure a college scholarship in December might be detected in the March examination. But since, as the Committee itself points out when dismissing the 'second chance' argument, the scholarships of Universities and Colleges, 'have carried and should continue to carry the greatest distinction', the candidate who failed in December from pure ill-luck would irrevocably be deprived of carrying this distinction with him into later life, even though the State or his L E A might provide the finance to take him on to College.

The pros and cons of this question are many; but there can be no doubt about agreement with the views of the British Association when, in the report referred to above, they say:

'in awarding university entrance scholarships, whether open or national, an attempt should be made to take account of each candidate's character as a whole rather than of his intellectual qualities alone. As a first step in this direction every candidate should be interviewed (not about his examination subjects) and his school record of work and out-of-school activities should be considered.'

But this calls for a more flexible arrangement for selecting scholars than that proposed by the Norwood Committee.

It is unfortunate that in all their considerations on college scholarships, the Committee were clearly thinking almost exclusively of the men's colleges at Oxford and Cambridge. Entrance to the women's colleges at these universities presents a separate and special problem. The competition for entrance, still more for scholarships, is far too fierce, and it is high time that the regula-



tions setting a fixed and unduly low figure for the number of women students who may be admitted to those universities should be withdrawn. Unfortunately, the Norwood Committee overlooked this question entirely.

## 4 The Interim Fleming Report

As it was emphasised in the opening paragraph of this pamphlet, the findings of the Committee which is sitting under Lord Fleming have an essential contribution to make towards the formulation of the New Charter for Education. This Committee have not yet completed their investigations, but they have made an interim report on 'Abolition of Tuition Fees in Grant-Aided Secondary Schools'. By a majority of 11 members to 7 the Committee recommended in favour of the abolition of fees in the direct-grant schools, in line with the White Paper's proposal to abolish them in all the maintained and aided secondary schools. The Committee were unanimously of the opinion that fees should not be abolished if the grant-aided schools would thereby lose the independence they now enjoy. The majority were satisfied, however, that this independence would be adequately safeguarded under certain conditions: first, if suitable Articles of Government were adopted by the School Governors, providing for a separate Governing Body for each school and guaranteeing to that Body essential powers such as the appointment of the Headmaster or Headmistress: second, if a specified proportion of the places in the school should be 'Governors' Places'. 'These would be filled by a test devised by the school authorities, and not by the test applied generally throughout the area'. A minority of the Committee were not satisfied that these conditions would be sufficient to safeguard a reasonable independence to the schools in question and, consequently, their educational value. They therefore insisted that at least half of the school places should be 'Governors' Places' and that fees should be charged to the pupils filling those places. When the arguments given on both sides are reviewed, however, the logic upon which the majority based their conclusions seems irrefutable. Now that it has become generally recognised by the Government as well as by public opinion that every child should receive a secondary as well as a primary education, the provision of secondary education for all becomes an inescapable obligation upon the Government. Such an obligation implies that all secondary education provided by the State should be free of charge. The majority therefore recommended

that in all those direct-grant schools which contribute to the local provision of education in the areas where they are situated (and it is further proposed that in future the direct-grant list should only comprise schools of this character and none which are purely non-local in character), there should be no fees charged for tuition. There are considerable dangers of prejudiced or privileged selection however, in their proposals for Governors' Places, especially as they make no definite proposal for the percentage which these are to represent. Even in direct-grant schools such a percentage should be very severely restricted.

In the course of their argument, the majority of the Fleming Committee proposed that Articles of Government should in due course be drawn up for the new Technical and Modern Schools as well as for maintained Grammar Schools. They went further; the practice of reserving a proportion of places which shall be 'Governors' Places' and as such filled by the schools themselves and not by 'the test applied generally throughout the area', should also be adopted by maintained secondary schools. In defence of this proposal they contended that it would give 'additional flexibility to any system of educational tests which, however intelligently administered, cannot be expected to be a perfect method of selection'. One member of the majority, the Education Officer for the West Riding of Yorkshire, dissented from this proposal. He said: 'I believe that the children will have to be allocated as a result of consultations between the parents and the primary and secondary teachers concerned, with the primary school record of each child as a basis for the consultation. Consultation and allocation will be under the immediate supervision of the School Governors, but it seems to me that the general conditions for the allocation of local children to diverse secondary schools must be subject to the approval of the Board of Education.' Surely there is no real alternative to such a system, not only for the maintained but also for the direct-grant schools. The assent of the majority of the Committee to retaining 'Governors' Places' in the direct-grant schools is a second best.

## 5 The Report of the Youth Advisory Council and 'Youth Registration in 1942.'

In August 1942, the Youth Advisory Council were requested by the President of the Board of Education to consider what should

be 'the position of the Youth Service as an element in the educational system after the war'. The Council were told that they could assume the raising of the school-leaving age to 15, the introduction of compulsory part-time education from school-leaving up to age 18 and, most important for the purpose of this enquiry, that generally speaking until they are 18 adolescents will remain the concern of the education service.

Fortunately, the Council did not interpret their mandate in any narrow fashion. Growth, they remind us, is a continuous process and although attention may have to be focused for special purposes upon stages of this process, it is essential always to bear in mind that any divisions so made are arbitrary and artificial. Thus, the Council declare that

'only by thinking of a boy or girl as a whole person, with a past and a future as well as an adolescent present, have we been able to see our subject in proper perspective.'

Rightly, therefore, the Council began their investigations with a consideration of the phases of life which are the essential and inescapable background to those activities which are the Council's special concern. They look at the homes from which so many young people come and find

'that thousands of young people have to live in surroundings which make it almost impossible for them to grow up into decent citizens.'

They next consider certain problems of schooling, and make those recommendations about maintenance grants and about continuation education which have already been quoted above. They turn to the conditions under which young people are employed and find much which needs correcting. They urge, first, the wider use of vocational guidance and other methods of advising young people upon their choice of employment and of assisting them in finding it. Second, a reduction in the hours which young people are working and a closer watch where exceptions are permitted—even during the war a restriction to a maximum of 44 hours a week for those under age 16, and to 48 hours between the ages of 16 and 18. In peacetime the regulation maximum should be 44 hours for all up to age 18, including the hours to be spent in the Young People's Colleges. Third, they urge the need for an extension of safeguards against permitting young people to undertake 'double employment', i.e., engaging in unregulated employment mainly in the evenings, as in cinemas. These recommendations of the Council agree for the most part with the proposals made by the Government as a result of the follow-up interviews after the registration of boys and girls under an Order in 1941. These

were set out in the recent White Paper on 'Youth Registration in 1942'. This Paper also proposed (1) to arrange where possible to transfer young people from employment requiring excessive travel, (2) to develop the policy of staggering hours in order to facilitate travel, (3) to encourage young people to make greater use of works canteens, (4) to dissuade them from undertaking activities which would interfere with proper rest and sleep. The Paper stated that the Government had decided to implement these highly desirable proposals, but the public has had no evidence of any steps being taken since the Paper appeared in May. As for the post-war, the Government concluded the Paper with great promise :

'in connection with the general scheme of educational reform which they hope to bring into operation after the war, the Government have under consideration proposals for the adjustment of hours of employment in relation to the arrangements for continued education; for the development of a comprehensive health service; and for improved methods of vocational guidance in connection with the recruitment and training of young people for industry. Progress on these lines is both desirable and possible so that in the post-war period young people may be able to enjoy opportunities which have not been available to them in the past.'

Only when these steps are taken, will the Youth Council's dissatisfaction with the conditions under which young people are now expected to work have been met.

The main contribution of the Youth Advisory Council, however, is their consideration of the use of the worker's leisure. Since, as they point out, so much of the work which the young people will have to do in this machine age is monotonous and boring,

'so much more urgent is an increase in the amount of a young worker's leisure and the wisest possible use of it, to produce through genuine recreation the fullest flowering of every side of a developing personality.'

In the first place, they emphasise how much too few are the leisure hours of most young people, especially because of the almost universal limitation of their annual holiday to a single week. The Council are adamant :

'for the 14-18 age-group we would therefore recommend as a reasonable minimum annual holiday with pay 24 working days (inclusive of the six statutory holidays) of which at least 12 shall be consecutive and may be taken between March 15th and October 1st.'

They devote considerable thought to the problem of the actual

use of leisure and are especially concerned to argue that compulsion should not be allowed to extend into this sphere, but rather should complete freedom of choice be retained and a great variety of opportunities offered to young people for the exercise of this freedom. It is especially refreshing to find them remembering those

'boys and girls, by no means the least interesting and valuable, who are not by temperament attracted to communal activities, who find the life of a club or any other organised body of their contemporaries overwhelming and uncongenial.'

If all the necessary variety of opportunity is to be provided, they see every need for voluntary organisations, as well as for the statutory authorities, each to make their fullest contribution. They urge, however, the necessity for considering well in advance the needs which will arise for accommodation for the Youth Service, though they do not want to see young people segregated in Youth Centres. They would prefer them to be part of a true community centre, while at the same time having their own special and more private quarters elsewhere.

Finally, since the Council believed, and were in any case told to assume in their enquiries, that 'the whole upbringing of a boy or girl will be in the broad sense educational', the majority of the Council recommend that after the war responsibility for Cadet Corps, if they are to remain, should be turned over to the Board of Education.

In general, the Report of the Council has taken such a broad view of the life of the adolescent and has in consequence arrived at such excellent conclusions that it is much to be hoped that the Board will rapidly carry out their recommendations, despite the fact that in publishing the Report the Board emphasised that they were not 'committed to acceptance of its conclusions and recommendations'.

## 6 Conclusion

The Government has committed itself to introducing this autumn an Education Bill based upon the White Paper, 'Educational Reconstruction'. Parts of the Bill will also take account, it is to be presumed, of the reports which have investigated in detail certain special aspects of education and which have been surveyed in the preceding pages. If, then, the Government adheres to the recommendations of the White Paper and the supplementary reports, the Bill will represent a comprehensive and coordinated attempt at broad advance over the whole field of State education,

together with developments in continued part-time education for those at work, in a Youth Service, in adult education and in access to the universities. A minimum of control will be applied for the first time to all private schools, and a new relationship will be established between the State and the non-provided (denominational) schools. Plainly, this foundation of advance would confer a very real benefit on British education.

The programme, however, is not without its defects, and the more important among these have been pointed out above. In particular, the Appendix of the White Paper belies the promise in the text of the Paper itself. So niggardly is the financial provision, and so leisurely the timetable, set out in the Appendix, that the Treasury's traditional economy axe seems to have been at work in it, in complete contradiction to the new spirit which the Board of Education has infused into the body of the Paper. It would be deplorable if the Appendix reflects a deliberate decision of the Government assigning to education a low priority in the post-war scheme of national finance. Rather, we must have a Bill not only providing for a framework of broad educational advance, but also for the adequate means to finance it in practice and for its administration with a due sense of urgency.

Even these things, however, would not have furnished us with a complete New Charter. Advance on the university front has so far been ignored, likewise the purpose and curricula of the Technical and Modern Schools. The question of the recruitment and training of teachers is being investigated by the McNair Committee. No findings of this Committee have yet been published: nevertheless, it is alarming that the Government has not already launched a programme for training the teachers who will be needed in the immediate post-war years. For in the corps of teachers must be sought 'the master key', to use the words of Mr Butler himself, 'which will open up the whole building'. Again, the problem of the public schools is still being considered by an official committee, the Fleming Committee, which so far has merely presented an interim report on the abolition of tuition fees in grant-aided secondary schools. While the public schools remain a separate system offering an expensive and privileged education for the few, 'the two nations' of Disraeli are being perpetuated. 'There is no breach in the fellowship of our national life so deep as that which is created by the difference in educational opportunities,' said the Archbishop of Canterbury when discussing educational reconstruction in the House of Lords. Nothing is more vital for the future of our democracy than that the closing of this breach should form part of the plan of a completed Charter.

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## EDITORS' NOTE

The scope and intensity of the public discussion and press agitation on the question of the Sophia College for Women in Bombay have, in recent months, intensified to such a degree that, we think it is a matter of public service to compile a compendium of all relevant material,—facts, arguments or documents,—bearing upon the subject, ever since this question was first raised.

The editors have, under the advice and guidance of Prof. K. T. Shah,—one of the prime movers in the matter,—collected, in one place, all the published material relevant to a proper judgment on the issues involved. The bulk of this material inevitably consists of reports of local inquiry committees and other proceedings of the various University bodies concerned with the affiliation of the College ; the substance of the report of the Inquiry Committee on the charges of proselytising, selected letters to the press,—the selection being made according to the status of the writer, or the value of the contents, proceedings in the Senate at the special meeting of that body on the 12th February last, so far as press reports facilitate any record of that debate ; and other similar material. The material has been arranged, as far as possible, in chronological order to give due importance to perspective as well as proportion in a proper study of the question *ab initio*. No editorial discretion has been used in this compilation except in regard to *italicising* a few sentences to emphasise particular passages.

Every care has been taken to avoid any taking of sides in the selection of material included in this brochure, since the editors are convinced, their self-imposed task of educating the public in this complex issue, can best be performed by an impartial presentment of all aspects of the matter. As a matter of detail it may be added that the list of contents as given in the proceeding pages has headings which, by oversight, have not been inserted in the body of the work. The reader will, the editors trust, overlook this oversight, in view of the facility provided in the list of contents.

The aid of Prof. Shah given in collecting and compiling the material is made doubly valuable by his giving an introduction to the entire work ; a summary of the issues involved at the end ; and the necessary connecting links throughout. But, while gratefully acknowledging this aid, the editors would assure the reader that, even in those sections the purely objective viewpoint in editing this volume has never been lost sight of.

S. H. NANAVATI.

K. K. SHAH.

15th April 1944.

## INTRODUCTION

The nature and extent of the controversy, which has developed since the Sophia College for Women first sought affiliation to the University of Bombay, necessitates some such compendium as the present volume attempts. The issue, which once seemed simple and clearcut, has become so confused ; so many cross-currents have been imported,—some unconsciously, others deliberately,—that the public mind cannot but become bewildered ; and even those concerned with its final disposal get confused, in the absence of some handy collection of all relevant facts and documents or considerations bearing upon the case.

The present attempt is, consequently, intended to provide this badly needed aid to educate public opinion in the country to a proper understanding of this grave problem of public education in India. The editors have collected all available material placed before the Senate, or the public, using their own judgment for selection only in regard to press propaganda and correspondence. Selection was in that case inevitable, not only because of the inordinate wealth of material in that form ; but also because the greater portion of that material consists of needless repetitions of the same considerations from different points of view. Every care is taken, however, to see that while selecting, either side is equally represented. The editors have maintained a commendably high level of objectivity in their selection and presentment of the material available to them.

Two specific considerations necessitate and justify this Introduction to their attempt. Though, for their own sound reasons, the editors have maintained, in their compilation, a strictly objective and impartial attitude, controversy on this question has attained the dimensions of nation-wide, if not international propaganda. And, like all propaganda, it is not only being carried on largely by one side only ; but has been mixed up with charges of persecution of minorities, or denial of fundamental rights, which are utterly extraneous to the original issues, and the real essence of the matter.



Though the writer of this Introduction might claim credit for some prescience, which enabled him to foresee much of the complexity which has since manifested in this issue, and impelled him to utter warnings which were unheeded at the time, if not laughed out, even he cannot claim the foresight that would have revealed the character and intensity of the controversy as it has been developing in recent months.

From the nature of the case, and particularly because of the constitution, position, and procedure of one of the parties to the controversy, it is unavoidable, however, that much of the propaganda should be one-sided. The University of Bombay, one of the parties, is a statutory body, with definite functions and responsibilities,—which can act and speak only according to rules specifically laid down for the purpose, either by the Act itself, or under rules made thereunder. It cannot, therefore, have the freedom and facility of debate in the press, in regard to issues of public interest coming before it, which its opponents may have. The other party to this controversy is not merely the College immediately concerned, or the society claiming to be its governing body ; or even the international organisation conducting it. It is the entire might of the Catholic Church in India, whose power for propaganda can scarcely be believed by those who have no experience of it. The whole vast machinery of the press and the pulpit and pastoral influence has been set to work in full blast, with the sanction and approval, if not initiation and inspiration, of the ecclesiastical chiefs. It can reach not only into all corners of India ; but even of the farthest recesses of America or Japan ; threaten the University with the displeasure of the Yankee or the Chinaman ; and terrorise it with the use of the gubernatorial veto.

In contrast to this, the University is a tiny organisation, with not even full Provincial authority. It is tied down by rules of procedure and propriety, which do not bind its opponents. Members of its several bodies have responsibilities, not only *virtute officii* in the University, but also because of the position some of them hold in other departments of public life. High judicial officers, for example, who may have been elected members of the University Syndicate, can contribute their quota within the Syndicate, or on proper occasions, in the Senate halls also, when the matter

formally comes into that forum. They may not, however, enter into any press controversy, however much their own individual action in any matter before the University be twisted and misrepresented by interested parties in press correspondence. And should they demur in any way to such developments of public debate, they must be prepared to bear the reproach, not only of being thin-skinned, but also of attacking the civil liberties of their fellows. It is, of course, impossible to expect that every one would appreciate, at its just value, the fine distinctions between the demands of propriety and the rights of freedom in speech and writings, conventions of courtesy and the letter of constitutional liberties. But because such refinements are not accessible to every one, it does not make the less severe the handicap in public discussion on the University as a body, and many of its members individually.

The compilers of this volume have, of course, not the presumption to seek to defend those members of the University who cannot publicly justify themselves. They only mean it as a contribution to the complexity of such controversies, and an attempt to analyse or exhibit many an invisible feature or handicap which is not ordinarily perceptible to the uninitiated eye.

The second consideration which has impelled this Introduction is the common confusion in the public mind regarding the two resolutions, passed at one and the same meeting, on one and the same subject, which seem, however, to be mutually contradictory. The writer had his own doubts about the justice and propriety of submitting two such seemingly contradictory motions to the chance of a snap vote in the Senate at the fag end of a long sitting. He had, in fact, submitted, as member of the Syndicate, which appears on pages 69-72 of this volume, warning the authorities against the consequence of a possible self-stultification of the Senate. In justice to the Syndicate, however, it must be added that that body had resolved not to move, by way of its own members, the second motion on the agenda of the Special Meeting, which recommended continuation of affiliation of the Sophia College, if the first recommending disaffiliation was passed. The Syndic entrusted with that motion, accordingly, declined to move it ; and no other Syndic stepped into the breach. The Syndicate, however, had no right by its resolution to take away the right of any other Fellow to take

up the motion which was already on the agenda, and have it discussed, if the Chair saw no objection to the house taking such a risk. In this instance, by prefacing the second motion with the words, "Without Prejudice" the purely legal mind was persuaded there would be no self-contradiction even if the unexpected happened, and the motion was passed notwithstanding the earlier decision of the same body at the same sitting.

Strict construction of the letter of the law,—particularly Sections 39 and 40 of the Bombay University Act,—left the Syndicate little choice in the matter. A local inquiry committee had recommended,—by an equal division of votes in that body,—that the affiliation be continued, on exclusively academic grounds. The fact that all the members of that local inquiry committee were also members of the Syndicate ; and, as such, were aware of the Syndicate decision to recommend disaffiliation of the same institution ; but on non-academic grounds of public policy, cannot be urged in fairness against the view they adopted of the task before them. At worst it might be called an anomaly of the lawyer's mind ; but the present writer would prefer it to the alternative of ignoring altogether the purely academic aspect of the case, even at the risk of being landed in an anomaly.

*Bombay, 15th April 1944.*

K. T. SHAH.

# THE SOPHIA COLLEGE CASE.

## I

The Society of the Sacred Heart applied for affiliation to the University of Bombay for the Sophia College for Women for the first time on 15th August, 1940 for courses in the Faculty of Arts up to and inclusive of the Intermediate examination.

The Governing Body of the College as proposed in this first application consisted of :—

1. The Archbishop of Bombay ;
2. The Principal of St. Xavier's College, Bombay ;
3. The Principal of the Sophia College for Women ; and
4. & 5. Two members of the staff of the Sophia College for Women.

This constitution of the Governing Body was subsequently changed, and a new Society for the Higher Education of Women in India, registered in this country, took its place. An indenture was made by this Society with the Society of the Sacred Heart of Jesus entrusting to the latter the actual running or management of the College. The former was, however, responsible to the University as the Governing Body of the College, as required by Section 39 (1) (a) of the Bombay University Act of 1928.

As required by that section, a Local Inquiry Committee was appointed by the Syndicate in September, 1940 to consider this application.

The Report of that Committee, dated 5th December, 1940, recorded that the application before this Committee was made in the name of the Society of the Sacred Heart, an international organisation, which satisfied most of the Committee that the constitution as explained to them of the Society meets the requirements of Section 39 (1) (a). "The constitution, powers and functions of the

governing body, responsible for the proposed college in Bombay, is entrusted to be drafted by the local legal advisers of the Society in Bombay, and until that document is, in its final form, before us, we are unable to offer any opinion regarding the appropriateness or suitability of that body as required by Section 39 (1) (a). One of our colleagues, (Mr. K. T. Shah), however, is of the opinion that the international character of this organization, as well as certain peculiarities and provisions of its real constitution, make it impossible, in his opinion, for this body to meet fully the requirements of Section 39 (1) (a) in regard to a "regularly constituted governing body." The Committee was, however, handicapped by the fact that the work containing the constitution of the Society, though forwarded to the University, had been declared to be "entirely confidential and strictly private" by the Principal of the proposed college; and, as such, it was not possible to quote textually the relevant portions of the constitution on any point.

Notwithstanding this, the committee considered that "subject to the Syndicate being satisfied as regards some of the points mentioned above, the application for affiliation for the first two years' course leading to the examination for Intermediate Arts, might be granted, for a period of two years commencing from the 20th June, 1941, in the first instance, on conditions—

- (a) That the additions to the staff would be made in regard to teaching of (i) Administration and History, (ii) such of the Modern and Classical Indian and European Languages as are required for the Intermediate Arts Examination, and as may be necessary in the event of the classes having to be split up;
- (b) That satisfactory rearrangement be made as regards the hostel accommodation of resident students, so that not more than two students were accommodated in each room;
- (c) That adequate library and reading room facilities were provided, as indicated above;
- (d) That the College finances be free from any encumbrances by the 31st October 1941, at the latest, and a reserve fund of not less than Rs. 1 lakh be specially earmarked and set apart, and deposited in the Imperial Bank of India Ltd., for the

use of the College on account of any unforeseen emergency, or to meet any deficit in the current expenditure.

*Bombay, 5th December, 1940.*

K. M. Jhaveri,  
N. M. Shah.  
K. T. Shah,  
(Mrs.) G. R. Billimoria.

The matter came before the Senate in the following form.

This report having been considered in the Academic Council and the Syndicate, the latter reported to the Senate :—

“The Syndicate, after considering the report of the Local Inquiry Committee and the resolution of the Academic Council thereon, report to the Senate that they are of opinion that the Sophia College for Women be affiliated to the University for the courses of study leading to the Intermediate Arts Examination for a period of two years from the 20th June, 1941, subject to the fulfilment of the following conditions :—

[These conditions are the same as those mentioned above].”

The motion, as recommended by the Syndicate, came before the Senate :—“That the Senate approve of the report of the Syndicate in the matter of the affiliation of the Sophia College for Women, Bombay, for the courses of studies leading up to the Intermediate Arts Examination, and record their opinion that the Sophia College for Women be affiliated to the University for the courses of study leading to the Intermediate Arts Examination for a period of two years from the 20th June, 1941, subject to the fulfilment of the following conditions :—

- (1) That the Syndicate are satisfied on or before the 31st March, 1941—
  - (a) That the hostel accommodation for resident students has been so re-arranged that not more than two students are accommodated in each room ;
  - (b) That adequate library and reading room facilities, as indicated in the report of the Local Inquiry Committee, have been provided ;

(c) That the College has a Reserve Fund of not less than Rs. 1 lakh earmarked and set apart and deposited in the Imperial Bank of India, Ltd., for the use of the College on account of any unforeseen emergency or to meet any deficit in the current expenditure.

(2) That the College authorities give an undertaking—

(a) That the College finances will be free from any encumbrances on or before the 31st October, 1941 ;

(b) That additions to the staff will be made for the teaching of (i) Administration and History, (ii) such of the Modern and Classical Indian and European Languages as are required for the Intermediate Arts Examination and as may be necessary in the event of the classes having to be split up.

Certain Amendments to this motion were proposed by Mr. K. T. Shah, which, when inserted, would amend the proposition as follows :—

I. "That the Senate record the report of the Syndicate in the matter of the affiliation of the Sophia College for Women, Bombay, together with their opinion that, without any prejudice to the affiliation of any institutions now under this University, it is not desirable, as a general policy of this University, to grant any part or whole of this application for a college conducted by an International Society, which is outside the jurisdiction or authority of India or the British Empire, having regard particularly to the fact that there are already ample facilities for collegiate education, for both men and women, under this University, and that these facilities are being constantly expanded by indigenous enterprise."

By another amendment proposed by the same Fellow, the proposition was changed to :—

II. "That the Senate postpone the consideration of the report of the Syndicate in the matter of the affiliation of the Sophia College for Women, Bombay, pending reference to His Excellency the Chancellor of this University, under section 47 of the Bombay University Act, 1928, whether the requirements of Section 39(1)

(a) in respect of a "regularly constituted governing body" for the Colleges seeking affiliation are, or can be legally fulfilled by the "Religious of the Society of the Sacred Heart" as they are an international organisation outside the jurisdiction and authority of India or the British Empire, whose constitution is approved and promulgated by an extra-Indian as well as extra British Empire Sovereign authority, and which contains clauses and involves vows by persons appointed to conduct the institution incompatible with the position and functions assigned by law to this University, or with the satisfactory working of a College affiliated to it."

III. Yet another amendment from the same Senator made the proposition, as amended, read as under :—

"That the Senate record the report of the Syndicate in the matter of the affiliation of the Sophia College for Women, Bombay, together with their opinion that the application of the St. Sophia College for affiliation be refused, having regard to the policy and practice prevailing in this University, ever since its establishment, of co-education of men and women in common institutions in the Collegiate stage."

On these amendments the Vice-Chancellor ruled that alternative amendments could not be moved, as laid down by Statute 25(c). Thereupon Mr. Shah proposed to move the first amendment.

In ruling the amendment *out of order*, the Vice-Chancellor observed as follows :—

"Statute 25 (b) requires that an amendment must be within the scope of the original motion. The motion before the House is to approve of the report of the Syndicate regarding the application for affiliation received from the Sophia College for Women. The amendment goes beyond the scope of the motion and enunciates a general policy to the effect that it is not desirable to grant affiliation to colleges conducted by certain organizations. I have already given my ruling in connection with the question of affiliation of the Bahauddin College, Junagadh (p. 9, minutes of proceedings of the meeting held on the 15th February, 1940) that a motion introducing a general principle could only be brought before the House as a substantive proposition, so that other members of the Senate



might have an opportunity of moving amendments thereto. In conformity with that ruling I declare this amendment out of order."

[For text see above]

Another amendment was proposed by Mrs. Jayashri Raiji, which, when embodied, made the proposition read thus :—

"That the Senate defer consideration of the report of the Syndicate in the matter of the affiliation of the Sophia College for Women, Bombay, pending reference to His Excellency the Chancellor of this University, under Section 47 of the Bombay University Act, 1928, whether the real governing body of the proposed college, making the application for affiliation, is in accordance with the provisions of Section 39 (1) (a) of the said Act in respect of a "regularly constituted governing body," having regard to the fact that the Society of the Sacred Heart, which has made the application, is an international organisation, outside the jurisdiction and authority of India as well as of the British Empire, whose constitution is approved and promulgated by an extra-Indian as well as extra-British Empire Sovereign Authority."

The Vice-Chancellor ruled the amendment *out of order* for the reasons given by him in regard to Mr. Shah's amendment. Moreover, no reference had been made to His Excellency the Chancellor under Section 47 of the Bombay University Act, nor had any requisition for such a reference been received. Further, a reference to the Chancellor could only be made under Section 47 in regard to the interpretation of any provision of the Act or of any Statute, Ordinance or Regulation, or in regard to the election, appointment or right of a person to be a member of any authority or body of the University. In other words, the question to be referred must be one of law, and not one of fact. The question whether the Sophia College for Women would be under the management of a regularly constituted governing body must, under Section 39 of the Act, be determined by the Syndicate.

Yet another amendment was proposed by Mrs. G. R. Billimoria, which, when incorporated, made the proposition read as follows :—

"That the Senate record the report of the Syndicate in the matter of the affiliation of the Sophia College for women, Bombay, as they are of opinion that in view of the continued traditions and

policy of this University, ever since its incorporation, it is not desirable to affiliate separate and exclusive colleges for men and women."

On this, the Minutes of that Senate meeting record :—

Affiliation of the Sophia College for Women, Bombay, for the courses of study leading to the Intermediate Arts Examination.

The Senate considered an application, dated the 15th August, 1940, from the Principal, Sophia College for Women, Bombay, for affiliation of the College for the courses of study leading to the Intermediate Arts Examination, the report of the Local Inquiry Committee, the resolution of the Academic Council thereon and the report of the Syndicate in the matter.

In the absence of Diwan Bahadur K. M. Jhaveri, *Principal N. M. Shah* moved, as recommended by the Syndicate, and the Rev. J. Duhr, S.J., seconded.

[For text of motion see above]

*Mr. K. T. Shah* then moved and Mrs. G. R. Billimoria seconded :—

"That the motion be referred back to the Syndicate."

The debate then proceeded on the motion for reference back.

After considerable discussion, Professor K. M. Khadye moved and Professor V. G. Rao seconded :—

"That the question be now put."

The motion for closure was accepted by the Vice-Chancellor, and, on being put to the vote, it was *carried*.

The motion for reference back was then put to the vote and, on a show of hands, it was declared lost (39 voting *for* and 42 *against* it).

*Mr. K. T. Shah* asked for a division. As a result of the division, it was found that 43 had voted *for* the motion and 49 *against* it.

The motion for reference back was thereupon declared *lost*.

The original motion was then put to the vote and declared carried on a show of hands (57 voting *for* and 11 *against* it).

Thus, it is interesting to note, this College was recommended for affiliation, in the first instance, by a very slender majority.

## II

The very next year the College authorities applied, on 14th August, 1941, for Extension of the affiliation of this College to include courses leading to B.A. Pass and Honours.

This time the application was in the name of the Society for Higher Education of Women in India, members of this governing body were :—

1. His Grace the Most Reverend Thomas D. Roberts, Archbishop of Bombay, (Chairman) ;
2. The very Reverend Father A. M. Coyne, S.J., Principal of St. Xavier's College, Bombay ;
3. Reverend Mother C. Andersson, Principal of Sophia College;
4. Mother N. Woellwarth, Hostel Warden, Sophia College ;
5. Mother W. Ward, Professor, Sophia College ;
6. Professor Correia Afonso, Professor, Ismail Yusuf College ;
7. Mr. J. P. Dastur, Solicitor.

The total membership of this society was restricted, it may be noted, under the constitution to 50 ; while admission of any new member could be made only if three-fourths of the then existing members agree to accept the new member.

As usual, and as required by the Act, a Local Inquiry Committee was appointed by the Syndicate ; and that body reported on 2nd January, 1942. This Committee seems to have been evenly divided in its recommendation. One half, consisting of Diwan Bahadur Jhaveri and Mr. B. J. Wadia, the present Vice-Chancellor, recommended that the affiliation applied for be granted till the end of the academic year 1943-44. It would impliedly mean the extension also of the then existing stage of affiliation till the same date.

Mrs. Gulestan R. Billimoria, a member of the Committee, added a note :—

\*I have signed the report subject to the following :—

(a) The relations between the Society for the Promotion of Higher Education of Women in India and the Society of the Sacred Heart of Jesus are not at all clear, and there is no material available to judge the power vested in and exercised by the former Society in the actual management of the College. I would like to have this point cleared to the satisfaction of the proper authorities.

(b) At the time of our visit, the acting Principal promised to cable to London and get confirmation from head-quarters of the fact that the building in which the College is housed was a free gift without any encumbrances. I understand that no such cable was sent and consequently no confirmation received. This should be attended to early.

Mr. K. T. Shah, another member of the Local Enquiry Committee, wrote a minute of dissent :—

“ With reference to report of the Local Inquiry Committee regarding the application from the Rev. Mother C. Anderson, for the extension of affiliation of the Sophia College for Women, I regret I am unable to concur with my colleagues in the Local Inquiry Committee.

2. Quite apart from my doubts regarding the validity of the Governing Body of this College, as required by Section 39 (1) (A), I find no sufficient or satisfactory evidence to show the actual working of the constitution of the Society, specially created for the Promotion of Higher Education of Women in India.

3. This body, it need hardly be repeated, was set up, as though by a fiat, in order that the promoters of this College may be able to evade the pertinent objection that the real body, under the auspices of which the College was sought to be established in Bombay, was an International Organization outside the jurisdiction of the Government of India, and even of the British Empire. It was merely a makeshift to meet the requirements of the letter of Section 39 (1) (A), a blind to screen the real body founding and conducting

the institution. But it has been accepted by competent authority in this University as sufficient for the purpose of the Act. It is not, therefore, open to me to question its validity. But, such as it is, it is still within the scope of the Local Enquiry Committee, to inquire if it is a real body, functioning effectively for the purpose for which it was set up. The relations, therefore, between the Society for the promotion of Higher Education of Women in India, established *ad hoc*, and the Society of the Sacred Heart of Jesus, which has created the former and is the real organisation running the College, are, for the purposes of the Local Inquiry under the Act, a matter of first rate importance to understand.

4. The Acting Principal, who met us when the Local Inquiry Committee visited the College, showed hesitation when requested to show some concrete evidence, such as the Minutes of the Managing Committee meetings of the Society for Higher Education of Women in India, to enable us to judge if that body had a real interest and authority in the conduct of the College, and that it was not a mere creature, an eyewash, or a name-plate. She even expressed some doubt if we had authority to ask for, and she had the authority to supply, such information, or produce such books or papers relative to the actual functioning of the Society. It was explained to her, by one of my colleagues, that such material as the Minutes would furnish evidence for the degree of effective power and authority vested in and exercised by the Society for the Promotion of Higher Education for Women in India in the management of the College. Our purpose was not to conduct an inquisition, but only a Local Inquiry as required by the Act ; and for that purpose such material was necessary as well as pertinent.

5. Incidentally, it might be mentioned that the substantive Principal, Rev. Mother C. Anderson, being reported to be in hospital, even before the Local Inquiry took place, I had suggested that the Inquiry be deferred till such time as the Principal could return to her duties. We were assured, however, that no difficulty need be apprehended on that score, since the Acting Principal had full authority to supply all the necessary material and information. On this being brought to the notice of the Rev. lady, she argued that the specific particulars we were inquiring about had not been clearly intimated to her in advance ; and so she was not ready with

such material. The scope of the Local Inquiry is, however, clearly indicated by the terms of Section 39 of the Bombay University Act ; and one such inquiry had already taken place with regard to this very institution. The Acting Principal, moreover, was a member of the staff at that time also. She may, therefore, well be presumed, not only to have studied the Act, but also to have read the Report of that body, and the terms of the resolution passed by the Senate thereupon. One may further assume that, the Local Inquiry being duly notified long in advance, the Acting Principal must have been coached up for her task by the substantive Principal, since the College authorities did not desire that the Inquiry be deferred pending the latter's return to duty. If, notwithstanding all this, a Local Inquiry Committee is to be met, on the occasion of its duly notified visit, with such doubts, excuses, and hesitations, if not demurrs, the task of the Committee, as required by the terms of the Act, cannot be smoothed. In such a position, it may quite possibly happen that either the work of the Local Inquiry Committee would be held up for want of sufficient authority or information possessed by an Acting Principal ; or complicated by the information or assurances given by the Acting Principal being found unauthorized or unsatisfactory when the substantive Principal resumes charge.

6. After some discussion, however, the Acting Principal undertook to take the matter to the Principal of the College, and obtain her advice or authority for furnishing the necessary material. No other member of the Managing Committee was present at the time of our visit ; and so we had perforce to wait until such time that the necessary information or authority could be available. When the full Managing Committee of the College met the Local Inquiry Committee, the Principal, who was then present, showed considerable reluctance to produce the Minute-book. A solicitor member of the College Managing Committee used a cloud of words, and befogged the issue by speaking of the " Inspection " of such books. Even when assured that it was not " inspection," in the sense in which lawyers perhaps understood the term, but only as material needed for our statutory inquiry, the confusion of ideas still persisted. In a letter, subsequently addressed to the Chairman of the Local Inquiry Committee, a list of the agenda (*Vide* Appendix E.) before several meetings of the Managing Committee, said to have been held, has

been given. But that, in my opinion, is by no means satisfactory evidence as to the degree of authority enjoyed and interest taken by the nominal Governing Body of this Institution. It gives no indication of the decisions taken. Much less can a bare catalogue of items on the agenda suffice to give an idea of the power and authority enjoyed by or entrusted to this dummy organization.

7. For the purposes of satisfying the letter of the law, I am aware that the Society for Higher Education of Women has been accepted by competent authority in this University as the Governing Body, within the meaning of Section 39 (1) (A). But those who, like me, feel some doubt as regards the real status and function of this Society, specially set up to meet possible objections because of the extra jurisdictional character of the true governing body of this College, would be unable to accept it as the *de facto* as well as *de jure* Governing Body, as required by Section 39 (1) (A), so long as no satisfactory evidence is forthcoming to show the real competence and authority in the actual management of the College by the nominal Governing Body.

8. The University is, by the express provision of the Act, entitled to make all proper investigations regarding all the several items mentioned in Section 39. In my judgment, any body making an application for affiliation, or extension of affiliation, of a college would not be dealing fairly with the University, if it demurs to produce all relevant papers and documents that might be considered relevant and sufficient material to judge of the standing of the Governing Body, the very first item specified by the Act as a matter for inquiry. In such records there can be nothing so secret or confidential as may make it inadvisable for the College authorities to place them before the Local Inquiry Committee of the University, simply to satisfy themselves with regard to any doubts or uncertainty on points concerned with the affiliation. Under the circumstances, I do not feel satisfied that the requirements of Section 39 (1) (A) are being really met in the case of this Institution founded by a non-Indian, non-British, international organization, though, technically, a Governing Body has been constituted as required by Section 39 (1) (A). I wonder if the same consideration and indulgence would be showed to the Communist International, if it were to found a Workers' College in Bombay, as has been showed to this

catholic International Society founding a Women's College in Bombay.

9. In regard to the staff, I feel it necessary to repeat the apprehension voiced in the report of the last Local Inquiry Committee, dated the 5th December 1940, with special reference to the teaching experience of almost all of them being either in non-Indian Institutions, or in High Schools only. The remark, again, in that Report, regarding the qualifications of the Mathematics Teacher, worded politely with a "perhaps," was interpreted, at the time of our visit, by the Acting Principal strictly literally, so as to make it doubtful whether the Local Inquiry Committee meant what it said, merely because it had not used the categorical imperative. This tendency to interpret the word strictly according to the letter, and deliberately ignoring the obvious purport of the remarks of the Local Inquiry Committee, was manifest also in another connection during the course of the present Inquiry. I mention them here simply to explain and justify the relatively plain language I have been forced to employ in this Report to guard myself against the efforts of such casuistry.

10. Additions have, no doubt, been made to the staff, as required by the conditions of affiliation. They may be made still further at the time of granting the present application, if the University proposes further conditions in that behalf. Subject to the apprehension referred to above, regarding the qualifications and experience of the staff, I agree that, for the purpose of the affiliation now applied for, the staff as a whole may be deemed to be sufficient ; and that specific stipulations can be made, if deemed necessary, in particular subjects, to make it meet the requirements of Section 39 (1) (B).

11. I endorse the remarks of my colleagues with regard to the Library. I would only add that, in the section of Economics and History, I noticed, in a hurried glance, that works of some leading authors, though found on the shelf, were either out of date editions, or incomplete. There is no printed or typed catalogue of the Library as a whole, which makes it difficult to pronounce on the adequacy of the Library. No substantial initial capital grant seems to have been provided in the Budget to start the Library ; while the recurring grant on that account of Rs. 750 is budgeted to be



made up from a specific fee charged for the purpose. This, it may also be added, is undesirable on principle.

12. The Hostel for the residential students still has three or four berth rooms. This was criticised in the report of the last Inquiry Committee. But we were informed that, as no specific condition had been imposed in that regard, the College authorities did not think it necessary to attend to those observations. I, therefore, reiterate those observations, and recommend that, should this application be granted in any form, the clearest possible stipulation be made in this behalf to place it beyond the possibility of question or casuistical misinterpretation, which might permit its being ignored until the next Local Inquiry Committee should notice the omission or disregard.

13. The financial position of the Institution is open to serious question. I am aware, indeed, that it is claimed to be backed by an International Organization with considerable resources. In the matter of the capital outlay on account of the College building, though nominally the condition made at the last affiliation may be taken to be substantially satisfied, the precise legal position of the College, the Society for the Promotion of Higher Education of Women in India, and the Society of the Sacred Heart of Jesus, the parent authority really conducting this institution, is by no means clear. At the time of our visit as a Local Inquiry Committee, a pointed query was asked of the Acting Principal as to the precise legal nature of the transaction, whereby the entire amount has been obtained to pay for the College building and grounds. The Acting Principal hesitated, or was perhaps unable, to answer definitely this question. On its being suggested that elucidation and authoritative declaration be obtained from the parent body, the particular conditions of war time situation was pleaded as making it impossible to get the information within the time available for the proper University authorities to consider it. It was even pointed out to the Acting Principal that the information could be obtained by cable. We were thereupon given to understand that a cable would be sent and written information obtained as required. But no such authoritative material is still available. Full explanation and definite, authoritative, declaration regarding the nature of this transaction involving Rs. 9 lakhs is thus wholly lacking.

14. I have already referred to the handicap on this Local Inquiry caused by the absence of the Principal, or any other member of the Managing Committee, except the Acting Principal, at the time of our visit. The President of the Governing Body, the Archbishop of Bombay, was absent then as well as when the Managing Committee met the Local Inquiry Committee. This handicap was felt particularly severely while we were on the subject of the financial position and prospects of the College. The Acting Principal could not or would not, speak definitely and authoritatively. No written authority or document was ready for us to make our own inquiry. When some members of the Managing Committee of the Governing Body of the College met the Local Inquiry Committee, no further information was produced. No cable had been sent, and no reply to our query was forthcoming. The Principal wanted us to take her word that the amount spent on the College building was an out-and-out gift or donation, which would leave no encumbrance on the College, or any charge upon the financial resources of the Society for the Promotion of Higher Education of Women in India. (I do not remember the exact word, but I think the above represents the substance.) I must add that no written declaration from any authoritative source has been supplied.

15. On being pointed out that our inquiry was in discharge of the statutory duty imposed upon the Committee, and so it was impossible to accept merely the word of the parties concerned, reference was made to certain legal documents, like the indenture. But this only showed that the College would have the use of this building free of rent. This does not, in my opinion, at all clear the legal character of the transaction in question. The insistence on the acceptance of the word of the Principal was, probably, the outcome of a European woman's consciousness of kinship with the ruling race in this country, which can see nothing improper or insulting in such a suggestion. It can never even glimpse the enormity of the demand that, where the most solemn legal documents or declarations of oath of ten Indians, or even an Indian State, would be liable to searching scrutiny, the bare word of a foreign woman must suffice without question or demur. If such an attitude of unconscious race arrogance is allowed to go unchallenged, it would only amount to an implied insult to all Indians concerned with such institutions whose mere word has never been accepted

on matters of this kind. It is possible that when the matter is exhibited in this light, the party concerned may act injured innocence, and claim that there was no intention to add insult to injury. For my part, I can find nothing in this whole episode except studied disregard of the requirements of the law, and deliberate evasion of the points of our inquiry.

16. The Rev. Mother Anderson, Principal of the College, who is said to have obtained the money from the parent body of the Sacred Heart of Jesus in England, and who is supposed to have made over (?) the amount to the Society for the Promotion of the Higher Education of Women in India, is acting, and can only act, as a member of the Sacred Heart of Jesus. In Civil Law, it is open to question if she has any contractual status, or dotative competence; and whether she is not, civilly, dead. Any legal document which speaks of her, "her heirs, administrators, executors, or assigns" is clearly vitiated for lack of a proper appreciation of the civil status of an avowed nun in the Catholic Church. Even granting that, in the laws of India, her position may be different, it does not dispel my apprehension regarding the financial condition of the College, or of the Society which is supposed nominally to conduct it, *vis-a-vis* the Rev. Mother Andersson, or the Society of the Sacred Heart of Jesus, making a donation (?) to the College, or to the Society, it is not clear which.

17. The College had admittedly a deficit Budget. In the *Estimated Budget* (*Vide Appendix F*) for the half-year 1941-42, the total amount of receipts is shown as Rs. 31,250, and the total amount of expenditure as Rs. 29,101. In the *Draft Budget* for the half-year 1941-42, the corresponding figures are shown as Receipts Rs. 5,360, and Expenditure Rs. 21,074. It will, accordingly, be seen that, for the full year, the deficit would be in the neighbourhood of Rs. 30,000.

18. I realise that the salaries of these members of the teaching staff, who are nuns, are only book entries. They are members of the International Society of the Sacred Heart of Jesus, to whom no salary is in fact paid. From the figures supplied, however, it is difficult to distinguish what portion of the amount is accounted for by the salaries of the nun-teachers, and what by the lay members.

But even leaving out the amount nominally accounted for by the salaries payable to the nuns, there is a considerable gap between the estimated expenditure in the Draft Budget for the half-year 1941-42 and receipts ; and, beyond the fact that an International Organization is at the back of this College, no satisfactory explanation is given to show how this deficit will be met.

19. All this, it must be added, takes no account of the *Draft*, or even in the *Estimated* Budget, of such further obligations as may arise on account of Interest, which may have to be paid, if the moneys expended on the building are treated as loan. These amount to Rs. 9 lakhs, in addition to the cost of Library and furniture needed for the proper equipment of a college. If this sum is in any way liable to repayment or interest, the financial position of the College becomes extremely doubtful. The hesitation or reluctance of the College authorities to make this point clear and unmistakable confirms my apprehension that there is something more than meets the eye in the situation considered as a whole. At 4% p.a. the interest on Rs. 9 lakhs would amount to Rs. 36,000 p.a.; and this, added to the deficit now evident in the working of the College, would mean an aggregate excess of expenditure over income of Rs. 66,000 per annum. If we are to give the same treatment to this institution as we have in recent years to several colleges managed by Indian States or societies, we will have to demand a Capital Fund, sufficient to yield this amount as interest, and kept and maintained in the name of the Legal Governing Body of this College.

20. The College has had so far only 22 students in the First Year, and 7 in the Second Year, as against their anticipation, at the time they applied for affiliation in 1940, of about 150. The College is, admittedly, a new experiment. Its working so far does not seem to have proved it to meet any urgent need of the city, and consequently popular with the civic public. Without considering it a failure from this short experience, I feel, however, that their present application for extension of affiliation is, to say the least, premature, in view of this experience.

21. For all these reasons I regret I cannot concur with my colleagues, and recommend the application for extension of affiliation of this Institution. Being against any extension of this affiliation,

I think it utterly unnecessary to suggest any conditions on which affiliation should be granted. The authorities would, in my opinion, be well advised to wait a year and gather more experience. They will lose nothing by holding their patience for a year. And, in the meantime, they can obtain all the necessary information, and clear authoritative declaration regarding the true legal nature of the financial transaction relating to the College.

K. T. SHAH.

The matter was considered by the Academic Council and the Syndicate, and came before the Senate in February, 1942. The Minutes of that meeting record :

The Senate considered an application (dated the 14th August, 1941) from the Principal, Sophia College for Women, Bombay, for the extension of affiliation of the College to the courses of studies leading to the Degree of B.A. (Pass and Honours) in certain subjects, the report of the Local Inquiry Committee, the resolution of the Academic Council thereon and the report of the Syndicate in the matter.

*Dewan Bahadur K. M. Jhaveri* moved, as recommended by the Syndicate, and *Mr. B. J. Wadia* seconded :—

“That the Senate approve of the report of the Syndicate in the matter of the application for the extension of affiliation of the Sophia College for Women, Bombay, to the courses of studies leading to the Degree of B.A. (Pass and Honours) in English, French, History and Economics and Philosophy, and record their opinion that the affiliation of the College be extended to the courses of studies leading to the Degree of B.A. (Pass and Honours) in English, French, History and Economics and Philosophy for a period of two years from the 20th June, 1942.”

*Amendment standing in the name of Mr. K. T. Shah*

- (1) In line 1, *add* a comma *after* the word “Senate” and *substitute* “having considered” *for* “approve of”.
- (2) In line 4, *delete* the word “and”.
- (3) In line 7, *change* the full-stop into a comma and *add* the following at the end of the proposition :—

“subject to the authorities responsible for the establishment and maintenance of this College producing, on or before the 31st May, 1942, sufficient and satisfactory documentary evidence to show :—

- (i) that the relations between the Society for the promotion of Higher Education of Women in India,—the body accepted, for purposes of Section 39 (1) (A) of the Bombay University Act, 1928, as the Governing Body of the College,—and the Society of the Sacred Heart of Jesus—the body in whose name the original application for the affiliation of this College was presented to the University—are such that adequate and effective powers, functions and authority are vested in, entrusted to, and exercised by the former body, so as to make of it a Governing Body of the College in the real, as well as the technical, sense of the term ;
- (ii) that the exact financial and legal nature of the transaction involving a sum of Rs. 9 lakhs, relating to the purchase price of the College building, be cleared up and defined, so as to secure the use of the building for the College free of rent, as well as free of any charge, encumbrance or obligation of any sort whatsoever on account of the purchase price, upon the College or the body accepted to be the Governing Body of the College.
- (iii) that, in view of the admitted deficit in the working of the College, as shown by the Draft Budget for the half-year 1941-42, amounting to over Rs. 30,000 (*vide* page 12 of the papers relating to this application), the authorities responsible for the establishment, conduct and maintenance of the College be required to provide and maintain a Reserve Fund, deposited with the Imperial Bank of India in the name of the Society, for the promotion of the Higher Education of Women in India, sufficient in amount to yield an annual income equal to cover the estimated deficit.

*Amendment standing in the name of Dr. Jivraj N. Mehta.*

*Substitute* "have considered" for "approve of" in line 1 ;  
*convert* the "full point" at the end into a "comma" and *add* :—

"provided that the Syndicate are satisfied, by 31st March, 1942, by sufficient documentary evidence, that :

- (a) the powers and functions entrusted to the Society for education of Women in India are such as to make it a real effective governing body of the College by law ;
- (b) In view of the heavy deficit in its budget the financial position of the College is safeguarded by an adequate reserve fund to guard against possible deficits."

The Vice-Chancellor *ruled* the foregoing amendments *out of* order, observing as follows :—

"Section 39 of the Bombay University Act requires that a college applying for affiliation to the University shall satisfy the Syndicate and the Academic Council that the conditions mentioned therein have been or would be complied with. After inquiry the Syndicate shall report to the Senate on the question whether the application should be granted or refused. The Senate shall then record their opinion on the matter and the application shall thereafter be submitted to Government, together with the proceedings of the Academic Council, of the Syndicate and of the Senate.

"If, on receipt of the Syndicate's report, it appears to the Senate that certain conditions must be satisfied before affiliation is granted, the procedure invariably followed by this House is to accept an amendment recording the opinion of the Senate that affiliation or extension of affiliation be granted subject to the Syndicate being satisfied, on or before the date specified, that certain requirements have been or would be carried out.

"With regard to the application now before us there are three amendments on the Agenda. The first, Mr. K. T. Shah's asks the Senate to record their opinion that the affiliation of the College be extended as proposed, subject to the production of sufficient and satisfactory documentary evidence to show that the conditions

mentioned therein are complied with. It does not state who is to judge whether the evidence is sufficient and satisfactory. If the amendment, as it stands, were accepted, the application would have to be submitted to Government with the opinion of the Senate recorded as embodied therein, leaving to Government to call for the documentary evidence and to satisfy themselves before granting the application, that the evidence is sufficient and satisfactory.

“That, I do not think, is the intention of the member who has given notice of the amendment. If it were, the amendment would appear to the Senate to adopt a procedure which would not be in consonance with that laid down by the Act. The Act contemplates that full and complete inquiry should be made and the necessary evidence obtained by the University authorities before the Senate record their opinion. If, however it is intended that the Syndicate should call for the evidence and satisfy themselves that it is sufficient to ensure compliance with the condition mentioned in the amendment, there is nothing in the amendment to show it. Moreover, if that were the intention, the amendment imposes condition which it is not competent to the Senate to prescribe under Section covering the affiliation of colleges. Under that Section it is for Syndicate to decide what evidence should be called for to satisfy themselves that the conditions laid down have been or would be complied with. It is not competent to the Senate to dictate or stipulate, as the amendment in effect does, that the evidence on which the Syndicate relies should be supported by documents.

“It is, no doubt, open to this House to accept or not to accept as satisfactory the evidence on which the reports of the Academic Council and the Syndicate are based. It is also open to the Senate to make such further inquiry as it appears to them to be necessary and to call for further report before recording their opinion. Instead of adopting such course, however, the mover of the amendment asks the Senate to record their opinion that the application be granted subject to the production of documentary evidence to show that certain conditions shall be satisfied.

I must, therefore, rule the amendment of Mr. K. T. Shah out of order. It follows that the amendment of Dr. Jivraj Mehta is also out of order.”



The Vice-Chancellor then called upon Mrs. Billimoria to move the amendment standing in her name which made the amended proposition read as under :—

“ That the Senate approve of the report of the Syndicate in the matter of the application for the extension of affiliation of the Sophia College for Women, Bombay, to the courses of studies leading to the Degree of B.A. (Pass and Honours) in English, French, History and Economics and Philosophy, and record their opinion that the affiliation of the College be extended to the courses of studies leading to the Degree of B.A. (Pass and Honours) in English, French, History and Economics and Philosophy for a period of two years from the 20th June, 1942, provided that the Syndicate is satisfied, on or before the 15th April, 1942, that—

- (a) the powers vested in the Society for the promotion of higher education of women in India are such as to make it the real Governing Body of the College ; and
- (b) the financial position of the College is defined and safeguarded in view of the deficit as also on account of capital expenditure.”

In the course of the discussion, Dr. D. D. Karve moved and Mr. K. T. Shah seconded—

“ That the motion be referred back to the Syndicate.”

The motion for reference back was then put to the vote and declared *lost* on a show of hands (27 voting *for* and 50 *against* it).

Mr. K. T. Shah having asked for a division, as a result of the division, it was found that 43 had voted *for* the motion and 49 *against* it—or a majority of 6 in a total vote of 92.

The motion for reference back was therupon declared *lost*.

The debate then proceeded on the original motion and the amendment. After further discussion, the amendment was put to the vote and declared *lost* on a show of hands (22 voting *for* and 42 *against* it).

Dr. Jivraj N. Mehta having asked for a division, the result of the division was that 37 had voted *for* the amendment and 47 *against* it.

The amendment was thereupon declared *lost*.

The original motion was then put to the vote and *carried*.

Thus, on the 2nd occasion also, the extension of affiliation was recommended, in effect by a majority of six votes only, in a total vote of 92 ; or at most 10 votes in a total of 84.

### III

From the very beginning, the affiliation of this College had, it is evident from the foregoing, aroused considerable doubts and misgivings in the minds of experienced educationists. The main grounds of their apprehensions may be summarised as follows :—

(1) The arrangements for the management and governance of this institution were such as to involve divided control and responsibility, as between the (Registered) Society for the Higher Education of Women in India,—theoretically responsible to the University as the governing body of the College as required by section 39 (1) (a) and the Society of the Sacred Heart of Jesus who had, in the first instance, applied for affiliation, and who, under an indenture with the first named society, were left in effective charge of the management of the College.

(2) The Society of the Sacred Heart of Jesus, who are, for all practical purposes, the real managers and conductors of this institution, is an international society outside and beyond the jurisdiction of either the Government of Bombay, or the Government of India, or indeed of even the Imperial British Government. As such, in the event of any difficulty or dispute arising regarding the conduct or working of this institution, as between the University of Bombay and the College authorities, it would be extremely hard to fix and enforce responsibility by the University of Bombay, under any powers possessed by that authority ; or the Government of Bombay, or even the Government of India.

(3) The Society of the Sacred Heart of Jesus, the body really in charge of this College, had originally been formed in France at the time the fury of the French Revolution was just running out its course ; and reaction was beginning to set in away from the Reign of Reason, and towards religion and monarchy. The main aim and object of this religious society was, therefore, to reclaim, through the education of the rising generation of the womanhood of France, the French people from irreligion. And so they designed

their entire system of education in a manner that would confirm and reinforce the Catholic Christian faith in the waverers originally of that faith ; and bring new converts to it from among those not born in it. The activities of any institution conducted by such a Society were,—it was consequently felt by many in the Senate of the University of Bombay,—bound to give rise to complications especially in this land of many religions, where public educational institutions had necessarily to be secular.

(4) The Sophia College for Women was to be exclusively for women students, which, it was felt by many in the educational world of Bombay, was reversing the unbroken tradition of co-education in the highest stages of public education in this Province.

Notwithstanding these objections, however, the College was affiliated. In the first year of its working no specially objectionable activity was brought to public notice. But rumours of activities leading eventually to conversion of non-Christian girls in the College to Catholicism began to spread in the first term of the 2nd year of the existence of this College. The apprehension aroused by this development was given expression to by Mr. K. T. Shah in a proposal, under Section 42 of the Bombay University Act of 1938, suggesting disaffiliation of the College for reasons stated in the covering letter (see below p.....). A few days later the same Fellow wrote a letter to the Bombay Chronicle. (published, 27th October, 1942).

“ It has come to my knowledge that the nuns of the St. Sophia College for Women, recently affiliated to this University, have been carrying on proselytizing activities on a large scale. Such activities are not only extracurricular ; they constitute a breach of faith, morally speaking, which no self-respecting citizen can allow to go unchallenged.

Having been obliged, for reasons of public policy, to oppose the first application for affiliation of this College, when the question first came before the Senate, I felt some hesitation in taking up the present matter, when the facts relating to them were first placed before me. Besides, the information regarding those happenings had come to me,—not officially. Under the circumstances, the first step necessary was to obtain this information officially and

authoritatively. But when the request was formally made through the proper channel, I learnt, to my amazement, that, because the University had made no specific condition of affiliation, forbidding such activities, we had no right as a University to make such enquiries officially.

Choked off, in this manner, from the correct, constitutional channel for collecting the data, one is obliged to rely on whatever information one can gather from the victims of such activities. The substance of the information, thus available, amounts to this : One Parsi girl has already been converted ; another, said to be a Muslim, is also converted, or about to be ; a Sikh, ditto ; and four or five others on the waiting list.

The girl actually converted was just 18 on the day of her formal espousal of Christ,—or was it merely a simple regeneration by baptism ? The Reverend Ladies conducting the College seems to consider 18 to be such a ripe, mature age, as to permit a life-long renunciation of the faith of one's birth, and the ties of one's family. And that without the benefit of any advice from the parents, friends, or other well-wishers !

The parents of another girl, also Parsi, informed this writer, speaking with the most obvious, poignant distress, that their daughter, too, was contemplating the fatal step ; and that it was only a chance,—or an act of God, as the mother called it,—that her intention was discovered before the self-styled Daughter-in-Christ was lost in the Bosom of the Apostolic Church. To the remonstrance of the parents,—I have never seen a woman more moved than this mother,—their child was taught to reply,—apparently by the Reverend Ladies of Warden Road,—that parents could be selfish ; and that the children owed no consideration to them, when the matter at issue concerned their immortal soul ! According to information from the same source, the girl actually converted—and now removed to Panchgani and kept in a convent there, deems it no part of her filial duty to the mother who gave her birth and who is shocked almost to her deathbed by this act of her convert child, even to see her father,—or some one acting on his behalf,—when he travelled all the way to Panchgani to reason with the newly-reclaimed—or is it redeemed ?—lamb.

Details of other actual or impending conversions are still incomplete, or unavailable. But, you will agree, sir, that the case, which has admittedly occurred, leaves no doubt of the matter being of the utmost public importance. The College has still a very small number of students. But the mere fact of affiliation to the University imparts it a status, which fills its other classes, and the hostel attached, with children of the tenderest age and the most impressionable years. Those of them who live in the Hostel are, for twenty-four hours everyday, under the incessant influence of these Ladies of the Sacred Heart, who are deservedly known as the feminine counterpart of the formidable Jesuits! And you know what redoubtable champions of reaction they have proved themselves all over the world. Their technique of handling children, for secular education as well as with a view to their eternal soul, is so subtle, so refined, so perfect, it is no wonder at all the children actually contemplating betraying their father's faith, are proof against any but the most drastic treatment to cure them of their infatuation.

Most of the Hostel inmates, moreover, are daughters, presumably of parents living in the mofussil. Away from their family, out of contact with their native culture, and subject, like Stalingrad, to incessant, but invisible, attacks on their faith, by the most consummate of the missionaries, is it any surprise that persons of such tender years and unformed judgment fall easy prey to such artful endeavours made in the most ingratiating manner? Rather is it a matter for marvel that these missionary women, highly educated and widely travelled as they seem to be—should yet so far forget the unwritten obligation, inherent in their position as teachers, and in *loco parentis* towards the inmates in the hostel, as to unleash such influences against their helpless wards, and so betray a trust, morally if not technically, which was reposed in them by the parents sending their daughters to be educated in good sense, good morals, and good manners.

This breach of trust is, primarily, against the parents of the children converted, or contemplating conversion. But, in a wider sense, it is also a breach of faith '*vis-a-vis*' the University, which by affiliation, gave them standing and importance. It is also a breach of faith against the country as a whole, which gives them hospitality. The University is empowered to take steps which, let

us hope, will be taken, effectively to deal with this breach. But the menace of this Black Peril does not begin and end with the University. It is nation-wide ; and its remedy lies with the watchdogs of the commonweal,—the Public Press, and such organisations of public opinion, still left free to function, like the All-India Women's Conference, who should take the alarm, while there is yet time and effective steps against such insidious attacks on the faiths, the culture, and the family life of the people.”

This led to considerable agitation in the public press of all sections. Some of the comments and correspondence, both for and against, is given below.

The *Examiner*, an organ of the Catholics in Bombay, led off with a note on the 31st October, to which Prof. K. T. Shah replied as follows :

As the reply is followed by an explanation from the Editor the note of the 31st October is deemed not necessary to reproduce here.

#### MR. K. T. SHAH ON CONVERSION

Sir,—My attention has been drawn to a paragraph in your issue dated 31st October, 1942, page 539, headed “Conversion Trouble.” As I was one of those who had opposed the affiliation of this institution when it was first sought to be affiliated, and also among those who are concerned in the present issue, I feel it but right to reply to your remarks.

The paragraph seems to imply that only those elements, which were interested in opposing the College at first, are now stirring up this trouble. Speaking for myself, I can assure you I had given careful thought to this new issue when the facts were first brought to my notice ; and, consequently, in my letter to the *Bombay Chronicle*, I carefully avoided mixing up this issue with any other. This is a wholly new issue which can be treated on its own merits, just as my original objections to the College. On the latter score, I need only add that once an institution is duly affiliated, I hold the constitutional opposition must conform to the majority decision, and refrain from further opposition on the old grounds.

Your remarks also seem to suggest that there was only one case of conversion, whereas, according to my information already

published, there seem to have been 6 or 7 cases, if not of actual, at least of attempted, conversion. Your studied silence on the latter aspect makes me believe that you do not deny such attempts having been made.

In my letter appearing in the *Bombay Chronicle* of the 27th October, I studiously refrained from mentioning any names. Your paragraph under reference makes public one name of a converted girl. I cannot understand the wisdom of such publicity at this stage, when negotiations are, I am given to understand, going on to bring about some reconciliation between the child and her parents—unless it be that publicity of this kind is intended finally to commit the young person, and leave no *locus penitentiae* for the child to reconsider her opinion, and no chance for negotiations to succeed. It need hardly be pointed out to such experienced people as are conducting the *Examiner* that, if untimely publicity is given to names, the parties concerned may be placed in a very invidious position with reference to social relationships, both now and in the future.

Finally, with regard to the concluding remark in your paragraph, to the effect that the Catholic Church asks for no more and will accept no less, may I suggest that it sounds like dictation, which it is unwise for anybody to indulge in. All religions will get equal treatment and no more ; but those who depart from standards of propriety may possibly get even less.

Bombay, Nov. 3rd.

K. T. SHAH.

[The note last week was merely a statement of facts which had been misrepresented in the public press. It was not a detailed reply to Mr. K. T. Shah's letter to the *Chronicle*.]

If by "attempted conversion," Mr. Shah means an attempt on the part of the Nuns to convert a student, there has been no "attempted conversion" at all at Sophia College. The whole trouble is that Mr. Shah is clearly ignorant of Catholic principles and Catholic practice in this matter. We are not out to *entice* people into the Church ; and the Sacred Heart Nuns in particular would be the last people to use undue influence on their students. If on the other hand by "attempted conversion," he means a desire on the part of a student to become a Catholic—of her own free will—



the facts are that there have been no actual conversions except that of Miss Gool Dhalla, and that only one other student of the College had shown any intention of joining the Catholic Church ; and she has been removed by her parents from the College.

The name of the young Parsi lady who did become a Catholic was made public by Mr. K. M. Munshi's paper, *Social Welfare*, in its issue of Oct. 1st.

As regards Mr. Shah's concluding paragraph, the Catholic Church is to be found in nearly every country in the world, and its principles are identically the same wherever it is to be found. Study of its claims will reveal them not a "dictation," but as a claim to justice of which everyone must say that he "asks for no more and will accept no less."

The *Indian Social Reformer*, in its issue of the 14th November 1942, wrote :—

*Education and Proselytising* :—There has been some sensation in Bombay academic circles over the reported conversion to the Catholic faith of some Parsi and Muslim girls studying in the Sophia College which was started three years ago by some nuns under the auspices of the Jesuits of St. Xavier's College. *The Reformer* objected to the starting of the institution and to its affiliation to the Bombay University as a retrograde step. It did not occur to us at the time that the nuns might have in view proselytising as well as education. St. Xavier's College has been in existence for over half a century ; but no one ever heard of any student becoming a convert in that institution. In contrast to this, within two years of its starting, the Sophia College had, if the report be true, netted three souls. It would seem that one or two more probable perverts were saved only by the timely exercise of parental authority. Professor K. T. Shah writing in the *Bombay Chronicle* said that he had approached the University authorities ; but that they had declined to move in the matter on the extraordinary ground that the terms of affiliation did not include a clause prohibiting proselytising ! Those terms did not include several other things which if allowed in an educational institution would create a public scandal. The more correct attitude will be to warn the college authorities that proselytising was not one of the functions of a College affiliated to

the University which itself has no religious affiliations ; and that, therefore, the College cannot carry on proselytising activities without incurring the penalty of disaffiliation. The refusal of the authorities to take action on Professor Shah's representation can only be interpreted as meaning that they share the naive opinion expressed in a letter to the *Bombay Chronicle* by Mrs. Bapsy Sabavala that God is "one's private property." Mrs. Sabavala would perhaps not be surprised if it was pointed out to her that, if God is her private property, she can sell, mortgage or even exchange Him for anything else which took her fancy. However that may be, we have no hesitation whatever in holding that the Sophia College has violated its terms of affiliation in spirit by proselytising the girls attending the institution for educational purposes only. If Government and other authorities had the least concern for the preservation of the spiritual personality of the country, they would firmly set their face against proselytising missions instead of subsidising them indirectly in the shape of education and other grants. We attach much importance to religious freedom ; but in no country in the world is the scope of religious freedom carried to such unconscionable extremes as in British India. This is all the more extraordinary because the founders of the British Empire steadily set their face against religious proselytism. There is another aspect of the matter concerning the breakdown of Indian family life. That may be reserved for separate treatment.

Prof. Aloysius Soares wrote about the same time :

Sir,—In your issue of Oct. 27th Mr. K. T. Shah has unearthed nothing less than a Black Peril (his words) in the quiet, secluded Warden Road, which must have made even your flesh creep, for you have judged it grave enough to draw editorial comment. It appears that a Parsi girl student in the Sophia College has already fallen a victim to the black magic of the Nuns ; that another, also a Parsi, was snatched away just in the nick of time ; that a Muslim girl and a Sikh are either fallen into the precipice or are hovering on the brink. If Mr. Shah, as he was about the business, had added a Hindu girl to the list, the communal circle would be complete. Or is it the case that Hindu girls are not so immature and weak-minded as to fall victims to the wiles and snares of the Sophia nuns, or is this only the first chapter of the thrilling serial "The

Dark Mystery of Warden Road," and other episodes will follow in the true movie style ?

Now, Sir, any man who owns to a sense of responsibility, leave alone one who calls himself an educationist, does not rush into print with charges which are likely to cause irreparable damage to an institution without a careful investigation of facts. That is on the presumption that he aims at truth, and not merely at creating prejudice or pursuing a vendetta. If Mr. Shah had cared to make enquiries, he would have found, as I did, that the nuns of the Sophia College are as little responsible for the one conversion that has really occurred, as Mr. Shah himself.

The facts are—and you, Sir, can ascertain them from the girl herself who has always been free to see any visitor whatever, the impression to the contrary created by Mr. Shah in his letter being demonstrably false—the facts are that the young lady, Miss Dhalla, had made up her mind to join the Catholic Church long before she was enrolled in the Sophia College. This is confirmed by no less an authority than the Archbishop of Bombay who happened to meet the girl in a Simla convent two years ago, when she told him of her long-cherished purpose of becoming a Christian (*vide the Examiner*, 31st Oct.). It is thus quite clear that Miss Dhalla had fully made up her mind before she joined the Sophia College, which fact absolves the nuns of the College from any responsibility and brings down to earth the elaborate structure Mr. Shah built on such insecure foundations.

As no Catholic school or college thrusts religious instruction or Bible teaching on non-Catholic pupils—your surmise to the contrary is entirely wrong—and as no undue influence is brought to bear on them to change their religion, I was curious to know as to what had led her to the step she had taken. She told me that her parents had sent her as a boarder to the Simla Convent when she was very young. In the course of years she was very much struck by the way of life and character of the nuns, specially one who was apparently a saintly lady. She was also impressed by her Catholic girl friends and she thought that there must be something fine in their Faith to produce such character. So she grew curious about it. She learnt about Christ, His life and

teaching, from the Bible which she had to offer as one of her subjects for Cambridge Examination. About Catholic doctrine she learnt partly by questioning the nuns and her Catholic companions, and partly by attending of her own free will the religious classes held for the Catholic children. The more she learned, the more she liked it, and eventually made up her mind to become a Catholic, never mind what the consequences. As she could not do so while a minor, without the consent of her natural guardians, and as she was convinced that this consent would not be given, she waited till she was legally free to enter the Church. I pointedly asked if the nuns of the College had advised her to keep this matter secret, and I was told that actually the Rev. Superior had pointed out the advisability of informing her parents, but it was she herself that had been against it, fearing that they would use every means to break down her resolution and to coerce her conscience. Nor was she wrong in her surmise, in view of the heavy moral pressure that was brought to bear on her after her conversion, which was so intolerable that she had to run away from home and seek refuge in the College.

These being the bare facts, what Mr. Shah discovered, I am afraid, is not a Black Peril, but a mare's nest ! I think he owes a public apology to the authorities of the College for the charge of unfair proselytizing he has publicly levelled against them. He owes no less an apology to Miss Dhalla who is far from being the kind of weak-minded or immature girl who easily falls a victim to propaganda, subtle or otherwise. She is a highly intelligent girl, and one who, as the issue has shown, is endowed with a strong will and purpose, who is prepared to assert her right to freedom of conscience without counting the cost. Of that stuff martyrs are made.

And since we are on this business of conversion, may I inform you and your readers that, according to Catholic Doctrine, no nun nor Jesuit, no priest nor even the Pope can convert an individual to Christianity ? Every conversion is an act of God, not of man. It is the result of the grace of God and the divine influence of Christ acting on the individual soul. It is the answer to the irresistible call of Christ. The priest is but an instrument of a divine purpose. Once this conception is realized, one may easily

see that any method savouring of violence, fraud, or undue influence is ruled out by the very nature of the case. Nor is it a part of Catholic doctrine that the end justifies the means.

We Christians claim the freedom of conscience which would entitle anyone after proper instruction or information to accept Christianity. Are you or anyone else prepared to deny it? We also claim the right to reach and preach our Faith, to present the life and teaching of Christ, without let or hindrance. It is the primary duty, the very *raison d'être* of a missionary, to bring the knowledge of Christ to those who know him not. I put it to you, and through you, to the Indian nationalists generally: are you or are you not prepared to allow us this freedom of expression? The racket that is raised by nationalist organs whenever an alleged case of conversion occurs, has, I assure you, raised grave misgivings in the mind of Indian Christians regarding their future in an independent India, and is one of the chief obstacles to their joining wholeheartedly in the struggle for swaraj.

Perhaps you may say that you have no objection to this; that you are not against a change of Faith, provided it is due to mature convictions; that what you dislike is, to use your own words, to instil into the minds of raw boys and girls necessarily one-sided religious views—that is, without any fair study of comparative religions—and thus to convert them formally to a particular creed. It sounds very plausible. But the principle obviously admits of wider application. What for instance about the work of Congress politicians and publicists in instilling into the minds of raw boys and girls necessarily one-sided political views—that is, without any fair study of comparative politics or any fair presentation say, of the British point of view—and thus to convert them to the Congress creed? Are you prepared to turn a new leaf?"

The College authorities addressed the following to the Press and some public bodies in general, on the 18th November 1942:—

### PROSELYTIZATION IN SOPHIA COLLEGE

To the Editor of "The Chronicle"

Sir,—In view of the controversy going on in the press and the many conflicting, incorrect and unfounded statements made therein

I proffer the following statement of facts :—

One Parsi girl became a Catholic on September, 13th. She had fully made up her mind to take this step before she came to College. I urged upon her the advisability of telling her parents before doing so, but she refused on the plea that they would effectively prevent her from carrying out her project. I, therefore, refused to make any arrangements for her baptism, so she made all her own arrangements without informing the College authorities.

On the evening of September 13th she told her parents that she had been baptised that morning.

On September 15th she visited the Archbishop of Bombay together with her father and sister and a Dasturji. In their presence she promised to study Zoroastrianism and they promised to let her live peacefully at home.

The family did not keep their promise and such was the constant emotional strain to which the girl was subjected at home that she felt unable to go on living there, and came to College on October 2nd. Her relatives came to ask her to return, but as they would give her no guarantee of freedom, she refused to do so.

As regards the "Waiting List" mentioned in the press, it does not exist. One other Parsi girl has been removed from College because her parents feared she would follow her friend's example. Otherwise, I know of no other student who has any intention of becoming a Catholic.

I have heard that anonymous letters have been received by parents. To give one example only :—One was informed that her daughter and her daughter's friend had become Catholics. Both these students are still at College protesting that they have no intention of changing their religion.

As to any propaganda, or moral persuasion, everyone of our students could witness to the fact that 'none' has taken place. Reference to Christianity must of course be made in the course of studies, but it is against our most sacred and cherished principles to use force or pressure to make any one change his or her religion.

Religious instruction classes are held for Catholics only and not for non-Catholics as the primary concern of the College is education and not proselytising.

At the special request of some of the friends of the institution, I have agreed to inform the parents or guardians of any student of the College who intends to change her religion, as soon as the College authorities are aware of the same.

Yours, etc.,  
C. ANDERSON,  
Principal.

Prof. K. T. Shah replied to Mr. Soares :—

To The Editor of "The Chronicle"

Sir,—Paper is so scarce now-a-days that, were there no other consideration to the contrary, I would, for that reason alone, refrain from a detailed reply to Mr. Soares. There are, however, some material points in his letter, which, if allowed to go unchallenged, might induce the belief that they are unanswerable. I have, therefore, to crave your indulgence to make this brief reply,—the more so as Mr. Soares has been fair enough to sign himself, whereas the other champions of this institution have taken shelter under an intelligible anonymity.

If Mr. Soares had read my letter in *The Chronicle* of the 27th October at all carefully, he would have thought twice before charging me with "rushing" into the press with the tale of a mare's nest. It was more than three weeks after I had first come to know of the matter from responsible sources that I ventured to place before the public, through your courtesy, the information I had got. And even that was after I had found that the proper constitutional channel was, for the time being, unavailable. Mr. Soares must forgive me if I do not walk into the obvious trap of publishing, at this stage, the evidence I have got, if only to save the opposition from the easy temptation of seeking to doctor, if not to destroy, that evidence. I say this because I have come to know of at least one father being approached on the 'phone by the College authorities to talk the matter over. Mr. Soares, however, may take this comfort that, when a competent tribunal makes a full enquiry into the matter, enough material will be produced to convince any impartial judge that the College is not affiliated for carrying on, or even countenancing, conversion.

At the same time, may I point out to Mr. Soares that the only evidence *he* has produced is either of the girl or of the nuns,—both parties primarily concerned, whose evidence, even when tendered on oath before a judicial tribunal and sifted by cross-examination, cannot be taken without a grain of salt. Mr. Soares knows as well as I do that there is positive commandment enjoining telling the truth ; but it says nothing about telling the whole truth, and much less about nothing but the truth. The oath before a judicial tribunal will amend this item in the Decalogue ; but even that oath says nothing about ‘*suppressio veri,*’ or ‘*suggestio falsi,*’ in which art casuists are believed all over the world to be experts.

Holding this view, I consider I owe no apology either to the nuns, or to the young lady concerned. The latter has never been named by me ; and the former have yet to clear up their position before a competent body. The only apology I feel I owe is to my own conscience, in that I did not take the ruling of a former Vice-Chancellor, facilitating the affiliation of this College, to the competent tribunal to be questioned. But that is spilt milk, and tears will not refill my jug.

I have no desire to enter into any discussion of the theological lecture Mr. Soares has incidentally treated us to, though one can't help wondering why, if conversion is an act of the grace of God only, the instrumentality of man is at all needed. Surely God is, even in Catholic theology, all-powerful. He has but to will it ; and we should all be born and bred and dead as Catholics only. Nor would I challenge the interpolation of Mr. Soares that it is no part of the Catholic doctrine that “the end justifies the means.” I shall leave it to history and historians to explain the mystery of the Rev. Jacques Clement assassinating Henri III of France when he was contemplating alliance with the Huguenot Henri of Navarre ; nor of the attempts at murder of Elizabeth of England by some Jesuits, nor even the attempt to blow up Houses of Parliament by the famous Guy Fawkes.

As to the assertion that “violence, fraud, or undue influence” have no place in effecting such conversions, I have not suggested the employing of either of the first two methods in this case ; and so can only feel it is the guilty conscience which betrays itself in this denial. We are not now living in the Spain of the Inquisition,



or the Indies of Las Casas, for physical force being applied to ensure the salvation of a soul. But I cannot let pass unchallenged the mention of "undue influence" in the same category. Perhaps Mr. Soares does not know it ; but there are certain relationships and circumstances,—that of teacher's to a pupil in residence is one—from which the law may presume the possibility of undue influence, until and unless satisfactorily rebutted.

You are, I think, better fitted than myself to answer Mr. Soares' argument from analogy, regarding political faith. May I only add that one's political faith may be only a passing phase, and can be changed. Witness the shining example of Mr. Winston Churchill, who has changed his political creed four times in forty years. But one's religious faith is regarded generally as a life sentence ; and so the two cannot be placed on a par.

November 18.

Yours, etc., K. T. SHAH.

To the Editor, *Bombay Chronicle*, Bombay.

Sir,—With reference to the letter from the Principal, Sophia College for Women, appearing in your issue of yesterday, may I, as father of one of the girls saved from the brink, point out that the assurance (?) contained in the last para of the Rev. lady's letter is not only ambiguous ; it is also utterly misleading.

To begin with, the letter says the lady has agreed to inform the "parents or guardians of any student . . . who intends to change her religion, as soon as the College authorities are aware of the same." But when can they be said to be aware of the intention of the would-be convert ? Their responsibilities would only arise if they become aware of the intention. What is more easy than to deny any knowledge of such intention, until it may become too late for the parents or guardians to take any action to guard against the harm already done ?

Secondly, this is an ex-parte statement, as it were, made by the signatory to the letter. How can the public feel sure that it would bind, even in the doubtful sense mentioned above, any but the signatory herself ? What remedy have the public, should the Principal be transferred,—the Society requires such transfer normally every 3 years,—and some one else takes her place ? The College

authorities as such are certainly not bound, to judge from this wording, to do anything of the sort promised by Rev. Catherine Anderson, R.S.C.J.

Lastly, the promise (?) is made in this letter to no body, or authority which has any control over the College; and which could exercise any disciplinary action over them, should they break the promise, in the spirit if not in the letter.

Under these circumstances, what is the value of the statement made *in extremis*, so to say, by this *Religieuse du Sacré Cœur de Jesu* ?

—Yours, etc., Father of one of the girls on the Waiting List now turned into the Frightened List.

*Report of the Committee appointed by the Syndicate on the proposal of Mr. K. T. Shah for the disaffiliation of the Sophia College for Women, Bombay.*

*Mr. K. T. Shah's Proposal :*

That the rights conferred on the Sophia College for Women by its affiliation under Section 39 of the Bombay University Act be withdrawn."

(Note.—The proposal from Mr. K. T. Shah was considered by the Syndicate at their meeting held on the 21st November, 1942. The Syndicate under Section 42 (2) of the Bombay University Act resolved that a copy of the notice together with the written statement submitted by Mr. Shah, be sent to the Principal of the College with an intimation that any representation in writing submitted by her within a period of 15 days from the receipt of the notice by her would be considered by them.

As provided in the Act, the Syndicate made an inquiry through its committee, the members of which were, the Vice-Chancellor, Dewan Bahadur K. M. Jhaveri, the Hon. Mr. Justice M. C. Chagla, Moulvi M. Y. Hainday, and the Hon. Mr. Justice H. V. Divatia.

*Grounds given by Mr. K. T. Shah for the proposal.*

I have learnt, from reports in the public press, that an actual case of conversion of a girl, barely 18 years of age, has taken place in that institution. As a University, we are, I think, responsible for the conduct and welfare of the students in any of the affiliated or recognized institutions under this University, even if no special condition be made, at the time of recommending any application

for affiliation, prohibiting such activities in that institution. Educational institutions, recognized or affiliated as such, should, as a matter of fundamental policy, confine themselves to educational activities, and keep themselves severely aloof from any proselytising activity. This policy has been observed by other Missionary institutions hitherto affiliated to this University. For the first time an instance has actually happened, which threatens to upset radically this policy if no notice is taken of it, under any plea based upon the letter of the actual conditions of affiliation. We make, for example, no express condition of affiliation regarding a proper code of morals to be observed by and in any affiliated institution. But I cannot believe it for a moment that, should any instance of lapses in this regard come to the notice of the University, especially where the authorities of such an affiliated institution are alleged to be concerned in such lapses, no steps would be taken by the University, merely on the ground that no express condition was made, at the time of affiliation, in this behalf.

The procedure provided by the Act for disaffiliation assures sufficient opportunity for official enquiry, and opportunity to the parties concerned to put forward their side of the case, if any, to permit me to hope that, in view of the extreme gravity of the principles at stake, no further needless delay will be allowed in bringing this matter before the Senate ; and its satisfactory disposal, as soon as possible."

The Principal had sent a reply to the Registrar with a covering letter from the Archbishop of Bombay :—

*Letter dated the 8th December, 1942, from the Principal Sophia College for Women, Bombay, to the University Registrar.*

" In reply to your letter 27522 of November 24th with enclosure, I have the honour to ask you to place the following representation before the Syndicate at the next meeting :—

1. The " grounds " on which the proposition quoted in the enclosure is made consist of *one* case of conversion. The actual facts connected with this case have been made clear to the public, and are :—

- (a) the student had fully made up her mind to take this step before she came to the college ;
- (b) though I urged her to tell her parents, and even offered to do so myself, she refused.

- (c) she then made all her own arrangements, for baptism without informing the college authorities ; Therefore
- (d) though I knew of her intention in a general way, I did not know of the definite means she had taken to carry out that intention;
- (e) the girl was a day-student living at her own home, and therefore the College authorities were *not in loco parentis* as has been said, nor could "the spell of the Sophia College Sisters" have been continuous ; nor could "she have attended the College Church," nor "lived in those environments" for two years as was maintained recently in the press.
- (f) *the girl has returned home some time ago (November 25th), and is now living peacefully with her family, who allow her full freedom to practise her religion.*

I trust that since the details of this "one instance that has actually happened" have been clearly put before the members of the Syndicate, they will realise that it can hardly be considered as an indication of "something that threatens to upset radically" the policy of recognized and affiliated institutions, a policy which enjoins upon such institutions to "confine themselves to educational activities and to keep themselves aloof from any proselytising activity." No member of the Sophia College Staff has ever indulged in or will indulge in proselytising.

2. Our students include Hindus, Muslims, Parsis, Sikhs, Protestants, Jewesses, Catholics, and they are all living and studying together in perfect harmony. During the disturbances we experienced no trouble, as the Director of Public Instruction can attest from the returns of our attendances.

Only one student has given "the agitation against the College" as the reason for her withdrawal, and only *six* others have left. Of these *four* have given reasons entirely unconnected with this matter. The remaining *two* did not state any reason for discontinuing their studies at the Sophia College.

The statement made in the "Grounds" that it is the first time such a change of religion has occurred in a College affiliated

to the University is not true. If the claim as stated here that the University is "responsible for the conduct of a student in an affiliated College" extends to passing judgment on a change of religion by one in the full enjoyment of moral and legal freedom, the claim will be contested not merely by the college but by the whole Catholic body all over the world, and, I believe, by every lover of freedom.

His Grace the Archbishop has very kindly consented to send a covering letter to my representation to the Syndicate, so I trust the members of the latter body will be fully satisfied."

*Archbishop's letter dated the 8th December 1942*

Dear Sir,

As Chairman of the Governing Body of the Sophia College, I beg to confirm the statements contained in the letter addressed to you by the Principal today, December 8th.

I think it should also be brought to the notice of the Syndicate that evidence reaches me from all sides of intense feeling aroused among Catholics who associate this action in the University with an agitation threatening no less than freedom of conscience.

Yours very truly,  
(*Sd.*) T. D. Roberts,  
*Archbishop of Bombay.*

The Committee made a report to the Syndicate

*Report of the Committee*

The Committee met on the 2nd February, 1943 at 5 p.m. in the Syndicate Room, University North Wing, to draft the further assurances.

Mother C. Anderson, the Principal of the College, was invited to be present.

After some discussion with her, the Committee framed the following draft assurances which were sent to the Principal of Sophia College by the Registrar with his letter dated the 3rd February, 1943 :—

- (1) That no member of the teaching staff will carry on any proselytising activities, nor permit any outsider to carry on such activities, in respect of any student of the College, nor use, nor permit to be used, moral persuasion for the same purpose :

- (2) that if any member of the teaching staff should come to know, or become aware of the intention of any student of the College to become a convert to Christianity, such member will inform the parents or guardian of that student of such intention through the Principal ;
- (3) that no member of the staff will make, nor permit to be made any attempt to deprecate any religion, nor make, nor permit to be made invidious comparisons between different religions.

The Principal of the College replied on the 10th February giving the assurances asked for from her,\* quoted below.

The Committee met again on Friday, the 26th February, 1943, at 5 p.m. to consider the letter from the Principal. The Committee now recommend to the Syndicate that the assurances given by the Principal be accepted, and that the Principal be informed that, subject to the assurances, the University will have no objection to the members of the teaching staff explaining the Catholic position when the matter requires it for the full and enlightened study of any subject.

### THE SENATE MINUTES RECORD

In the absence of the Hon. Mr. Justice M. C. Chagla, *Diwan Bahadur K. M. Jhaveri* moved and the Rev. J. Duhr, seconded—

“That the Senate approve of the following report of the Syndicate Committee on Mr. K. T. Shah’s proposal and record their opinion *that they are satisfied, on the assurances given by the Principal of the Sophia College for Women, that no case exists for disaffiliation of the College.*”

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<sup>1</sup>In accordance with the suggestions made by the members of the Inquiry Committee appointed by the Syndicate. I give the following assurances : (see above for text of assurances).

I wish to put it on record that these assurances are for the future and that in giving them I do not thereby admit that any proselytising activities have been carried on at the Sophia College for Women in the past.

On our side, I should wish for an assurance from the University of what was agreed upon when I met the members of the Inquiry Commission, namely, that the members of the teaching staff shall have full freedom to explain the Catholic position when the matter requires it for the full and enlightened study of any subject.

Mr. K. T. Shah moved and Mrs. G. R. Billimoria seconded—

“ That the motion be referred back to the Syndicate.”

In the course of the discussion, Mr. A. Soares raised a point of order whether it was competent to the Senate to recommend disaffiliation of the College merely on the ground of proselytising activities.

The Vice-Chancellor held that there was no substance in the point of order, as the question of disaffiliation was not before the House at that stage.

After discussion, the motion for reference back was put to the vote and *carried* (64 voting *for* and 10 *against* it).

The matter being thus referred back by the Senate for reconsideration, the Syndicate once more appointed a committee (the same personnel) to investigate and report upon any further evidence that may be available justifying modification of the Syndicate decision to bury the hatchet, and be content with the assurances given.

\* \* \*

Meanwhile, a Parsi girl, who had been a student of this College in 1941-42, and who was suspected by the parents to intend conversion to Christianity, sought the aid of the Magistrate's court to obtain freedom from her parents' control, as they, it was alleged, were wrongfully confining her and restricting her movements. The First Presidency Magistrate, after hearing the girl, declared she was free to go where she wished.

Meanwhile, the then existing affiliation of the college being due to expire in June, 1944, the college authorities applied for further extension on August 5th 1943.

This application was also in the name of the Society for the Higher Education of Women in India, and its Governing body was stated to be substantially the same as before including the Archbishop of Bombay as Chairman.

On this the Local Inquiry Committee, appointed in due course, reported, sometime early in January 1944,—again a divided report,—two out of the four members being in favour of recommending

continuation of affiliation, while the two others appended notes of dissent of varying degrees. The report was as follows :—

“ With reference to the Registrar’s letter No. 21312, dated the 2nd September 1943, we formed ourselves into a Local Inquiry Committee and inspected the Sophia College for Women, Bombay, on 3rd December 1943.

2. The present application is for further extension of the affiliation of the College for courses leading to B.A. Pass and Honours Degrees in English, French, History and Economics and Philosophy. Extension was granted for two years, and expires in June 1944.

3. The College continues under the management of a regularly constituted Governing Body and the Principal has applied for continuation of affiliation in the name of that Body by a letter dated 5th August, 1943.

4. We went over the building, saw the classes at work and inspected the Hostel for students. We watched the students at their physical exercises and met the members of the staff. We visited the Library also.

5. The members of the Governing Body met us after the Local Inspection in the Syndicate Room of the University on 7th December, 1943. In the course of the discussion, the Governing Body was asked to give certain assurances relating to the management of the College on the following points :—

- (1) That the Governing Body will have no objection to show the minutes of their meetings and the meetings of their Committees to the Syndicate ;
- (2) That in the Management of the College the Governing Body is prepared to carry out all the requirements of the University ;
- (3) That the Governing Body is in fact managing the College and they assure the University that it will continue to do so ;
- (4) That the Principal of the College conducts the College under the supervision and control of the Governing Body ;



- (5) That the Society of the Sacred Heart does not and will not interfere in any way with the management of the College.

They have been given, as per the following letter :—

SOPHIA COLLEGE FOR WOMEN,  
Warden Road, Bombay,  
16th December 1943.

To

The Registrar,

University of Bombay, Bombay.

Dear Sir,

I have placed your letter No. 29098, dated December 8th, addressed to Reverend Mother C. Andersson, before the Governing Body of the College at their meeting on December 15th, and I am instructed by them to reply as follows :—

- (1) That by the rules of the Society for the Higher Education of Women in India, (a) "the primary duty of the Governing Body" is "to run and help in the running of the Sophia College for Women in Bombay and to co-operate with and assist the Principal of the College in the administration of the College." (b) "all requirements and requisitions of the University of Bombay regarding the College, both before and after the affiliation thereof, shall be carried out and complied with by the Governing Body" ;
- (2) That the Governing Body have no objection to showing the minutes of their meeting if called upon by the Syndicate, *although as a matter of principle they would comply with this request under protest* ;
- (3) That in the management of the College the Governing Body is prepared to carry out all the requirements of the University ;
- (4) That the University has before it the Memorandum of Association of the Society for the Higher Education of Women in India, the Agreement and Indemnity between

the Society of the Sacred Heart of Jesus and the Society for the Higher Education of Women in India, and the rules of the Society for the Higher Education of Women in India, and under above documents, the Society of the Sacred Heart is running and conducting the Sophia College for Women in Bombay according to the requirements of the University of Bombay under the control and supervision of the Governing Body ;

- (5) That the Principal of the College conducts the College under the supervision and control of the Governing Body ;
- (6) That the Society of the Sacred Heart does not and will not interfere in any way with the government of the College.

Yours faithfully,  
(*Sd.*) W. WARD,  
*Hon. Secretary.*

Society for the Higher Education of Women in India.

6. In the previous Reports the fitness of the building for College purposes has already been reported on. Since then some improvements have been made.

7. The Hostel part of the premises has been altered, and is adequately for the purpose and suitably equipped.

8. The Library requires still further expansion in our opinion ; and the Principal is ready and willing to do so, but points out the difficulty in getting out books from outside India, at present. The amount set apart at present (Rs. 2,000) may have to be increased later.

9. The staff, a list of whose names, qualifications, periods of work and the subject they teach is given as Appendix A, is in our opinion efficient, and adequately paid.

10. The estimated Budget for 1943-44 and Return of Finance (Appendix B) shows an expanding income from fees. But that amount by itself is not sufficient to run the College. There is a reference to "other sources", but as to what they are we do not know, as they are not disclosed in it. The Committee is aware that the deposit of Rupees one lac still remains with the Imperial Bank of India, Bombay. The 'other sources' must be ample and elastic, as they are being drawn upon to make up the deficit in every year. The Society of the Sacred Heart of Jesus, which has

covenanted with the Governing Body of the College, to help it, has, however, we are given to understand, ample funds, and they would be forthcoming to help the finances of the College.

11. The Covenantor in the agreement with the Society of the Sacred Heart of Jesus is the Society and the Covenantee is the Governing Body of the College. The Covenantor undertakes to help the Governing Body so far as finances are concerned, as the College is run by the Governing Body under agreement with the Society.

12. Under Section 39 (1) (a) of the Bombay University Act, 1928, the College has to be under the management of a regularly constituted Governing Body. The Governing Body of this College, with whom only the University directly deals, is a Body duly and legally registered in Bombay.

13. His Grace the Archbishop of Bombay has informed us that he has resigned the Chairmanship of the Governing Body. It was, however, pointed out to the Governing Body that so long as he remained a member of the Body he has to be the Chairman, *ex officio*. The Principal thereupon informed us that His Grace had also intended to resign the membership of the Governing Body as well. However, we have heard nothing further about it.

14. We recommend that the affiliation may be continued for a further period of three years from June 1944.

15. In view of the fact that the Syndicate has already made a recommendation under Section 42 for the disaffiliation of the College, and that as we are also members of the Syndicate, we think it necessary to add that in this Inquiry we have confined ourselves strictly to matters falling within the ambit of Section 39 and Section 40 of the Act."

Sd. K. M. JHAVERI.

„ N. M. SHAH.\*

„ K. T. SHAH.\*

„ M. C. CHAGLA.

„ Mrs. G. R. BILLIMORIA.\*

#### NOTE BY MR. K. T. SHAH

1. I have signed this Report subject to the following Note :

2. While I agree that this local enquiry must be confined to matters falling within the ambit of Section 39-40 of Bombay Uni-

versity Act, 1928, I think matters relating to the management of the College by its regularly constituted Governing Body are comprised within the terms of these Sections ; and, as such, the Local Enquiry Committee is entitled, without in any way going out of its reference, to take note of anything relating to the Governing Body, or the management of the College.

3. Even granting that the Governing Body, as constituted under the terms of the documents submitted to the University at the time of the first affiliation in 1940-41, and the management of the College as conducted thereunder, has been recognized by the University authorities as sufficient for purposes of Section 39 (1) (a) of the Act, new facts, material, or evidence, coming to light as regards the actual working of this management, the Committee is fully entitled to consider the matter afresh, and advise upon the same on an application for extension or continuation of affiliation, such as the one referred to this Committee.

4. Under the documents submitted to the University, "The Governing Body of this College is the Society for Higher Education of Women in India",—a Society registered under the Societies' Registration Act. But that Body has made over the actual management of the College to the Society of the Sacred Heart of Jesus, by a regular Indenture in which certain Covenants have been made. According to these, the Society of the Sacred Heart of Jesus indemnifies the Society for the Higher Education of Women in India, in respect of Financial and other obligations arising out of the conduct of this Institution, and in relation to the University. The Society of the Sacred Heart of Jesus is an international organization, totally outside the jurisdiction and control of any authority in British India, or, for the matter of that, of any body in the entire British Commonwealth.

5. Apart from other considerations, this arrangement creates a complicated machinery, and dual authority, for the management of the College, which is, by itself, eminently calculated to lead to undesirable complications. In the situation that has developed since September, 1942, on account of certain activities of, or in connection with, this College, the existence of this dual authority and complicated machinery facilitates the avoidance of full and proper responsibility for such matters as have recently been the

subject of complaint against this Institution. I am accordingly writing this note to direct attention to certain features in the actual management, and in the working of the Governing Body, that necessitate, in my opinion, reconsideration of the sufficiency of that body under the requirements of Section 39 (1) (a). The essence of the apprehensions or misgiving outlined below has already been noted by me on a previous occasion ; and the incidents, developments, or considerations, to which reference is made below, appear to me as further confirmation and reinforcement of the doubts and suspicions already expressed.

6. The Society for the Higher Education of Women in India, recognized by the University as the Governing Body for this Institution, has, moreover, constitution, aims and objects, which intensify the misgivings, the undersigned has always felt in regard to this Institution, its governance, and activities. The very first Clause of the Rules of that Society says :—

“ The Society has been established for purposes mentioned in the Memorandum of Association of the Society. The object of the Society shall be the following :—

(a) “ To spread *Secular and religious education* in India in general and higher secular education of women in India in particular.”

It is because of this specific object of this Society, clearly stated in the fore-front ; and also because the *de facto* management of the Collegiate Institution in their responsibility has been made over to the Society of the Sacred Heart of Jesus, that incidents and developments of the kind which have caused considerable public agitation in recent months can possibly happen ; and which the University cannot suffer to go unnoticed.

7. The Society of the Sacred Heart of Jesus, directly conducting and managing this College, is frankly a Missionary Institution. Its origin and principal objective have always been to strengthen the Catholic faith in the mind of the Alumni that attend their Institution—whether Christian by birth or not. So long as the Society of Sacred Heart of Jesus has effective control and management of the Institution, the Society for the Higher Education for Women in India, recognized by the University as sufficient to meet the require-

ments of Section 39 (1) (a), will remain a mere screen. All the assurances, guarantees, or undertakings, offered by the latter, will depend for being effectively carried out, in the letter as well as the spirit, upon the mercy and goodwill of the former.

8. This is the more relevant to consider because the Society for Higher Education of Women in India is not only a creature of the representatives of the Society of the Sacred Heart of Jesus in India ; its membership is so restricted and conditioned as to make all independent action by that body all but utterly impossible. Under Rule (2) of this Society, "the number of members of the Society shall not exceed fifty" ; while under Rule 6, "Any other person desiring to be a member of the Society shall apply to the Governing Body ; and if this application shall be approved of by not less than three-fourths of the members for the time being of the Governing Body, he shall be elected as a member of the Society, on payment of Rs. 100." This not only effectively restricts the membership, but makes any new admission within the restricted number dependent entirely upon the goodwill of the members existing at any given moment.

9. Under Rule 5, moreover the Principal of the Sophia College, —who is, and, while this arrangement lasts, will always be, a Nun of the Society of the Sacred Heart of Jesus,—must be an ex-officio member of the Governing Body, while the Archbishop of Bombay, if a member of the Governing Body, "Shall be the ex-officio chairman" of the Society for the Higher Education of Women in India. Given this arrangement, there is very little doubt possible that the effective management and control of this College is and must remain with the Society of the Sacred Heart of Jesus, whatever may be the outward forms they may adopt to meet the letter of the law—and so get round the University. And while this Catholic Reactionary Missionary Society remains in effective charge of the management of the College, incidents and developments, tending to utilize this secular Educational Institution for the spread of religious education, and conversion to Catholicism, in one way or another, would be unavoidable.

10. It is relevant to add here some observations regarding the internal constitution and working of the Society of the Sacred Heart of Jesus, and its relation to the ecclesiastical head of the province

in which an institution conducted by that Society is situated. The Archbishop of Bombay is, for the purposes of the Convent of the Sacred Heart of Jesus conducting this College, the ecclesiastical head. And though he has explicitly written to the University, taking the credit for certain conversions of students attending this College to himself, and at the same time resigning the chairmanship of the Society for the Higher Education of Women in India, it is open to question if that resignation has any real force or effect so long as he is a member of the Society ; and one might even add so long as he remains the Archbishop of Bombay, and so the ecclesiastical head and superior of these Religious of the Sacred Heart. Without the slightest desire to minimise, much less to deny, the credit (sic) due to him for the conversions, one is free to take exception to the suitability or sufficiency, under Section 39 (1) (a), of a Governing Body of which such a personage is a member, and must be, while member, chairman ; as also to the satisfactoriness of the actual management of this College by a Society or individuals of whom he is and must be the ecclesiastical superior and chief adviser. This divided allegiance inevitably entailed under such arrangements cannot but create difficulties in the management of the College, especially when activities, other than strictly academic, are reported to be carried on therein. That must inevitably prejudice the interests of secular education in that Institution.

11. I have noted the assurances asked by the Local Enquiry Committee at the time of its discussion with the Governing Body of the College, and carefully considered the actual words in which they have been given by the authorities of this College. For my part, I do not feel satisfied with them, even if these assurances are meant as my colleagues seem to have assumed to be. The wording is such as to admit of many a loophole in the hands of sophisticated persons such as are in actual charge of this Institution.

12. Lest the foregoing be regarded as a mere expression of personal prejudice, the undersigned would like to add a specific instance which occurred in the course of the Committee's discussion with the Governing Body of the College, on the 7th December last ; and which is more than calculated to give rise to suspicion or apprehension of the type he entertains and has expressed above. While discussing some of the extra-curricular activities of the College, particularly in regard to the Bible class for Christians,

a specific question was asked whether there was on the College roll any Jewish student—a refugee from Singapore. A flat denial was given by the Principal, who even improved the occasion by reading a brief sermon on the nature of rumours, and the danger of trusting to them. Looking through the College Roll, however—available in the office of the Registrar—it is easy to verify, and it has been verified, that there were actually two such girls on their roll ! Further justification is unnecessary for entertaining suspicion, distrust and misgivings of the type mentioned above after an experience of such unhesitating terminological inexactitudes indulged in by the Principal of the College.

For these considerations, I consider the management of the College, and its Governing Body, are not such as to satisfy in all respects the requirements of S. 39 (1) (a) ; that assurances asked and accorded are, in the nature of the case, of no great avail ; and that, therefore, the affiliation applied for should not be granted, while the governance and management of the institution remain in such complicated and misleading position.

K. T. SHAH.

#### NOTE BY MRS. G. R. BILLIMORIA

I think there is much force in what Prof. Shah has elaborated in his note regarding the complicated machinery and dual authority in the Governing Body for this College. Attention may be invited in this connection to para 4 of Mother Ward's letter, where she says :—

“ Under the above documents the Society of the Sacred Heart is running and conducting the Sophia College for Women in Bombay. . . .” and para 6, where she says :—

“ The Society of the Sacred Heart does not and will not interfere in any way with the government of the College.”

This kind of dualism is bound to create complications which would not be in the best interests of the smooth running of this Institution. It is not also, conducive, in my opinion, to true academic spirit ; and the matter should therefore be cleared up before affiliation is continued.

Principal N. M. Shah, not having been present at any of the meetings of the Committee, added a note to the report saying he had only signed it *pro forma*.



## VI

### REPORT OF THE ENQUIRY COMMITTEE DATED 15-11-43

The Syndicate Committee, appointed to consider the matter on the reference back from the Senate in August 1943, had, in the meanwhile, been considering the question; and, after all due enquiry and questioning witnesses, reported (15-11-43) in substance advising the Syndicate that a case had in effect been made out for recommending disaffiliation of the College. Though this report, together with its appendices, had been placed before the Senate at their special (requisition) meeting on the 12th February 1944, and as such entitled to be considered a public document, it is nevertheless marked "confidential." The substance only has, consequently been reproduced below, in the words of the Report as far as possible.

Our Committee was appointed by the Syndicate at their meeting held on the 25th September 1943, in connection with the proposal of Mr. K. T. Shah for disaffiliation of the Sophia College on the ground that the College authorities were carrying on proselytising activities, to report whether the assurances given by the Principal of the Sophia College had been kept or whether they had been broken in the letter or in the spirit, and if so, what steps should be taken. The Reverend Mother C. Anderson, Principal of the Sophia College had also requested that there should be a full inquiry into the allegations made against the College both last year and this year regarding the conversions which were the subject matter of discussion in the Senate.

It may be noted, at this stage, that the Committee seemed to have interpreted their reference unduly narrowly; or that the Syndicate reference to the Committee was unnecessarily restricted. The motion in the Senate—18th August 1943,—was *to refer back* for reconsideration by the Syndicate, *the whole matter*, that is, beginning with the letter dated the 12th October 1942, and including the Report of the Syndicate Committee on the same, dated 26th February 1943. It was consequently, needlessly narrowing the

scope of their inquiry, to confine it only to the question whether or not the assurances given by the Principal of the College in February 1943 had been kept in the letter as well as in the spirit.

The Committee had held four sittings. It was decided that certain individuals, who could throw light on the conversions of Miss Dhalla and Miss Kalapesi, and who could give information regarding the said activities of the College, should be called and examined. It was also decided to ask Mother Anderson, Principal of the College, to appear before the Committee in connection with the inquiry.

The statements made by all the persons who appeared before the Committee, in answer to questions put by us were recorded by the Registrar, and appended to this report as Appendix "A." *As this was a Committee under the University Act, and not a judicial enquiry, it had no power or authority to examine these witnesses on oath.* None of the witnesses were therefore cross-examined on oath, and the statements made by them have not, therefore, the value of strict legal evidence. The Vice-Chancellor, however, made it clear that this was a University, and not a judicial, inquiry.

The report expressly states that the Committee was mainly concerned with the conversion of Miss Kalapesi, and with what happened in the College after the assurances were given by Mother Anderson on the 10th February 1943. The conversion of Miss Dhalla was dealt with only in so far as the facts connected with it threw light on the attitude which the College authorities had throughout taken up in the matter of these conversions.

According to our report, the following facts emerge from the statements made before that body :—

Miss Gool Dhalla joined the Sophia College in June 1941 before she had completed her 17th year. Mother Anderson, the Principal of the Sophia College, on her own admission, knew of Miss Dhalla's intention of being converted to Christianity about a month or so before her conversion, which took place on the 13th September 1942, on the very day she attained the age of 18 years. Gool Dhalla was in a convent in Simla before she joined the Sophia College. Her father got suspicious in August 1941 of her intention to embrace Christianity, but then she assured him that she had given up the idea. Mother Anderson never informed him of this intention. The

girl lived for one month in the College after conversion. Mother Anderson admitted that she did not inform her parents, but said she did not consider it her duty to inform the parents, but that she had asked the girl to do so. No such assurance in regard to informing parents had been given to the University before that day. Mother Anderson was aware that Miss Dhalla did not inform her parents that she was going to be converted.

With regard to Miss Dhun Kalapesi, who was converted about a year later, on the 5th September 1943, at the Church of the Holy Name, the baptism ceremony was performed by the Archbishop of Bombay, who is also the head of the Governing Body of the College.\* Dhun had joined the Sophia College in January 1941 for the Social Culture Course. Before she joined the College she was a good Zoroastrian, inasmuch as she would go to the Fire Temple and take part in Zoroastrian ceremonies regularly. She used to go to the College in the afternoon to attend a study circle and spend the whole day in the College even after College hours. She was in touch with Mother Keyes. Her father withdrew her from the College on the 1st October 1942, after her friend Gool Dhalla's conversion. Thereafter she joined the Elphinstone College in November 1942. Mother Anderson said that she did not meet her even once after she left the College until she was actually converted on the 5th September 1943, but admitted that she received two short notes from her stating that she was well. Mr. Kalapesi, the father of the girl, has produced a letter in original written by Dhun Kalapesi to Mother Anderson on the 16th October 1942, which was found in her room by Mrs. Kalapesi. It was not posted to Mother Anderson. Another letter, dated the 14th November 1942, addressed by Dhun to Miss Bliss, was also produced.

The Committee state :—

“ We are not concerned with the details of the actual conversion and the events which immediately preceded it. The main points for consideration are whether any member of the teaching staff of the Sophia College takes any part in any activity for the purpose of proselytising any of their students. Miss Piloo Nana-

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\*The Archbishop retired from the chairmanship of the Governing Body towards the end of November 1943 : and from the membership of that body late in January 1944.

vatty's statement is rather important in this connection, because it refers to the period subsequent to the assurances given by Mother Anderson. She (Nanavatty) says that in April 1943, Mother Anderson told her that Miss Kalapesi wanted to become a Catholic, and she had made Mother Anderson her *confidante*. The truth of this statement is admitted by Mother Anderson, but she says that the statement that Miss Kalapesi had made her (Mother Anderson) her *confidante* refers to the month of September 1942. Miss Nanavatty was however quite clear that Mother Anderson gave her to understand that she continued to be the *confidante* throughout. Miss Nanavatty further stated that Mother Anderson had said in April 1943 that she did not care if the affiliation of the College was withdrawn, since Mr. Moos, the D.P.I. had assured her that Government would not turn the Order out of India, Mother Anderson says that she does not remember having said anything about the Order being turned out of India, but said that Mr. Moos had told her that Government had the final say in the matter of affiliation, and they need not therefore worry.

With regard to Miss Kalapesi's conversion, Mother Anderson stated she did not think it necessary to inform her parents, since the girl's father knew about her intention, as she learnt from Miss Dhalla ; and at the time of the conversion she was no longer a student of the College.

We questioned Mother Anderson about her attitude towards these conversions. We showed her a letter which she had written to Mr. Dhalla (Appendix "C") in which she had stated that Gool Dhalla's action had her "absolute approval." adding that it could hardly be otherwise. She maintained this attitude before us throughout. Her attitude could be summed up in the following statement which she made :—

If a girl of her College still wanted to be converted to Christianity in spite of her parents' opposition she would have her approval. She would inform the parents, not because she considered it her duty as Principal to do so, but because she had given an assurance to the University on the 10th February 1943, to give such intimation. If a girl wanted to become a Christian against her parents' wishes, once Mother Anderson had informed them about such intention, she thought it her duty to give all possible help to the girl to become

a Christian by showing her how to get over the obstacles in her way. Mother Anderson stated that she considered this to be a purely personal matter, which should not be mixed up with her capacity as Principal. In reply to a question from one of us, she categorically stated that if a girl in her College approached her for help to become a Christian against her parents' wishes, so long as the parents had been duly informed of the intention of the girl by her (Mother Anderson), she would still consider it her duty to help the girl to become a Christian. She did not think that her position as Principal imposed any obligation on her not to act against the parents' wishes in the matter of the girl's intended conversion.

We could gather from the answers that Mother Anderson gave us that the College was conducting a reading circle after regular College hours, at which general reading outside the syllabuses prescribed for University examinations was done. Thus, she used to read Dante's "Divine Comedy" with the girls. In so far as questions relating to the Catholic religion arose out of the subject-matter of the poems, she admitted that she explained the Catholic position, but stated that this was permitted by the Syndicate.

When asked as to why she chose to read 'Dante' rather than any other book, she said that the majority of the girls of their own accord preferred 'Dante' to 'Goethe' whose name had also been suggested by her. She said that she was prepared to stop such classes if they were considered objectionable, but added that 'Dante' was taught entirely from the literary point of view.

Mother Anderson also admitted that the object of the Order was primarily to give education to Catholics so as to make one who is a Catholic in name a good Catholic. While she objected to give permission to start a 'Gatha' circle by Miss Piloo Nanavatty to explain the principles of the Zoroastrian religion to Parsi girls, she would be prepared to allow the principles of the Catholic religion to be explained to the Catholic students in her College. She finally stated that she would be satisfied if only Catholic students joined the College, because the object with which the Mission had started its Institution would be achieved. She stated, however, that she adhered to the assurances given by her to the University, and is still prepared to carry them out.

As a result of the inquiry we have come to the following conclusion :—

1. That the College authorities, under the guise of conducting a "reading circle" explain to non-Catholic students the tenets of the Roman Catholic religion.

2. That non-Catholics are allowed or encouraged to ask questions relating to the Catholic religion so as to give the Principal and the members of the teaching staff belonging to the Order an opportunity to explain the principles of the Catholic religion.

3. That the Principal of the College has failed to realise her responsibility as the Head of an Institution affiliated to the University of Bombay to the parents of the students, inasmuch as she says that she would be prepared, even after the assurance were given to help a non-Catholic student to become a Christian contrary to the parents' wishes, so long as she observed the assurance No. 2 in the letter, by informing the parents of the desire of the student to be converted to Christianity.

4. It was clear from Mother Anderson's attitude that she gave the assurances only as a last resort, and only out of fear that the affiliation of the College might be otherwise withdrawn.

*We do not think that the University should continue the affiliation of a College whose Principal believes and acts upon the principle that she is free in her individual capacity to help a student to embrace Christianity contrary to the wishes of her parents.* In our opinion, a person who holds this view cannot be entrusted with the charge of an affiliated College, or of students who are sent to such an Institution by their parents solely for the purpose of qualifying for the various University Examinations for which the College is affiliated. A person who believes that it is her duty to help a non-Catholic student to embrace Christianity contrary to her parents' wishes, and who takes advantage of the device of "reading classes" falling outside the College courses to explain matters connected with the Catholic religion, must, in our opinion, be regarded as committing a breach of assurance No. 1 (Appendix D) if not in the letter, at least in the spirit.

*We think that a case has been made out for disaffiliating the College, and would recommend to the Syndicate that a report be*

made accordingly to the Senate. If the Order of the Sacred Heart wish to achieve their object by making provision in this Institution for educating Catholics in their religion as well as secular matters, they may very well make this clear in their prospectus by informing the public that the College is primarily meant for Catholic students, and that instruction in the Catholic religion will be given in addition to instruction in University courses, and that non-Catholic parents sending their children to the Institution may do so at their risk. This position is at least understandable, but we cannot conceive of a College affiliated to this University being permitted to carry on proselytising activities in the indirect manner in which we are satisfied that it is being done. We may add that in spite of the long period over which Catholic educational institutions have been providing education to non-Catholics in this Province, the only known cases of conversion of students which have occurred are within the period of two to three years since the Sophia College was started. This fact itself is significant. The University has always observed strict neutrality with regard to all religions and religious questions, and should not allow an institution affiliated to it for educational purposes to carry on activities which run counter to this principle.

Sd. B. J. WADIA

(*Vice-Chancellor*).

„ K. M. JHAVERI.

„ M. C. CHAGLA.

„ H. V. DIVATIA.

„ M. Y. HAIDADAY.

Below is added the substance of the evidence before this Committee of some witnesses. Mr. B. F. Bharucha, one of the witnesses before the Committee, had recorded his impressions of the attitude of the Principal within 4 days after an interview he had with that lady.

The substance of his interview may be roughly translated as follows (*Rast Rahabar*, 31-10-1942) :—

A Parsi girl studying in the Sophia College for Women, Warden Road, has turned a Christian. I had been to the College to investigate this matter, and shall state briefly the conversation I had with Mother Superior.

Q.—Is it true that a Parsi girl has become a Christian ?

A.—Yes, on the very day that she completed the 18th year.

Q.—Were her parents aware of this ?

A.—No.

Q.—Did you know that the girl had a tendency towards the Christian religion or that she wished to be converted to Christianity ?

A.—Yes, we did hear some such story.

Q.—Did you then inform her parents about such tendency (or intention) of hers ?

A.—No.

Q.—Wasn't it your duty to give such information ?

A.—Why should we give it ?

Q.—Because the parents send their impressive young children to your College in the full confidence that they would get proper education, and if you come to know that any such girl has leanings towards Christianity, isn't it your duty to inform the parents ?

A.—Of course not. Why should we inform ! We would be too glad indeed if any body comes to our religion.

Q.—This seems to be a serious matter. Do you teach the Bible in your College ?

A.—We teach the Bible to the Christian students, and to others—general morals.

Q.—Is there a Church (or Chapel) near your College ?

A.—Yes, there is, but the girl has not been converted to Christianity in this (Church or) Chapel.

Q.—This is indeed reviving the old story of the Rev. Wilson who used to attract children to Christianity.

A.—We are not particularly attracting any body to Christianity, but if any body is attracted we do not disapprove of the same.

Q.—Do you know that in the case of the Rev. Wilson there was a strong opposition in the Parsi community, and also on this occasion the parents will be very much stirred and your institution may have to suffer.

A.—*Why? But even if that is so, we still consider our religion to be the best in the world. We shall put up with any loss or inconveniences we shall have to suffer for that.*



Co-religionists ponder over this : I ask the Parsi community to take a warning and try to save their innocent children.

The substance of the Committee's discussion with the Principal may be given as follows :—

At the outset, the Vice-Chancellor told Mother Anderson that the Committee was appointed by the Syndicate on her request that there should be a full inquiry into the allegations made against the Sophia College regarding the conversion. He stated that this Committee had to report to Syndicate whether the assurances given by her (Mother Anderson) had been kept or whether they had been broken in the letter or in the spirit.

Mother Anderson.—I remember a letter written by me to Miss Dhalla's father (Letter read out by the Vice-Chancellor).

Mr. Dhalla replied to this. (The Vice-Chancellor read out a copy of this.)

I knew of Miss Dhalla's intention about a month or so before her conversion. I did not inform the parents.

(The questions and answers published in the *Rast Rahbar* were read out to Mother Anderson by the Vice-Chancellor. She was furnished with a copy of the translation of these.)

I did not consider it my duty to inform the parents, but I urged the girl to inform her parents. After the assurances given by me, I would have considered it my duty to inform the parents, because of the promise I had given. Miss Dhalla told me that she did not wish to tell her parents as they would prevent her from becoming a Christian. Even then, I did not consider it my duty to inform the parents. *The assurances were given by me at the point of the bayonet.* If I had not given them, we would have been disaffiliated. I did not say in my letter that I gave the assurance under a threat of disaffiliation. You did not say that we should be affiliated if I did not give the assurances. The assurances were voluntary in the sense that I had a choice of two evils. The assurance binds me to tell the parents. I am in *loco parentis* only for boarders, not for day students. I came to know of Miss Kalapesi's intention before she left us. She mentioned it to me, and I did not think it my duty as I did not give any assurance then. She never saw me once after she left the College until she was actually converted. She told

me about September 1942. I have seen Pilo Nanavatty dozens of times. I may have said that Dhun had made me her *confidante* about her conversion, in September 1942. I do not remember having said anything about our Order being turned out of India. It is true that Mr. Moos had told me that Government had the final say in the matter of affiliation and we need not therefore worry. She sent me just two notes saying "I am keeping well" or something to that effect. I was no longer responsible for her after she had left the College. Mr. Kalapesi spoke to me over the phone about the end of 1942 about what he considered our want of trust. I did not inform the parents since (1) she was no longer our student and (2) her father knew about her intention. If a student still wanted to be converted she would still have my approval; I would inform the parents. I would help her to become a Catholic. We have a reading circle, if religious matters come up, we are bound to explain. No book regarding religion is put in their hands. I used to read 'Dante' with the girls. I had given them a choice between 'Dante' and 'Goethe.' Dhun Kalapesi was a friend of Gool Dhalla. There are no religious classes. We teach 'Dante' entirely from the literary point of view. They wanted to do something outside their course. 'Dante' was not chosen for the purpose of explaining the Catholic position. If you want us to stop the reading circle I am prepared to do so. Miss Kalapesi's conversion did not surprise me. Ours is the only Institution of the Sacred Heart in India. We were asked to come by the present Archbishop. Father Goodier had first asked us before the last war. Our object is to make the nominal Catholic a good Catholic. If a girl came to me as a minor, I would ask her to wait until she became a major. If a girl wants to become a Christian against her parents' wishes, I would inform her parents, *but I think it my duty to give her all help to become a Christian by showing her the way of getting of her obstacles.* That is a purely personal matter. I think I have two capacities, one as Principal and one purely personal. Pilo Nanavatty asked for permission to start a 'Gatha' circle! I objected to it because it was for spreading Zoroastrianism in a Catholic College. I would not prevent a person from explaining the principle of the Catholic religion in my College. I would be certainly satisfied if we could get only Catholic students to teach in our College. I have stuck to the assurances and am still prepared to carry them out.

It is unnecessary to load this brochure with the evidence of the Kalapesi family, or other witnesses.

*Archbishop's letter dated the 25th November 1943*

Dear Sir,

In connection with the action now being taken against the Sophia College for Women, I have learnt with surprise that my own part in the conversion of the two Parsi girls has been obscured to the injury of the College, in spite of my having deliberately baptised both girls myself, and making this known in order to shoulder the full responsibility as head of the Catholic Church in Bombay.

In view of the fact that attempts are also being made to implicate the College further by reference to the fact that I am Chairman of the Governing Body of the College, I have notified the Secretary of my resignation from that office.

I shall be grateful if you will kindly convey the substance of this letter to those whom it may concern in any way you think fit.

(*Sd.*) T. D. Roberts,  
*Archbishop of Bombay.*

*Note by Mr. K. T. Shah, Member of the Syndicate, on the Report of the Syndicate Committee on the Sophia College for Women*

While welcoming the recommendations, findings and investigations contained in this report, I am afraid the Committee has interpreted the reference made to them unduly narrowly. The Committee being essentially the same as was appointed on my original proposition made in October 1942, the entire case, including all the correspondence in connection with it, must be taken to be before the Committee to be investigated into ; and not merely the assurances given by the College authorities last February, nor merely the single case of conversion happening thereafter.

It is because of this restricted interpretation that, I think, no reference is made in the report to the letter of the Principal, dated the 8th Decmber, 1942, with an accompaniment from the Archbishop, as Chairman of the Governing Body of the College, which specifically draws the Syndicate's attention to the complaints received from Catholic Associations throughout the Province, and contains

a threat which describes this "agitation" as amounting to interference with "freedom of conscience."

The Committee has also omitted to scrutinize closely and sufficiently the conditions and reservations attached to the assurances given by the Principal, which, in my opinion, scarcely conceal the real aim of this institution.

As regards the Archbishop's letter, *the Committee has given no guidance to the Syndicate on the larger question as to whose freedom of conscience is invaded, and by whom.* Freedom of conscience as generally understood is the right of every one to follow the religion he or she chooses. It does not include, I submit, the right to undermine the religious beliefs of immature children in educational institutions conducted by the followers of a particular religion. If that is included, I am afraid, in a country like India, civic liberty and religious toleration would become mere names, as, in the guise of the so-called right of "freedom of conscience" activities would be carried on in secular institutions that may embitter religious feelings to an intolerable degree.

The Archbishop is Chairman of the Governing Body of the College ; and he has written in that capacity. He is also the Ecclesiastical Superior of the Body conducting this College. This may seem irrelevant to the issue before us ; but, in so far as in that capacity he may compel the authorities of the College to ignore or evade the basic requirements of the University, on such points, it is of the utmost importance for the University to guard against it.

This is particularly so in regard to the dual capacity of the Principal of the College, who is also a Nun of the Society of the Sacred Heart of Jesus. As Principal, she is amenable, to some extent, to the University under the Act. As a Nun, on the other hand, she has taken vows which may make her compliance with the requirements of the University on such matters impossible. If she gives assurances of the type already given, they may be evaded, or conditioned in a manner, not at all consistent with the spirit of the University. This aspect has been clear to the Committee ; and so I would not labour the point any further, beyond observing that the difficulty is inherent in the constitution, aim and objects of this Society, as I have already pointed out on an earlier occasion.

Taking, next, the wording of the assurances and the conditions attached thereto, it is clear that the assurances can at most bind only the nuns and the teachers, and/or those admitted to the College by the College authorities. They do not bind in any way a student under the influence of the nuns, who has already foresworn the religion of her fathers ; and who may be willing to carry on proselytising activities for her new faith. This has actually happened, I believe, in the case of the second conversion, and may happen in regard to others, if the point is not sufficiently cleared up and guarded against.

I have no desire to add to this note, as the Committee's recommendations coincide with my view regarding the disaffiliation of this College. The points made above are, therefore, only intended to reinforce their conclusions and recommendations.

(*Sd.*) K. T. SHAH.

## VII

The decision of the Syndicate to recommend to the Senate to record its opinion in favour of disaffiliating the College (for text see below) appeared in the leading papers almost immediately after it had been taken. Needless to add that it was in breach of confidence and without any knowledge or authority on the part of the Syndicate. The moment, however, such publicity had been given, was the signal for a storm of protest organised all over the country.

After the Senate agenda had been circulated to Fellows, a countrywide agitation was organised, and relentlessly carried on, first to ask the Senate to desist from the course recommended by the Syndicate, and, after the Senate had taken their decision protesting against that step.

The College authorities were the first to open fire by a letter dated 27th January 1944.

*Letter dated the 27th January 1944, from the Hon. Secretary, Governing Body, Sophia College for Women*

“ I am directed by the Governing Body of the College to write to you requesting that the following representation may be placed before the Syndicate for their consideration and decision at their next meeting which, we understand, is to be held shortly.

We find from the Agenda of the meeting of the Senate recently circulated that a special meeting has been called on the 12th February to consider the motion for the disaffiliation of the College on the ground that the assurances given by the Principal of the College have not been kept, and also the motion to extend the affiliation of the College under certain conditions.

We also find that the Syndicate has resolved not to move the resolution regarding extension of affiliation in the event of the motion for disaffiliation being passed, as the two motions are in their opinion contradictory.

The Governing Body of the College would submit that there is no inconsistency or contradiction involved in moving the second resolution even after the motion for disaffiliation was carried. The second motion would be prejudiced by the adoption of the first if the Senate were the final authority in the matter of affiliation or disaffiliation, and if its decision in the matter was final and binding. But, as the members of the Syndicate are aware, the Senate can under Section 42 of the Act only express an opinion, and the final decision rests in the hands of the Provincial Government.

Just as the Syndicate felt that they could not prejudge the decision of the Senate by refraining to send up the motion for extension of affiliation even after the adoption of the sub-committee's report for disaffiliation, it is hereby respectfully submitted that the Senate likewise cannot prejudge the decision of the Provincial Government in the matter, and assume that the said Government will wholly endorse the opinion or recommendation of the Senate.

In case the second motion regarding affiliation is not moved, and the Government for some reason or other feel unable to accept the recommendation of the Senate, then the anomalous position will arise of a College which is neither affiliated nor disaffiliated. This will inflict on the students of the College a grave hardship, leaving them in an awkward undefined situation. It may also involve the staff in serious difficulties, not to speak of the grave inconveniences the College may be subjected to.

I have, therefore, the honour to request that the Syndicate may be pleased to rescind their previous resolution, so that Dewan Bahadur Jhaveri may move the resolution he has given notice of, perhaps with some verbal modification or proviso to the effect that the motion is subject to the Government's decision in respect of the previous motion for disaffiliation. The passing of the two motions would only mean that while the Senate does not object to the extension of affiliation on academic grounds (Section 39), it objects on other grounds, and would involve no real inconsistency or contradiction."

*Resolution of the Syndicate on the above*

"Resolved that the letter be circulated to the Senate for their information with a note that the Syndicate do not agree with the

contentions raised by the Hon. Secretary of the Governing Body of the College in her letter.”

*Rejoinder by Mr. K. T. Shah, dated 30th January 1944*

To the Secretary's letter, Mr. K. T. Shah, a member of the Syndicate, made the following rejoinder, on the 30th January 1944, in a letter to the Registrar.

“With reference to the letter, dated the 27th January 1944, from the Hon. Secretary, Governing Body, Sophia College for Women, Convent of the Sacred Heart, Warden Road, Bombay, addressed to you ; and the decision taken on the same by the Syndicate at their meeting yesterday, to the effect that the communication be circulated to the Senate at the *Special* meeting of that body, to be held on the 12th February next, together with a Note that the Syndicate, while circulating the letter of the Hon. Secretary, should not be taken to agree with the reasoning therein, will you allow me to submit the following for the consideration of the Vice-Chancellor ; and, if it seems proper to him, for circulation to the Senate at the Special Meeting of that body on the 12th prox., along with the letter of the Hon. Secretary.

At the outset may I state that I am making this request, and submitting the considerations contained herein below, not only in my capacity as a member of the Syndicate, but also as a member of the Local Enquiry Committee in regard to the application of that College for continuation of affiliation, who has written a Note to the report of the main Committee differing substantially from the trend of that Report ; and also as member of the Senate in charge of the proposition, item No. 1 in the business before the special meeting of the Senate. In each one of these capacities the undersigned has an interest and concern to see that the contents of the letter of the Hon. Secretary do not go to the Senate, and, therefore, to Government, without anything being on record against the main contentions of that communication, beyond the brief disagreement of the Syndicate to be added in a footnote at the time the document is circulated. Accordingly, I have ventured to submit the following considerations to the Vice-Chancellor, in the earnest hope that my request will be granted ; and that this communication will also be circulated, wholly or in such extracts as the Vice-Chancellor may



deem sufficient to meet the points made in the letter of the Hon. Secretary, Governing Body, Sophia College for Women, Bombay.

The Governing Body's main contention is contained in Para 4 of the Hon. Secretary's letter. They hold that there would be no inconsistency or contradiction in moving the second item even after the first, recommending disaffiliation, had been passed by the same body at the same sitting. Their ground is that the Senate is not the final authority in matters of affiliation as well as disaffiliation ; but that the final authority rests with the Government both under Section 39, and Section 42 of the Act. Without disputing that position in the least, the undersigned does not at all see how the Syndicate can be said to be acting improperly in deciding not to move, on their own behalf, two motions at the same Sessions of the Senate, one of which seeks to disaffiliate, and the other to continue the existing affiliation of, the same institution. Responsible for preparing the greater part of the agenda before the Senate, and entitled, under the Statutes, to consider, in the first place, all motions to be placed before the Senate, and express their own opinion on the same, the Syndicate have the inherent right, in virtue of the responsibility cast upon them by the Act and the Statutes made thereunder, that they should do nothing which would result in self-stultification of the body whose agenda they are charged with preparing, or considering and expressing their opinion about, by way of information or guidance to the Senate.

Even had the Syndicate taken no decision to the effect that these two mutually incompatible motions should not be moved, in their name at least, and with seemingly the cachet of their approval, *the Chair has, it is respectfully submitted, the inherent right to prevent the body presided over from recommending, at one and the same sessions, two wholly inconsistent, and mutually contradictory, courses in regard to one and the same institution.* This last, it may be said, is a matter within the discretion of the Chair, which could only be exercised when the body presided over is duly convened, and actually in Session. But, without affecting the responsibility of the Chair at the time the situation described above arises, the Syndicate is, nevertheless, entirely within its rights, to guard against its own preparatory action being misconceived.

Incidentally, it may be pointed out, that even though, under Syndicate decision referred to, the second motion tabled on the agenda paper of the Special Meeting of Senate cannot be moved, if the first is passed, as *recommended by the Syndicate*, that does not mean that any member of the Senate cannot move on his own responsibility that proposition, if the Chair sees no objection to that course. The Syndicate decision thus binds, if at all, its own members ; but cannot and does not affect, much less prejudice, the rights of the members of the Senate.

*The requisitionists, it may also be added, have asked for a special meeting to secure the fullest possible discussion in the presence of the largest possible attendance.* If after disposition of the main business, attendance thins off—as is not unlikely—the attempt to discuss the second motion, even if permitted, will be open to the charge that the sponsors, not getting their point in a full house, were asking to get a snatch vote. This could hardly be creditable, not to say fair to the Syndicate.

The fact, moreover, that the Senate is not the final body, under the Act, in the matter of affiliation or disaffiliation of colleges, does not in any way affect the position taken by the Syndicate. For, under Sections of the Bombay University Act referred to above, the entire body of proceedings, and all the documents concerned with the matter, have to be submitted to Government, while the University makes the final report on the subject. Even, therefore, though no actual resolution be passed, or rejected, on the particular matter (item 2 of the special meeting), the report of the Local Enquiry Committee, the Notes to the same, the proposition of the Syndicate framed on the same and the Report of the Academic Council, together with such amendments as may be tabled on that item, will *all* have to be forwarded to Government, as required by the Act. The Syndicate, by the action complained of, have not done anything which would in any way prejudice the rights of Government, or prejudice the main issue of disaffiliation, as well as continuation of affiliation. They have only endeavoured to guard themselves against a likely charge of self-stultification ; and to save the Senate, also from a similar predicament, in virtue of the responsibilities charged upon the University Executive in that behalf by the Act and the Statutes.

The undersigned has no intention to read in the letter of the Hon. Secretary, Governing Body, Sophia College, more than it states. But reference, in that document, to the *final powers* resting with Government in the matter of affiliation or disaffiliation is liable to be read as a threat, which I trust it was not their intention to hold out. If the Senate has no right to prejudge the final action of Government, much less has the Governing Body of any affiliated institution any right to threaten that, notwithstanding a clear decision of the Senate, Government will act contrary to that recommendation, merely because the letter of the law gives them the technical power to do so, in open disregard of the clearly expressed opinion of the authority solely entitled to initiate and conduct all preliminary enquiries, and after the fullest possible investigation and consideration by those competent and experienced to judge.

In conclusion, may I request that this might be treated as urgent? Should the Vice-Chancellor feel any hesitation in ordering this to be placed before the Senate on his own authority, I would suggest the Syndicate's consent and concurrence be obtained in writing by circulating this among the members, and requesting them to signify assent or otherwise against each individual's name so that the points herein advanced may be before the Senate in time for the Special Meeting.

(Sd.) K. T. SHAH.

The Governing Body of the College followed by a detailed statement challenging the Syndicate decision which is reviewed more fully below. College students and staff and Catholics all over the country joined in the protest as an act of invasion of the freedom of conscience and the rights of Minorities. The agitation grew in proportion as days went on to such an extent that, at the Special meeting of the Senate on the 12th February 1944, a statement was made that some 1500 letters, telegrams and post-cards had been received by way of such protest. A steady campaign in the daily and periodical press was also inaugurated and maintained against the Syndicate decision. Even after the Senate had passed the motion for disaffiliation, the agitation has in no way abated.

## STATEMENT OF THE GOVERNING BODY, SOPHIA COLLEGE

Shortly after the Syndicate decision, to be placed before the Special meeting of the Senate, had seen the light of day, the Chairman of the Governing Body issued a lengthy statement, challenging the procedure adopted by the Syndicate Committee, as well as their findings.

The Governing body had, in the meanwhile, been reconstituted, mainly because the Archbishop had retired from the Presidency of that, carefully locking the stable door after the horse had bolted. There was every ground to question if this resignation, even at that date, was of any avail or legal effect. For under the constitution of the Society for the Higher Education of Women in India,—the recognised Governing Body of the College,—the Archbishop of Bombay, while he was a member of that Society, as he then was, had to be *ex officio* Chairman, or President. After considerable dialectical manoeuvring, when it had been made clear beyond the possibility of a doubt, that the resignation as Chairman only would be of no avail or effect, while the Archbishop remained member of the Governing Body, his resignation, or withdrawal, from membership also was communicated to the authorities concerned.

The Statement begins with a brief history of the two cases of actual conversion,—in which girls studying in this College either at the time of the conversion or some time before, were concerned. In the first case, they emphasised that the student had made up her mind to become a Christian long before she joined the College. Only the fact that she was not of age legally to change her religion had stood in the way of her baptism. The day she became eighteen and legally competent for the purpose, she took her own steps to secure admission into the Church. The College authorities, the statement insists, had nothing to do with the matter.

In the second case, though the process of conversion had begun, the Statement records, while the student was still in the College, her parents had withdrawn her the moment they became aware of her intentions. Her conversion process had been begun, the Statement adds, through the influence of her friend and fellow student, the first convert. In any case she was beyond the influence of the College authorities a whole year before she was actually converted. The College authorities had not only no hand in the conversion, but also in the judicial proceedings that had taken place in securing her release from her parents' home.

The Statement next proceeds to point out that the Principal of the College had asked for a full enquiry into the allegations of proselytising, and had promised every facility to that end. No such enquiry was, nevertheless, held, either on the first occasion when the Assurances were demanded, nor on the second when the Committee confined themselves to the question whether the assurances given were kept in the letter or in the spirit.

The Statement then quotes the assurances that the Principal was called upon to give, and reviews the conclusions of the Syndicate Committee.

Let us look, they say, closely into the conclusions of the Committee on which the recommendation for disaffiliation is based.

(1) That the College authorities, under the guise of conducting a 'reading circle', explain to non-Catholic students the tenets of the Roman Catholic religion.

The evidence for this is that Dante's "Divina Commedia" was the subject of a cultural study circle. As this poem contains many references to Catholic history and theology, occasional explanations were given for the elucidation of the text.

Of course, a sinister meaning may be read and a sinister motive ascribed—as the Committee unfortunately do—to the choice of the particular book. Yet this assumption is proved to be groundless by the fact that a choice was given to the girls between Dante, the greatest poet of Italy and one of the greatest poets of the world, and Goethe, the greatest poet of Germany. Now, no cultured person can say that Goethe is an exponent of Catholicism. On the contrary, in his religious outlook he is considered to lean towards pantheism, and in his philosophic disquisitions to idealism or transcendentalism, which is opposed to Catholic philosophy. If Dante was chosen rather than Goethe, the choice, as explained by the Principal, was freely made by the majority of the girls themselves, and by no means forced upon them by the nuns of the College. It may be noted in this connexion that authors like Bernard Shaw, G. K. Chesterton, William Blake and Rabindranath Tagore were previously read in this circle, a clear proof that the choice has always been dictated by cultural, not religious, interests.

Mother Andersson has declared frankly that Dante was read from the literary point of view, but that she explained the Catholic position when the subject matter demanded it. But this was permitted by the University.

A University which banned Dante because its reading might undermine the faith of its pupils, would be the laughing stock of the world.

(2) That non-Catholics are allowed or encouraged to ask questions relating to the Catholic religion so as to give the Principal and the members of the teaching staff belonging to the Order an opportunity to explain the principles of the Catholic religion.

There is no evidence adduced in the report or its appendices to substantiate this charge. Given the chance, we could produce evidence that no undue influence is brought to bear on non-Catholic students in matters of religion.

(3) That the Principal of the College has failed to realise her responsibility as the Head of an Institution affiliated to the University of Bombay, to the parents of the students, inasmuch as she says that she would be prepared, even after the assurances were given, to help a non-Catholic student to become a Christian contrary to the parents' wishes, so long as she observed the assurance No. 2 in the letter, by informing the parents of the desire of the student to be converted to Christianity.

The question of helping a student was raised, as Mother Andersson says in her explanatory letter, dated 2nd December, 1943, attached to the Report, specifically with reference to a girl who was turned out of the house for wishing to become a Christian. She felt she was bound to help her if she came to her for assistance. That is a matter of common charity which is irrespective of any religious motive. It is not fair to the Principal or the College to give a generic meaning which the context does not bear and on that basis condemn the College.

Looked at from the practical point of view, once the parents were informed of the girl's intention to embrace Christianity, the parents would naturally withdraw the student from the College and the further hypothesis of help would not arise. If, however, the

parents kept the girl in the College, it would show that they did not mind the prospective change of religion, in which case the hypothesis of a conversion against the parents' wishes does not arise.

One can hardly imagine that it is proposed to disaffiliate a College on a supposition which is purely hypothetical.

(4) It was clear from Mother Andersson's attitude that she gave the assurance only as a last resort, and only out of fear that the affiliation of the College might be otherwise withdrawn.

This may be true, as no one would be glad to give the kind of assurances that were demanded by the University. But it is no less true that, having given them, the Principal has stated she was prepared to keep them in the spirit and in the letter, and has acted accordingly.

(5) We may add that in spite of the long period over which Catholic educational institutions have been providing education to non-Catholics in this Province, the only known cases of conversion of students which have occurred are within the period of two to three years since the Sophia College was started. This fact itself is significant.

We believe the Committee are misinformed in this matter, and cases of conversion have occurred in the past in Colleges both in this Province and elsewhere in India, but neither this University nor any other has ever thought it proper to take notice of these occurrences, the matter evidently being thought the concern of individual conscience and not of the University. The Committee also seem to imply that the mere fact of conversion is sufficient proof of "proselytising activities," which begs the question and interferes with an objective view of the facts.

(6) The University has always observed strict neutrality with regard to all religions and religious questions, and should not allow an institution affiliated to it for educational purposes to carry on activities which run counter to this principle.

We would submit that religious neutrality of the University merely implies that the University does not favour one religion as against another, and does not extend to the use of its authority to

discourage a change of religion on the part of University students, by penalising the Colleges whenever such change of religion occurs. Freedom of conscience being guaranteed to them by law, any such action on the part of the University would amount to a breach of religious neutrality.

It is inconceivable—yet it is true—that the Committee propose to disaffiliate the College not on any facts showing that the assurances have been broken, but on mere supposition of what may happen under certain contingencies which are practically impossible, or on mere suspicion of motives.

It is hoped that the University will go into the matter thoroughly and weigh all the evidence dispassionately, before a decision is taken, giving due weight to the unchallengeable fact that girls of all communities continue to be students in the College, whether as boarders or day-scholars, in spite of the campaign that has been waged against the College in the Press and on the platform. This shows that non-Catholic parents, who are in a position to know the real facts, are evidently satisfied that the allegations against the College are without foundation.

(Sd) D. FERREIRA,

Chairman, Governing Body of Sophia College.

Comments and correspondence in the Press, and protests at public meetings began to grow in volume all over the land. It would however swell the bulk of this volume beyond all reasonable proportions were notice taken of all that, especially as much of it is inevitably repetition. The next section accordingly, deals with the discussion in the Senate.



## VIII

Next follows consideration of all this material in the several University bodies concerned with the matter.

The Academic Council considered all this material, at their meeting held on the 14th January 1944 ; and came to a resolution, by a majority, substantially agreeing with the Syndicate. That body also considered all this material on the 15th January 1944, and adopted a resolution (given hereafter) recommending disaffiliation *without a single dissentient*.

The matter next went, in due course, and as required by Section 42, to the Senate. A special meeting of that body was convened, under requisition, on Saturday, the 12th February 1944, to consider specifically this resolution, as well as the report of the Local Inquiry Committee under Section 40 in respect of the application for the continuation of affiliation of this College.

The matter was discussed in the Senate at a special meeting held on Saturday, the 12th February, 1944, called by the Vice-Chancellor in consequence of a requisition under Statute 7, intended to facilitate the fullest discussion in the largest house possible. The following is taken from the Minutes of that meeting :—

### 1. Motion for the disaffiliation of the Sophia College for Women.

Mr. K. T. Shah has given notice of his intention to move, as recommended by the Syndicate :—\*

“ That the Senate concur with the Syndicate in approving the report of the Syndicate Committee (copy enclosed) recommending the disaffiliation of the Sophia College for Women, record their opinion that, in view of the resolution passed by

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\* For the history of the case and correspondence in connection with it see *ante* . . . . .

the Senate at their meeting held on the 18th August, 1943, that it is desirable to affirm the fundamental policy of the University which is not to permit, in any educational institution conducted by or affiliated to it, any activity which has for its object the conversion of students from one religion to another, and in view of the fact that the assurances given by the Principal of the Sophia College for Women by her letter, dated the 10th February, 1943, have not been observed by her in the spirit, the rights conferred on the said College by affiliation be withdrawn in whole under the provisions of Section 42 of the Bombay University Act."

The minutes of the Special meeting record :

Before taking up the item on the agenda, the Vice-Chancellor stated that he wanted to make two statements which had nothing to do with the merits of the items on the agenda. The first was that after the academic Council and the Syndicate had resolved to recommend to the Senate that the Sophia College for Women be disaffiliated, a report had appeared in some papers about these resolutions. This publication was an irregularity which the Vice-Chancellor regretted, but he wanted to make it clear that this publication was unauthorized, and neither his permission nor that of any Officer of the University had been obtained by the newspapers concerned for such publication.

The second statement that he wished to make was with regard to Item No. 1 on the agenda. A number of letters, post cards, petitions, telegrams and cuttings from the press had been sent to him by individuals and associations during the last 8 or 9 days protesting against the proposed disaffiliation. The reason why he mentioned this was that in some of these communications a request was made to place the protest before the Senate, but since, according to the rules of procedure of University, no matter could be placed before the Senate unless it had been previously put before the Syndicate, he could not place these communications before the Senate but had asked the Registrar to place them before the Syndicate at their next meeting. He was making these two personal statements in order to make the Senate aware of things that had happened since the last meeting of the Syndicate.

1. *Motion for the disaffiliation of the Sophia College for Women :—*

Before the Vice-Chancellor could call upon Mr. K. T. Shah to move the motion for the disaffiliation of the Sophia College for Women standing in his name, Dr. D. D. Karve raised a point of order whether Item No. 2, being a motion for the continuation of the affiliation of the College, should not have been placed before Item No. 1 which was a motion for disaffiliation. Dr. Karve referred to Statute 13 (4) which, he stated, contained no reference to motions for disaffiliation.

The Vice-Chancellor *ruled* that the motions standing on the agenda of the Senate were in their natural and logical order, since the question of disaffiliation would have to be decided upon before proceeding to the question of affiliation. Further, though Statute 13 (4) did not specifically refer to disaffiliation, questions of disaffiliation were so closely allied to those of affiliation that it was not possible to separate the two.

*Mr. K. T. Shah* then moved, as recommended by the Syndicate :—

(*For the text of the motion and amendments see 'ante' . . . .*)

At this stage, Mr. A. Soares raised a question whether the motion for disaffiliation was in order. He stated that the conditions for the alleged breach of which disaffiliation was being recommended did not fall within the purview of the Bombay University Act. Specific conditions had been laid down for affiliation by Section 39 and there was an implicit understanding that the rights conferred by affiliation could not be withdrawn so long as the conditions of Section 39 (1) were maintained. Section 42 did not say that a motion for disaffiliation could be brought on any grounds whatever and it did not confer powers which go beyond Section 39 (1) of the Act. The prevention of conversion was not one of the objects for which the University was founded.

The Vice-Chancellor *ruled* that the motion was in order observing—

“ In my opinion, Mr. K. T. Shah's motion for disaffiliation is in order. The terms of Section 42 (1) of the Act are very wide and they are also quite clear and unambiguous.

Section 39 (1) refers to the conditions which must be satisfied before a College can be affiliated. The term 'conditions of affiliation' is not specifically referred to in Section 39 (1), but the term is mentioned in Section 21 (h), and it presumably refers to the conditions of affiliation mentioned in Section 39 (1). Section 42 (1) refers to grounds for disaffiliation. There is no justification, in my opinion, for holding that these grounds are restricted to or cannot travel beyond the scope of the 'conditions' specified in Section 39 (1). If the legislature intended this, it could have easily provided in Section 42 (1) that the statement 'of grounds' to be given by the member of the Syndicate must specify which one or more of the conditions in Section 39 (1) have not been satisfied. In the absence of any such restriction, either in express words, as we have in Sections 40 and 41, or by necessary implication, a restrictive interpretation cannot be put on Section 42 (1). Moreover, as I have stated, the words are clear and unambiguous; and according to a rule of interpretation referred to by Maxwell in his book on the Interpretation of Statutes at pages 1 and 2, the words must be construed according to their ordinary meaning.

I may add that the 'grounds' for disaffiliation are nowhere defined or specified, but according to my reading of the Section, a member of the Syndicate can choose his own grounds whether they are covered by Section 39 (1) or not. There are adequate guarantees in the procedure laid down by that Section against a College being disaffiliated on inadequate grounds. A member of the Syndicate alone can bring a motion for disaffiliation; the College concerned is given an opportunity to show cause; the Syndicate can inspect and hold an inquiry if it chooses; the Academic Council must be consulted; and the final order can only be made by the Provincial Government."

Mr. Soares then raised a further point of order. He stated that the procedure followed in the present case was not in accordance with Section 42. The issue was whether the assurances given by the Principal of the Sophia College for Women had been broken. This charge had not been put to the Principal as required by Section 42, and no notice had been given to her to submit her representation with regard to this charge.

The Vice-Chancellor *ruled* that there was no substance in the point of order, since the procedure prescribed by Section 42 had been followed. The proceedings in this case had been started by a notice of disaffiliation sent by Mr. K. T. Shah to the Syndicate. A copy of the written statement of the grounds submitted by Mr. K. T. Shah in support of his motion had been forwarded to the Principal of the Sophia College for Women, and a representation in writing had been submitted by her (*vide* her letter of the 8th December 1942). This was considered by the Syndicate. The assurances came subsequently as a result of the discussion that the Principal of the College had with the Committee. The Syndicate had accepted those assurances, but since the motion for accepting those assurances had been referred back by the Senate to the Syndicate, the same Committee investigated the question whether these assurances had been kept or broken. The proceedings under Section 42, which had been started by the motion of Mr. K. T. Shah, were thus continued.

#### *K. T. Shah's Speech on the Motion for Disaffiliation*

Mr. Shah then proceeded with item No. 1. Commending his motion the speaker observed that the occasion was unique, and the issues far reaching, not only upon University education, but, perhaps, even on the peace and harmony of the country. Recognising the gravity of the occasion, he promised that he would not by a phrase or a gesture convey anything that might needlessly give offence, or complicate the issue.\*

Mr. Shah did not care to go into the history of the case ; but cleared his own position, at the very outset of his remarks. He had been opposed to this institution being affiliated from the very beginning on three grounds, viz. that (1) the Society conducting it was a foreign, reactionary organisation ; (2) that it would set

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\*No official record is kept of the speeches made in the Senate ; but the substance of Mr. Shah's speech, as given above, is taken from his own notes on which the speech was based. We have consulted those present on the occasion, and seated near Mr. Shah, and find that the substance as given here accurately reproduces the essence of his remarks.

We have not added the substance of other speeches, as many of the arguments advanced on either side appear to have been repeated in the Press correspondence that has ensued.

back the clock by reversing the principle of co-education in the University stage, which had been the rule in this Province ever since the foundation of the University ; and (3) the Society of the Sacred Heart, being an international organisation, outside the control of any authority in the British Commonwealth, it might prove unamenable to any regulation, control, or discipline that the University might need to exercise. In this matter, however, after his objections based on these considerations had been negatived by the Senate, he was content to abide by the decision ; and so had not allowed any trace of these considerations to influence his action in the present case.

The present was a matter of introducing proselytising activities, in a public educational institution, which was definitely counter to the long established and deeply cherished policy of this University. His only object, therefore, in initiating proceedings in this case was to keep institutions affiliated to the University free from any suspicion of such activities. Cases had been reported of actual conversions of students in the Sophia College, which drove him to demand a searching enquiry on pain of disaffiliation. A Syndicate Committee, composed of eminent jurists, impartial and representative of all communities, enquired into the matter in the first instance ; and took the view that, rather than pursue the enquiry into details of what had actually happened, it would be better if the College authorities could agree to give assurances against any repetition of such happenings in the future. After some discussion and negotiations, assurances were given, which satisfied the Committee and the Syndicate ; and, as a loyal member of that body, though he himself could not find those assurances sufficient, he agreed to leave the matter at that stage. That is why he had tabled no amendment to the Syndicate proposition recommending acceptance of these assurances, and dropping all further steps for the disaffiliation of the College, even though he himself was not satisfied.

But, on the very day of the Senate meeting in August last, new developments were reported, which required, the speaker felt, further investigation. He, therefore, moved a reference back of the entire case for reconsideration by the University authorities concerned ; and as the Senate accepted that motion, the enquiry was once again resumed.

Exception had been taken, directly or by implication, to the composition of the enquiry committee, as also to the procedure adopted to carry out the enquiry. Mr. Shah, however, pointed out that, given the primary condition that the enquiry had to be conducted by a University body, no more impartial tribunal could be established ; and no other procedure followed. The University Act gave no powers such as the High Court has ; and so witnesses could not be summoned, nor cross-examined, on oath, nor compelled to produce documents. And if the Syndicate Committee could not have such powers, indispensable for a judicial enquiry, no Senate Committee could have them either, such as was proposed in the Amendment,—which, therefore, appeared to him to be only a dilatory device. The personnel of the Syndicate Committee included two of the actual Judges of the High Court, and two more had been formerly such dignitaries ; while the fifth member was a seasoned advocate of ripe experience and mature judgment. Two, again, of the members of the Committee were Muslims ; two Hindus ; and one a Parsi. The speaker himself, though a prime mover in the entire affair, was excluded, even though a well-known convention required the contrary, simply out of the Syndicate's desire to keep that body as much beyond suspicion of prejudice or bias, as possible.

It was such an impartial Committee of seasoned lawyers of all communities, which had unanimously found that the activities complained of were being carried on ; and that their previous policy of trusting to assurances obtained from the College could not be depended upon. The Committee, therefore, unanimously recommended that a case had been made out to recommend disaffiliation ; and the Syndicate endorsed that decision *nem. con.*, notwithstanding that on the Syndicate was a Jesuit member.

This motion, therefore, may be said to have the support of the entire Committee, and the whole Syndicate ; and a large majority in the Academic Council. It proposes a recommendation to government to withdraw from this College the rights conferred by affiliation, and no more. The College is a public institution, affiliated to a secular organisation, whose regulations and policy it is bound to follow. Having failed to respect its policy of religious neutrality, the institution must abide by the consequences, which affect only that body, and in no sense the Catholic community, or their right

to propagandise in favour of their religion, and seek even converts to the same. There is, in this, no threat to any right of minorities, nor any invasion of freedom of conscience, notwithstanding the attempt of the Archbishop to draw this red herring across the path. If anything, it is the College, which, by the activities complained of, has attempted to invade the freedom of conscience of the community whose girls of immature judgement it has led into another fold.

The speaker went on to defend the composition of the Inquiry Committee and the procedure followed. It had been said that his resolution would amount to violation of freedom of conscience. He could not, however, understand whose freedom of conscience was endangered,—of those whose children were converted, or those who were converting. In a country of many religions the only way in which freedom of conscience could be maintained was by equal tolerance to all religions. The speaker then referred to newspaper reports that starving people in Bengal had been offered a plate of rice to change their religion.

Dr. McKenzie : Mr. Vice-Chancellor, is this a fact ?

Vice-Chancellor : I will ask Mr. Shah to avoid matters of prejudice and not go into extraneous matters.

After Mr. K. T. Shah had spoken on the motion, Mrs. G. R. Billimoria seconded the motion.

Professor D. R. Gadgil then moved the following amendment standing in his name :—

“ In Item No. 1 on the agenda of the Special Meeting of the Senate, convened on the 12th February 1944, *delete* all words following the word “ that ” in the first line, and add the following :—

‘ the Senate are of the opinion that a further inquiry is necessary before taking action on the motion of Mr. K. T. Shah for withdrawing the rights conferred on the Sophia College for Women by its affiliation ; and accordingly appoint a Committee consist-



ing of the following Fellows to make the necessary inquiry and report the result of their findings to the Senate :—

1. The Vice-Chancellor, 2. Sir Chimanlal Setalvad, 3. Dr. John McKenzie, 4. Sir Vithal Chandavarkar, 5. Sir Rustom Masani and 6. the Hon'ble Mr. Justice M. C. Chagla.”

Moulvi M. Y. Hainday raised a point of order whether the amendment was in order, the Senate having exercised the right of making an inquiry on a previous occasion when they had referred the motion back to the Syndicate.

The Vice-Chancellor gave his ruling that Professor Gadgil's amendment was perfectly in order, as it was in accordance with Clause (4) of Section 42, which authorized the Senate to make such further inquiry, if any, as may appear to them to be necessary before recording their opinion. The right to make such inquiry had not been exhausted, as the motion for disaffiliation was now coming up for the first time before the Senate.

The amendment moved by Professor Gadgil was seconded by Principal A. A. A. Fyzee.

\*Prof. Gadgil thought further inquiry was needed, and this need not be misinterpreted as casting any slur on the Syndicate Committee. “Reading their report, seeing the procedure followed, I feel some hesitation in arriving at a proper conclusion. I feel that part of the procedure followed might give rise to a suspicion that there has been some unfairness. The resolution of the Senate of August last affirmed what it said was the fundamental policy of the University ; and we were at that time assured by some of the judicial members who composed the Syndicate Committee that this was not a move to draw the Senate into anything new but an affirmation of something that this University had always practised through past years.” Therefore what the University had allowed in the past could not offend against that resolution. But past practices in this University included compulsory attendance at Bible classes in affiliated colleges.

“Again, in the case of a new college affiliated last year, it was stated in its application that provision would be made for

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\*This summary of Prof. Gadgil's speech is taken from the *Examiner* of the 19th February, 1944.

making religious instruction 'to Muslim students outside college hours.

“ Therefore you do not offend against the Senate resolution if you start a college which is primarily meant for persons belonging to one religious faith, nor if you impart religious instruction relating to one particular faith in that college outside college hours, so long as you do not compel students belonging to other communities to attend those classes.”

The speaker also thought that in demanding the assurances from the Principal, the Syndicate had exceeded its powers.

In the course of the discussion, Mr. B. N. Gokhale raised a point of order whether the procedure adopted had been regular as there had been no inspection by “ any competent person ” as required by Section 42 (3) of the Act.

The Vice-Chancellor ruled that there was no substance in this point of order as the word “ person ” includes persons, the singular including the plural according to the rules of interpretation, and the Committee appointed by the Syndicate satisfied the conditions of Section 42 (3) of the Act.

After the debate on the motion and the amendment had continued for a considerable length of time, Professor T. M. Advani moved and Professor A. K. Trivedi seconded—

“ That the question be now put.”

The Vice-Chancellor accepted the motion for closure, and, on being put to vote, it was *carried*.

Professor Gadgil's amendment was then put to the vote and declared carried on a show of hands (45 voting *for* and 44 *against* it).

Principal N. M. Shah having asked for a division---

As a result of the division, it was found that 43 had voted *for* the amendment and 53 *against* it.

The amendment was thereupon declared *lost*.

The original motion was then put to the vote and declared *carried* on a show of hands.

Dr. D. D. Karve having asked for a division, it was found that 53 had voted *for* the motion and 41 *against* it.

The motion was thereupon declared *carried*.

## CONTINUATION OF AFFILIATION

2. *At the same meeting was considered another application for the continuation of affiliation of the Sophia College for Women.*

Consideration of an application dated 5th August, 1943, from the Principal, Sophia College for Women, Bombay, for continuation of the affiliation of the College, the report of the Local Inquiry Committee, the resolution of the Academic Council thereon and the report of the Syndicate in the matter.

*Dewan Bahadur K. M. Jhaveri* has given notice of his intention to move, as recommended by the Syndicate :—

“ That the Senate approve of the report of the Syndicate in the matter of the application for the continuation of affiliation of the Sophia College for Women, and record their opinion that, *without prejudice to their resolution approving of the report of the Syndicate Committee recommending the disaffiliation of the College*, the present affiliation of the Sophia College for Women be continued for a further period of three years from the 20th June, 1944, subject to the fulfilment of the following conditions :—

“ That the Syndicate are satisfied on or before the 31st March, 1944, that the teaching staff has been strengthened :—

(1) by the addition of :—

(a) one full-time Professor of English, and

(b) one full-time Professor of Philosophy, and that

(2) Mother L. Keyes has been relieved of the teaching of English.

Further that, on or before the said date, the College authorities give an undertaking in writing to the Syndicate that the entire management of the College is vested in the new Governing Body of “ The Society for the Higher Education of Women in India ” mentioned in the letter of the Principal,

No. U/2/636, dated the 12th January, 1944, addressed to the Registrar."

[N.B. The Syndicate resolved at their meeting held on the 15th January, 1944, that the above quoted resolution standing in the name of Dewan Bahadur K. M. Jhaveri be *not* moved in the event of the motion for disaffiliation, (which is the first item on this agenda) being passed, as to do so would amount to asking the Senate to pass two inconsistent and contradictory motions, one after the other, at the same meeting. Members of the Senate are therefore informed that the motion standing in the name of Dewan Bahadur K. M. Jhaveri will only be moved in the event of motion No. 1 not being passed.]

#### *Report of the Syndicate*

"The Syndicate, after considering the report of the Local Inquiry Committee and the resolution of the Academic Council thereon, report to the Senate that, without prejudice to their resolution approving of the report of the Syndicate committee recommending the disaffiliation of the Sophia College for Women, they are of the opinion that the existing affiliation of the Sophia College for Women be continued for a further period of three years from the 20th June, 1944, subject to the fulfilment of the following conditions :—  
(The conditions are the same as those mentioned above)."

#### *Resolution of the Academic Council*

"Resolved that it be reported to the Syndicate that, without prejudice to their resolution approving of the report of the Syndicate Committee which has recommended the disaffiliation of the Sophia College for Women, in the opinion of the Academic Council, the affiliation of the Sophia College for Women be continued for a further period of three years from the 20th June, 1944, subject to the fulfilment of the following conditions :—

(The conditions are the same as those mentioned above)."

The Vice-Chancellor *ruled out of order* the following amendments standing in the name of Mr. K. T. Shah and Dr. D. D. Karve on the ground that both of them contravened the provisions of Section 39 (1) of the Bombay University Act.

## AMENDMENTS TO THE ABOVE MOTION

(1) By Mr. K. T. Shah.

In line 1 of the motion (a) for the word "approve" substitute the word "note"; and (b) omit all the words after the word "that" in line 3, and add the following :—

"In view of the complicated machinery and duality of authority in the management and governance of the College, and in view of the Senate resolution passed at their meeting held on the 18th August, 1943, affirming the fundamental policy of the University that no proselytising activities be permitted, directly or indirectly, in educational institutions affiliated to this University, as also in view of the report of the Syndicate Committee stating that the assurances given by the authorities of the College had not been observed, consideration of the present application for continuation of affiliation be deferred until the appropriate University authorities are satisfied that the constitution of the Governing Body and the management of the College are such as to fulfil, to the satisfaction of the authorities, the requirements of Section 39 (I) (a) of the Bombay University Act, and satisfy the said authorities that the assurances demanded of the authorities and management of the College will be carried out, in the letter as well as in the spirit."

(The motion as amended would read as follows :—

"That the Senate note the report of the Syndicate in the matter of the application for the continuation of affiliation of the Sophia College for Women, and record their opinion that (rest as above).

(2) By Dr. D. D. Karve

Item 2, (a) Drop the words "without prejudice to their resolution approving of the report of the Syndicate Committee recommending the disaffiliation of the College."

(b) Introduce "(i)" after the word "date" in line 1 of the last paragraph.

(c) *Add* at the end of the last paragraph :

“ (ii) The Governing Body give an undertaking in writing, that the Principal and all members of the Staff of the College shall accept without any reservation the implications of the resolution passed by the Senate on the 18th August, 1943, regarding the fundamental policy of the University, which is not to permit in any educational institution, conducted by or affiliated to it, any activity which has for its object the conversion of students from one religion to another. In case either the Principal or any member of the staff is unable to accept the said resolution, the Governing Body shall give an undertaking in writing that he or she will be removed from his or her position in the College.”

(The motion as amended would read as follows :—

“ That the Senate approve of the report of the Syndicate in the matter of the application for the continuation of affiliation of the Sophia College for Women, and record their opinion that, the present affiliation of the Sophia College for Women be continued for a further period of three years from the 20th June, 1944, subject to the fulfilment of the following conditions:

“ That the Syndicate are satisfied on or before the 31st March, 1944, that the teaching staff has been strengthened :—

(1) by the addition of :—

(a) one full-time Professor of English, and

(b) one full-time Professor of Philosophy, and that

(2) Mother L. Keyes has been relieved of the teaching of English, Further that, on or before the said date—

(i) The College authorities give an undertaking in writing to the Syndicate that the entire management of the College is vested in the new Governing Body of “ The Society for the Higher Education of Women in India ”, mentioned in the letter of the Principal, No. U/2/636, dated the 12th January 1944, addressed to the Registrar.”

The Senate considered an application dated 5th August 1943, from the Principal, Sophia College for Women, Bombay, for continuation of the affiliation of the College, the report of the Local

Inquiry Committee, the resolution of the Academic Council thereon and the report of the Syndicate in the matter.

In view of the resolution passed by the Senate on Item No. 1 and the resolution of the Syndicate dated the 15th January 1944 Diwan Bahadur K. M. Jhaveri in whose name motion No. 2 was standing declined to move it.

Mr. K. T. Shah raised a point of order whether the Senate could proceed with the consideration of Item No. 2, in view of the resolution on Item No. 1.

The Vice-Chancellor thereupon ruled that Diwan Bahadur K. M. Jhaveri having declined to move the resolution, any member of the Senate was entitled to move it. The motion, as it was worded, expressly stated that it was without prejudice to the resolution previously passed, and was therefore in order.

Thereupon Principal V. K. Joag *moved* and Professor D. R. Gadgil seconded. (\*For text of the proposition see *ante*.)

The motion was then put to the vote and declared carried on a *show of hands* (44 voting *for* the motion and 30 *against* it).

Mr. K. T. Shah having asked for a division, the Vice-Chancellor appointed the same Tellers, viz., Mr. K. M. Khadye, Professor D. R. Gadgil, Principal R. D. Karmarkar and Mr. B. N. Gokhale.

As a result of the division, it was found that 46 had voted *for* the motion and 38 *against* it.

The motion was thereupon declared *carried*.

## IX

After the passage of the Senate resolution, the storm of opposition, which had scarcely abated even while the matter was under consideration by the Senate, broke forth with redoubled fury. The Archbishop led off the dance with a Pastoral Letter, dated the 14th February from Bassein, in which he officially described the University action as closely akin to persecution of the Catholics. The portion of the letter relating to the Sophia College incident is given below :

Extracts from the Archbishop's Pastoral Letter of 14-2-44.

### SOPHIA COLLEGE AND "PERSECUTION"

We have left to the last the matter of the Sophia College, not, of course, because it is not of primary importance, but because this pastoral letter is written on tour in Bassein, and only towards the end of that tour did news arrive of the motion for disaffiliation passed by the Senate of Bombay University. While We naturally felt some reluctance to be away from Bombay at such a time, all necessary steps had been taken before departure. The issue We awaited with much interest but with little anxiety, for events had been taking a course which seemed to us the best possible one in the circumstances. We had hardly dared to hope, however, that the fundamental issue of freedom of conscience would have become so transparently clear as the debate has made it to men of goodwill, nor that the shock of realising whither the University was drifting should have restored sanity and courage to so many waverers. Two other notable gains emerge from the event of last Saturday : an overwhelming case has now been made for the impartial enquiry which, under the University Act, the Government may institute before giving the decision reserved to itself ; in other circumstances, it might have been more difficult to bring home to the Government a clear duty dictated by elementary justice. Now the duty to be met by an enquiry or by other means is clear ; moreover, it should be easy.



The second gain is the tremendous contribution to unity made by this challenge to Christian, indeed to human, rights. The word "persecution" is one which We have avoided using up to the present, persuaded though We were that it describes with perfect truth the campaign against the College and against Christianity. The word is very liable to misuse, and it is perhaps the fairest test of correct use that protests from all parts of India not only use it freely, but that its use by Indian Christians, noted as a community for patience and moderation, is evidence of a challenge which can no longer be ignored.

We take this opportunity, on behalf of the Catholics of the Archdiocese and especially of the Sophia College Nuns, to thank with deepest gratitude our fellow Catholics from all over India and Ceylon for their prayers and vigorous action given so promptly at the call of their Bishops. They have also given us all an object lesson in unity, a lesson preached to you by us on all occasions, but never before—or We hope, again—from a text furnished by a University.

Better perhaps than any other man is St. Paul entitled to be our Master as to our conduct under persecution. Himself, on his own confession, a persecutor of Christ, owing his conversion to the conduct of the first Christian martyr, he writes feelingly, as a Bishop to another Bishop, of the persecutions inflicted on himself. But in that very letter to St. Timothy, he declares that "*all* who live godly in Christ Jesus shall suffer persecution." Intimate experience by himself and his fellow Apostles verified the prophecies of Our Lord that persecution would not only be their lot, but a very mark of their calling, proof of their oneness with Himself, a pledge of their share in His triumph. Paul is not simply passive under persecution, he glories in it (2 Cor. xii, 10), recalling "Blessed are they that suffer persecution for justice' sake . . . blessed are ye when they shall revile you and persecute you and speak all that is evil against you, untruly for My sake ; be glad and rejoice, for your reward is very great in Heaven" (Matt. v, 11-12).

The letters of the Apostles are the perfect commentary on Our Lord's teaching by those who heard it with His commission to live it and to teach it. Who better could carry out Our Lord's command to "pray for them that persecute you" than a self-confessed "blas-

phemer and persecutor" — (1 Tim. i, 13). Who could bring home to us so vividly Our Lord's reference to persecutors as men often conscious to themselves of the highest motives? If he "obtained the mercy of God because [he] did it ignorantly in unbelief" (1 Tim. i, 13), have we not thereby a precious aid to apostolic zeal, to joyful confidence, above all to the daily prayer enjoined by the Master that we should beg forgiveness from God even as we give it to our fellowmen? "Father, forgive them for they know not what they do." Love Itself pronounced those words. His Spirit calls us and assists us even to such imitation of Christian charity "which is patient, kind . . . bearing all things, enduring all things, hoping all things" (1 Cor. xiii, 4-7).

Faced with persecution as every Christian is in one form or another, we have an invincible, infallible weapon in Christian charity. Here, dear brethren and children in Christ, are some questions for searching self-examination during the coming Lent:—

Do I *praise* myself in the use of this weapon of charity, at home and at work, among my fellow-Catholics, so that by it I may win non-Catholics? Is my conduct free from the spirit of faction, from that communalism that is so hateful—to its victims? Where do I stand, judged by Our Lord's own sign set upon His disciples: "By this shall all men know that you are My disciples that you have love one for another"?

May the Divine Goodness fill you with hope and joy in believing.

We direct that this letter be read in whole or in part at all the Masses and, where necessary, in the vernacular, on Quinquagesima Sunday.

Given at Our Lady's Church at Papdy, Bassein, on this 14th day of February 1944."

Next come a series of letters to the Press by former Vice-Chancellors, Syndics and others, criticising or commending the University action, a selection from which is given below:—

### SOPHIA COLLEGE INCIDENT

From Sir Chimanlal Setalvad

To the Editor, *The Times of India*.

Sir,—The two resolutions adopted by the Senate of the University of Bombay regarding the Sophia College on Saturday last are

difficult to reconcile. The period of the present affiliation of the College has still to run for a few months more. Owing, however, to circumstances and events into the merits of which it is not necessary to enter for the present purpose, the Senate were invited to record their opinion that the College should be immediately disaffiliated and to forward such opinion to the Government of Bombay, who are the final authority to order such disaffiliation.

In anticipation of the expiry of the present period of affiliation the College authorities had applied for renewal of affiliation and on that application the Senate were invited to record their opinion that the College be affiliated for a further period and forward such opinion to Government as the final authority to order affiliation but this opinion of the Senate was to be expressed *without prejudice* to their opinion in favour of disaffiliation if the Senate expressed such opinion. The Senate in the first instance by a majority passed a resolution to recommend to Government the disaffiliation of the College. They then passed, also by a majority, another resolution in favour of renewal of affiliation but "without prejudice" to their recommendation in favour of disaffiliation.

If the Senate took the view that by reason of certain events that had happened the present affiliation of the College should be put an end to immediately, it should have necessarily recorded an opinion against the renewal of affiliation. To say that the College should be disaffiliated and then in the same breath to say that it should be affiliated but "without prejudice" to their opinion about disaffiliation is self-contradictory. It is like a person saying "No" and then saying "Yes" without prejudice to his previous "No." To my mind, in this matter the Senate has been badly served by the Syndicate, who by the manner in which they placed their recommendations before the Senate pushed the latter into an inconsistent position. The Syndicate recommended that the Senate record their opinion in favour of disaffiliation and also recommended that the Senate record their opinion in favour of affiliation but "without prejudice" to their opinion for disaffiliation. If the Syndicate recommended that the Senate record their opinion in favour of disaffiliation, they should have recommended that the Senate record their opinion against renewal of affiliation. Perhaps the lawyer members of the Syndicate, being habituated to hear the legal phraseo-

logy "without prejudice," hoped that the use of those magic words would overcome all difficulties and reconcile the irreconcilable.

Bombay, February 14. (Sir) CHIMANLAL H. SETALVAD.

### SOPHIA COLLEGE INCIDENT

From Sir V. N. Chandavarkar

To the Editor, *The Times of India*.

Sir,—The University Senate at a meeting held last Saturday passed two apparently contradictory and inconsistent resolutions regarding the Sophia College. I propose in this letter to deal with only one of these, *viz.*, that recommending disaffiliation. It became quite clear towards the close of the debate that initiating and pushing through this proposal the Syndicate had failed to give due attention to the provisions of Section 42 of the Act, in which the procedure in regard to disaffiliation is prescribed.

(1) A member of the Syndicate who intends to move that a College be disaffiliated must give notice of his motion and state in writing the grounds on which it is made.

(2) The Syndicate shall then send a copy of this notice and statement to the Principal with an intimation that any representation on behalf of the College will be considered.

(3) The Syndicate, after considering the notice of motion, statement and representation, after making inspection and enquiry and after consulting the Academic Council, shall make a report to the Senate.

(4) On receipt of this report the Senate shall, after such further enquiry as may appear to them to be necessary, record their opinion.

All the proceedings are then to be forwarded to Government, who, after making such further enquiry as may appear to them to be necessary, shall pass final orders, giving the grounds of their decision.

In this particular case the facts are as follows :—

In October, 1942, Mr. K. T. Shah notified the Syndicate of his intention to move that the rights conferred on the Sophia College for Women by its affiliation under Section 39 of the Act be withdrawn

and submitted a written statement of the grounds for this motion. The grounds were that reports had been appearing in the public press that an actual case of conversion of a girl barely 18 years of age had taken place in that institution. The Syndicate, as required by Section 42 of the Act, sent a copy of the notice and statement to the Principal of the College, intimating that any representation received from her within a period of 15 days would be considered by the Syndicate. On receipt of this representation the Syndicate appointed a Committee of Enquiry consisting of the Vice-Chancellor (Mr. B. J. Wadia), Dewan Bahadur Jhaveri, Mr. Justice Chagla, Moulvi Hainday and Mr. Justice Divatia, all lawyers of eminence and repute. This Committee had some discussions with the Principal, as a result of which she agreed to give certain assurances which were drafted by the Committee. In giving these assurances she made it clear that they were for the future, and she did not admit that any proselytising activities had been carried on in the College. Having considered the report of the Committee, the Syndicate resolved to recommend to the Senate that they should record their opinion that the assurances given by the Principal were satisfactory and that no case existed for disaffiliation. (It is to be noted that the Syndicate did not consult the Academic Council as required by Section 42 of the Act before making their report to the Senate).

When the matter came before the Senate in August 1943, Mr. K. T. Shah moved that it be referred back to the Syndicate, because he had heard on the very day of the meeting that there had been another case of conversion of a student of the College. As he was not in possession of reliable information about this he made this motion, and it was carried. When the Syndicate again considered the matter they appointed the same Committee to report "whether the assurances given by the Principal . . . had been kept or whether they had been broken in the letter or in the spirit, and if so, what steps should be taken." The public is aware of the substance of their report, *viz.*, "that in view of the fact that the assurances given by the Principal . . . have not been observed in the spirit the rights conferred on the said College by affiliation be withdrawn in whole under the provisions of Section 42 of the Bombay University Act."

It is very important to note that the grounds on which under Section 42 disaffiliation had been proposed was that there

had been an actual case of conversion. But the ground on which the motion for disaffiliation was made and carried at the Senate meeting on Saturday last was entirely different. It was that the Principal had broken the assurances given by her. This she had done, not by actually converting any student of the College, but by stating, in reply to a purely hypothetical question, that she would be prepared to help a non-Catholic student to become a Christian contrary to her parents' wishes, so long as she observed the assurance given by her that she would inform the parents of the student's desire to be converted to Christianity.

At one stage in their report the Committee say that they are mainly concerned with the conversion of Miss Kalapesi. Later they say that they are not concerned with the details of the actual conversion (which incidentally took place nearly a year after she left the College), but they were concerned to ascertain whether the College had taken part in any activity for the purpose of proselytising any of their students. In the end they came to the conclusion that the Principal had broken her assurances not in the letter but "in the spirit," her reply to a hypothetical question being construed as a plea of guilty. To quote words spoken by Mr. Justice Chagla in the Senate debate, "there was no need for the Committee to waste its time on getting evidence in view of the admission made by Mother Andersson, the Principal, that she had committed a breach of the assurance."

From these facts it is clear that the procedure laid down in Section 42 was not followed in certain material respects. In fact, I go further and say that it is essential, when a proposal is made to take away from an institution rights conferred by the Act, that the procedure laid down in what is essentially a penal section should be strictly followed, and that there should be a thorough enquiry in the course of which the accused person or institution should be given every opportunity of stating the case for the defence and of examining witnesses brought forward to support the case for the withdrawal of rights. It is a great pity that when it became clear towards the end of the debate that the case for disaffiliation was based on entirely different grounds from the original written statement of Mr. Shah, the judicial members of the Committee did not advise the Senate to accept Professor Gadgil's amendment for further enquiry.

It is a matter of grave concern to all of us who are interested in the cause of higher education and of academic freedom, that the Senate was led to adopt a decision fraught with serious and far-reaching consequences for the future of University education in this country.

V. N. CHANDAVARKAR.

Bombay, February 15.

### SOPHIA COLLEGE AFFAIR

From Mr. K. T. SHAH

To the Editor, *The Times of India*.

Sir,—With reference to your leading article on February 15, and the letter of Sir V. Chandavarkar, published the next day, will you permit me, as one who has taken a leading part in this affair, to offer the following brief rejoinder ?

In the ultimate analysis, you observe the University decision to recommend disaffiliation is supported on the ground that the Principal of the College did not keep, in the spirit, the undertaking she had given regarding proselytising. That is not quite correct. For my part, I have always maintained that the Principal is only the representative of the Society of the Sacred Heart, which conducts this College; and so long as that Society remains in effective charge, no Principal, chosen from among its members, can do otherwise than what Mother Andersson has done. The removal of the Principal, therefore, would in no way affect the actual management of the institution.

The Society of the Sacred Heart is an international body, outside the jurisdiction of any authority in the British Commonwealth. No authority in India can, therefore, affect, much less dictate, the policy, constitution, and guiding principles of that organisation. The University had consequently no alternative but to deal with the situation in the only way, effective as well as adequate, open to it.

It is a matter of opinion whether the course suggested in the Senate resolution "is altogether too drastic." The charge, however, levelled against the University, that the enquiry conducted by the Syndicate Committee was "inadequate and one-sided", ignores

altogether the fact that, under the powers given by the Act, no enquiry conducted by a University Committee can be really of a judicial nature. There is no authority to compel witnesses to appear, oaths to be administered, documents to be produced. Hence, if the Syndicate Committee, which actually investigated the matter, had no such powers, no Committee appointed by the Senate could have them either ; and so no enquiry could be anything but " inadequate and one-sided."

This point is the more relevant to the issue, as one of the most material witnesses in this enquiry would have been the Archbishop of Bombay, who was, until the other day, the President of the Governing Body of the College ; and who, in a letter to the University, had claimed specific credit for himself for the conversions actually effected. The Archbishop, however, is a representative, so to say, of the Sovereign Pontiff ; and I doubt if any tribunal in this country would be competent to compel him to appear before it.

Given the limited powers of a Senate Committee, it is difficult to see how the Committee proposed in the amendment could obtain more material than the Syndicate Committee had already gathered. The additional sources, moreover, for collecting such material, e.g., the governing body of the College, are open to grave objection. The present personnel of the governing body is new in its office ; while to call the present or past students, or the lay staff, of the College as witnesses, would be unlikely to provide free, independent and unbiassed testimony.

No one denies that the final power rests with Government in this matter. But Government today is without any responsible, constitutional advisers to the executive head. The Senate, on the other hand, is a statutory body, with a goodly proportion of the representative element upon it. It is the one body which can claim specific knowledge of dealing with such matters. It would be a most serious responsibility, therefore, for the Governor, in the absence of his constitutional advisers, or responsible Ministers, to ignore or override the opinion of such a body. In any case, I think it is no service to him even to hint at such possibilities, which might place the Chancellor in opposition to other University bodies and authorities.



The suggestion made by Sir Vithal, that section 42 of the Act was not complied with fully, is misleading. It is true in affiliation matters the Academic Council has to be consulted. But the moment the Syndicate adopted the policy, on my original motion for disaffiliation, of being content with seeking assurances which they thought would meet the case, disaffiliation proceedings proper may well be said to have ended. There was, therefore, no omission to consult the Academic Council, as such consultation was, on that occasion, unnecessary. On the second occasion, needless to add, that body was duly consulted.

Other points made by Sir Vithal are in the nature of criticism of the Committee's work, which I do not think it good taste, or correct etiquette, to discuss in such correspondence. Even if they are not meant as implied censure of the Syndicate Committee, but are rather intended as so many pointers to the final authority, the undersigned has no intention to constitute himself an uninvited adviser to the Governor. One thing, however, is clear. Whether or not Section 42 is a "penal" section, Sir Vithal altogether misses the main point, that under the Act the Senate has no authority to constitute a duly empowered judicial enquiry committee; and so the Amendment he supported could have achieved no more than mere procrastination.

Incidentally, on purely legal grounds, it is pertinent to ask the champions of the College, why, if they find the Syndicate enquiry to be 'inadequate and one-sided', they did not resort to the High Court, and ask for an injunction against the Senate discussing this proposition? For, before the Court granted such an injunction, the whole matter would have to be thoroughly investigated by an unquestionably judicial tribunal. I cannot believe it was lack of legal advice which explains this obvious omission to take the only step which could have answered all the points made in the College Governing Body's representation, or in the speeches in support of the dilatory motion tabled as an Amendment to the Syndicate's proposition for disaffiliation.

K. T. SHAH.

Bombay, February 19.

**SYNDICATE EXPLANATION OF THE SEEMINGLY TWO  
INCONSISTENT RESOLUTIONS AT THE SAME  
SENATE MEETING : BOMBAY, 29TH FEBRUARY**

The Registrar of the Bombay University has issued the following statement on the Sophia College incident :—

“ I have been directed by the Syndicate to issue this statement to clear certain misconceptions which appear to have been raised in the minds of the public regarding the two resolutions on the Sophia College for Women passed by the Senate at their special meeting held on the 12th February 1944 as a result of certain correspondence which has appeared in the press, particularly a letter dated the 14th February addressed by Sir Chimanlal Setalvad to the Editor of “ The Times of India ”, and published in the issue of that paper on the 17th February.

Sir Chimanlal Setalvad referring to these resolutions, observed: “ In this matter the Senate has been badly served by the Syndicate, who, by the manner in which they placed their recommendations before the Senate, pushed the latter into an inconsistent position.” This criticism of the Syndicate is neither fair nor justified by the facts.

*Agenda and Procedure*

A note on page 7 of the revised agenda clearly stated that the Syndicate had resolved at their meeting held on the 15th January 1944, not to move the resolution on the application for continuation of affiliation in the event of the motion for disaffiliation being passed. The resolution had to be placed on the agenda, because the Syndicate could not anticipate the decision of the Senate. At the same time they were bound to express their opinion on each of the two items, (i) an application made under Section 42 of the Bombay University Act by a member of the Syndicate, and (ii) an application made by the College authorities under Section 39 of the said Act.

Consistent with the decision of the Syndicate not to move the resolution regarding the continuation of affiliation if the motion for disaffiliation was carried, Diwan Bahadur K. M. Jhaveri declined to move the motion for continuation of affiliation when the motion for

disaffiliation had been carried. But, under the Statutes governing procedure at meetings of the Senate any member of the Senate has a right to move a motion which is on the agenda. The motion for continuation of affiliation was accordingly moved by Principal V. K. Joag, a member of the Senate. The Syndicate's position was thus consistent.

### *No Inconsistency*

There was also no inconsistency in the position of the Senate in passing these two resolutions for the following reasons :

(1) The Senate are not empowered by the Act either to disaffiliate or to affiliate Colleges. They are bound to "record their opinion" according to the provisions of Sections 39 and 42 which are distinct and differ in their scope, and forward it to Government, who have the final power in these matters.

(2) The words "without prejudice to their resolution approving of the report of the Syndicate Committee recommending the disaffiliation of the College" in the resolution regarding the continuation of affiliation make it quite clear that the Senate were not taking up an inconsistent position. While under Section 42 they were satisfied that a case for disaffiliation had been made out for the reasons mentioned in the resolution for disaffiliation, still under Section 39 they recorded their opinion in favour of continuation of affiliation in view of the report of the Local Inquiry Committee and the opinion of the Academic Council and the Syndicate, and also because the resolution under Section 42 could only be in the nature of a recommendation.

### *Incorrect Charge*

Thus, the alleged inconsistency is neither real nor apparent, and it is not correct to charge either the Syndicate or the Senate with inconsistency in passing these two resolutions.

The Syndicate regret that Sir Vithal Chandavarkar and Sir Chimanlal Setalvad, two ex-Vice-Chancellors, should have thought fit to criticise the University authorities in the columns of a newspaper. It would have been more becoming and proper for them to

have stated what they wanted to on the floor of the Senate so that a suitable reply might have been given. It is most undesirable that controversy regarding University matters should be carried on in the Press by those who have a right to be heard by the Senate—the only proper forum to which Fellows of the University should address their criticisms of the Syndicate or other University authorities.”

## SOPHIA COLLEGE INCIDENT

From Maulvi M. Y. Haindaday

In his letter dated the 14th February, appearing in the issue of the *Times of India* on the 17th February, Sir Chimanlal Setalvad has observed with reference to the two resolutions passed by the Senate at their meeting held on the 12th February regarding the Sophia College that “in this matter the Senate has been badly served by the Syndicate, who, by the manner in which they placed their recommendations before the Senate, pushed the latter into an inconsistent position.” He goes on to state that “if the Syndicate recommended that the Senate record their opinion in favour of disaffiliation they should have recommended that the Senate record their opinion against renewal of affiliation.” With due deference to Sir Chimanlal, I wish to point out that this criticism is not fair to the Syndicate as will be clear from what follows.

Those who have read the agenda of the Senate carefully will find it stated on page 7 that the Syndicate had resolved at their meeting held on the 15th January that the resolution on the application for affiliation be ‘not’ moved in the event of the motion for disaffiliation being passed, and that it should only be moved in the event of the motion for disaffiliation not being passed. The Syndicate had visualised both eventualities as they could not anticipate the decision of the Senate. They could not, as Sir Chimanlal would wish them to have done, have recommended that the Senate record their opinion against renewal of affiliation, because, on the report made by the Local Inquiry Committee, and in view of the opinion of the Academic Council and their own opinion the conditions of affiliation laid down in Section 39 (1) of the Bombay University Act had been substantially satisfied by the College authorities.

The Syndicate could not therefore recommend disaffiliation on the 'merits' of the application for affiliation, even though on grounds not covered by Section 39 (1) they were satisfied that the College should be disaffiliated. If, instead of passing the motion for disaffiliation, the Senate had rejected that motion, or if that motion had been referred to another Committee or back to the Syndicate, the motion for affiliation would have been moved by the member of the Syndicate in whose name it stood. But, as it happened, the motion for disaffiliation was carried, and consistent with the resolution referred to above, Diwan Bahadur K. M. Jhaveri in whose name the motion for affiliation stood on the agenda, declined to move it. The motion for affiliation was actually moved by Principal V. K. Joag, a member of the Senate who had the right to move it, and could not be prevented from moving it, since the rules of procedure of the Senate provide that if a member, in whose name a motion stands, is absent or declines to move it, it may be moved by any other member. The attitude of the Syndicate, therefore, has been quite consistent.

Now, as regards the alleged inconsistency between the two resolutions passed by the Senate, I should like to point out that there is really no inconsistency for the following reasons :—

(1) The Senate is not the body vested with the power to pass final orders either with regard to affiliation or disaffiliation ; it is the Government who have to pass these orders.

(2) The Senate is bound, by Sections 39 and 42 of the Act, to record their opinion and forward it to Government. In recording their opinion on the application for continuation of affiliation of the Sophia College, the Senate could not express an opinion on matters falling outside the scope of Section 39 (1) of the Act, which only lays down conditions to be satisfied by a College applying for affiliation. On the other hand, in expressing their opinion on the motion for disaffiliation, they were free to take into account matters which did not necessarily fall under Section 39 (1) of the Act.

(3) The words "without prejudice" are not an unmeaning phrase. They make it clear that, while by their first resolution the Senate recommended disaffiliation because they were satisfied that a case for disaffiliation had been made out under Section 42, they could not but record their opinion in favour of the application for

continuation of affiliation because the College authorities had satisfied the conditions of academic efficiency contemplated by Section 39 (1) of the Act.

(4) The decision on the motion for affiliation might have been quite different had not about a dozen members of the Senate owing to the lateness of the hour left the meeting after the passing of the motion for disaffiliation.\*

Bombay, 3rd March.

M. Y. HAINDADAY.

### SOPHIA COLLEGE

From Sir Chimanlal Setalvad to the *Bombay Chronicle*.

The letter of Mr. Haindaday in your issue of this morning reveals in all its nakedness the fallacy about the scope of Section 39 of the University Act which made the Syndicate to lead itself and the Senate into two inconsistent resolutions. If as contended by Mr. Haindaday, the Syndicate and the Senate are bound to recommend affiliation if the requirements of Section 39 are fulfilled by a college and that under Section 42, the Syndicate and the Senate can recommend disaffiliation for any substantial reason other than non-fulfilment of any of the requirements of Section 39, recommendations for disaffiliation and affiliation of the same College can follow each other in quick succession and this ludicrous pantomime can go on indefinitely. The correct reading of Sections 39 and 42 is the one I have pointed out in my last letter.

Bombay, March 3.

C. H. SETALVAD.

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\*This letter was originally addressed to the *Times of India*, but as that paper refused to publish it, on the ground, subsequently alleged, that that correspondence had been closed, without any such intimation having been previously published,—the Maulvi Saheb sent it on to other organs of public opinion in the city. The above is taken from the *Bombay Chronicle*. The present editors have no experience of the ethics or etiquette of journalistic conventions in such matters. Nor have they any desire to criticise the action of the *Times of India* in closing such correspondence arbitrarily and without previous notice. The points, however, made in the Maulvi Sahib's letter are so pertinent and important that they have deemed it proper and relevant to include this letter also in this volume.

## SOPHIA COLLEGE AFFAIR

From Sir V. N. Chandavarkar

To the Editor, *The Times of India*.

Sir,—On my return from Delhi on Thursday, my attention was drawn to the statement of the Syndicate of the Bombay University on the Sophia College affair, and Sir Chimanlal Setalvad's reply appearing in your issue of March 1. I do not propose to deal with the gratuitous advice given by the Syndicate to Sir Chimanlal and me. My object in asking you to find me some space in the columns of your paper is to deal with the question of the inconsistency of the two resolutions placed before the Senate by the Syndicate. In the letter which I wrote to you and was published in your issue of February 16, I referred to the apparent inconsistency of the two resolutions. It seems to me that, on the whole, the position taken up by the Syndicate is more in conformity with the provisions of the University Act than that taken by Sir Chimanlal. When a college makes out a *prima facie* case for affiliation to the satisfaction of the Syndicate and the Academic Council under Section 39 (1) of the Act, the Syndicate has no other alternative but to direct a local inquiry to be made by competent persons appointed by the Syndicate and report to the Senate whether the application should be granted or refused, embodying in such report the results of the inquiry. The Senate then must record their opinion on the matter. The Registrar then has to submit the original application and all proceedings of the Academic Council, the Syndicate and the Senate to the Government who, after such inquiry as may appear to them necessary, shall grant or refuse the application.

It will be noticed, therefore, that whenever affiliation proceedings are initiated by a college, all the University Bodies referred to above have to record their opinion one way or the other, on the report of the local inquiry committee. Even if the report is satisfactory, none of the above Bodies is bound to record an opinion recommending affiliation. They may, by a perverse majority vote, record their opinion against affiliation. In these circumstances, in this particular case, it was not open to the Syndicate to keep back from the Senate the report of the local inquiry committee on the application of the Sophia College for the continuation of the original

affiliation. It was, however, open to the Syndicate without assigning any reason, to record their opinion against the continuation of affiliation, and nobody would have blamed them if they had done so, having regard to their opinion in favour of disaffiliation. During the meeting of the Senate it was felt in some quarters, especially amongst some responsible members of the Syndicate, that the Vice-Chancellor was wrong in allowing Professor Joag to move the resolution in favour of the continuation of affiliation after the Senate had voted in favour of disaffiliation. But in my opinion, the Vice-Chancellor would have been wrong if he had prevented the Senate from exercising their statutory obligation to record an opinion on the question of the continuation of affiliation: But if there was any inconsistency, it was on the part of those few members of the Syndicate and the Senate who, after having voted for disaffiliation, also voted in favour of the continuation of affiliation. Among these were two judicial members of the Syndicate who, ignoring the mandate of the Syndicate that if the disaffiliation resolution was passed by the Senate, no member of the Syndicate would move the resolution in favour of the continuation of affiliation, voted for continuation. Whether, in thus voting, their conduct was becoming or unbecoming, I shall not use your column as a forum for discussing the matter. I shall leave it to be settled between the Syndicate and such members of the Syndicate as voted in favour of continuation of affiliation.

Bombay, March 4.

V. N. CHANDAVARKAR.

## POSITION OF MINORITIES

To the Editor, *The Times of India*.

Sir,—It is regrettable that the speakers at the meeting of Christians held to protest against the resolution of the University Senate for the disaffiliation of the Sophia College should have raised the cry of minorities in danger. The action of the Senate was described by the speakers as an indication of what would happen to the minorities in the future independent India.

It is a pity that His Grace the Archbishop in his letter addressed to the meeting impliedly approved of the reference made at various



meetings in the country to the act of the Senate as carrying implications of the oppression of minorities. However much one may differ from and criticise the action of the Syndicate and the Senate, it is certainly reprehensible to exploit it to raise a cry of oppression of the minorities.

The Syndicate Committee, whose report was unanimous, included Parsis and Muslims, and it is unjust to attribute it to them any communal or minority prejudice. Those who voted in the Senate for the disaffiliation also comprised members of the minority community.

One wishes that members of the Christian community who feel aggrieved at the Senate resolution would not lose their sense of proportion, and lead their community into the mistake of feeling that the action of the Senate had behind it any motive of harming or persecuting the Christian or Roman Catholic community.

Poona, March 6.

(Sir) CHIMANLAL H. SETALVAD.

## POSITION OF MINORITIES

From the Archbishop

To the Editor, *The Times of India*.

Sir,—My respect for Sir Chimanlal Setalvad and the reference to myself in his letter of March 6 compel me to break the silence which, so far as the Press is concerned, I have hitherto observed.

Sir Chimanlal warns us against “the mistake of feeling that the action of the Senate had behind it any motive of harming or persecuting the Christian or Roman Catholic community.” A warning against imputation of evil motives has been given by me to my Christian flock in the most solemn form open to me, a pastoral letter read in every church in my diocese ; it was also published in the Examiner of February 19. Emphasising the fact that I had till then refrained from using the word “persecution” as liable to misuse, I added that it was now being freely used all over India “by Indian Christians, noted as a community for patience and moderation.” Speaking as a Christian Bishop to Christians, I reminded them that our divine Founder Himself had not only foretold persecution for

all His true followers but also its infliction at the hands "of men often conscious to themselves of the highest motives." Further, Christian people were reminded that Christ's greatest Apostle began life as a fierce persecutor of Christians, but—in his own words—"obtained the mercy of God because (he) did it ignorantly in unbelief."

The fact, however, that St. Paul would then have applied the word "punishment" not "persecution" to the death sentence on Christians does not alter the fact that he was violently prejudiced against a small minority. When the true meaning of his persecution was brought home to him, he began to organise the Christian minority against the effects of prejudices which others had not shed.

Fear of the consequences of such prejudice existing in Bombay University were expressed all over India last August when the Senate passed a resolution affirming its "fundamental policy" about conversions. The alarm was due not merely to the difficulty of reconciling with Christianity—essentially the challenge of a Person to every individual—the sanction given to "the widespread belief in India that it is a grievous sin for anyone to change from one religion to another" (Dr. McKenzie); the resolution made possible what in fact has happened, the death—as far as the University can kill—of a Christian college by means which can be used against any other Christian institution. That there was *some* "motive of harming" is not an uncharitable imputation but the perfectly frank declaration of Mr. K. T. Shah who says that the College should never have been allowed to live.

As for the procedure adopted by a majority in the University to give effect to Mr. Shah's wishes, why, if we have nothing to fear from prejudice in the University, was the need for further inquiry so earnestly pleaded by so many eminent persons in the Senate? Why have so many protests poured in from all over India? Why are men and women eminent in holiness and learning, in the law and education, so completely at a loss to reconcile this capital sentence with their notions of truth or freedom or justice?

If there is one word that sums up everything needed for the solution of minority problems, it is the word Trust, Trust, if it is not blind and foolish faith, rests on trustworthiness. It is the right, even the duty equally of minorities and majorities to look to a

University for a shining example of trustworthiness to the whole nation. If any student of the facts is satisfied, on the bare record of the proceedings and of the vote, that the University has proved its claim to such trust, I have nothing to say to him. Those who are not so satisfied are not "exploiting" anything or anybody in declaring their doubts and their fears. On the contrary, they may contribute not only to restore affiliation to one college but give to all existing affiliations their proper value, security and dignity.

+ T. D. ROBERTS.

Bombay, March 21.

Archbishop of Bombay.

### SOPHIA COLLEGE AND MINORITIES

To the Editor, *The Times of India*.

Sir,—His Grace the Archbishop in his letter appearing in your issue of Tuesday says that he had given to his Christian flock a warning against imputation of evil motives to the Syndicate and the Senate in recording their opinion in favour of disaffiliation of the Sophia College because he had found that the word "persecution" was being freely used all over India by the Indian Christians. Evidently, some of the speakers at the Bombay meeting of Christians disregarded the injunction of His Grace the Archbishop and spoke of the action of the University as an indication of what would happen to the minorities in the future independent India. His Grace prefers that the aggrieved Christian community should use the word "prejudice" instead of "persecution" with regard to the action of the University.

It is immaterial which of the two words is used if the speaker feels in his mind that his community is persecuted that his community is persecuted. What I am objecting to is the feeling that the University has been discriminating against the Christian community. It is a pity that His Grace in his letter says: "That there was some motive of harming is not an uncharitable imputation" and refers in support thereof to something that Mr. K. T. Shah had said. With great reverence for His Grace, I venture to say that to attribute to the University some "motive of harming" because

of some utterance of a particular member is an uncharitable imputation. My warning, therefore, to the Christian community was not superfluous. I maintain that however much one may disapprove the action of the Senate, it is unfair to attribute to it any motive of harming a minority. In the voting that took place, members of majority as well as minority communities were to be found in favour as well as against the proposition and it was carried by a very narrow majority.

(Sir) CHIMANLAL H. SETALVAD.

Bombay, March 23.

### SOPHIA CALLEGE AND MINORITIES

To the Editor, *The Times of India*.

Sir,—Of course it would be “an uncharitable imputation” if I attributed to the University a “motive of harming Christians because of some utterance of a particular member.” The imputation is attributed to me by Sir Chimanlal Setalvad, but is not found in my letter of March 11 in your issue of March 21 which (1) registers “the perfectly frank declaration of Mr. K. T. Shah that the College should never have been allowed to live”, (2) considers the “*proceedure adopted* by a majority in the University to give effect to Mr. K. T. Shah’s wishes.” The individual declares his purpose to kill; the majority as far as its power goes, does the killing. A family unjustly condemned to death may not unfairly distinguish between the charge of the principal accuser that it is not fit to live (this we call persecution, however consistent with good faith), and the act of the court which passes sentence of death on grounds not only unjust in themselves but laden with threat to the lives of all their relations. The more distinguished the persons who do such things, the more difficult it is to explain them by anything but prejudice, an influence usually unconscious and for that reason the more dangerous.

The immense harm inflicted by the University on the Catholic community in Bombay through the Sophia College is only less grievous than the threat, implicit in the procedure adopted, to every

Christian institution. The meetings of protest held in Bombay stated with clearness and moderation the reasons for the apprehensions of Christians. As even the Christians in charge of protest meetings have been denied in some quarters the opportunity to rebut Sir Chimanlal Setalvad's grave charge of "exploiting" the University's action, perhaps you will kindly allow me to refer here to a few of their replies. None of these "disregard my injunction" against uncharitable imputation.

(1) There is a general insistence on the hardship unjustly inflicted on Catholics in disaffiliating a College chiefly intended for Catholics.

(2) The disaffiliation of Sophia College reveals the true nature of the weapon forged by the University last August in its "fundamental policy" resolution. Can Sir Chimanlal be surprised that we are now obliged to associate with its inventor the University majority which takes it from his hands and wields it at his behest?

(3) "When a University that has never bothered about what ideas are inculcated into the minds of minors at the various colleges, suddenly takes drastic action because there have been two conversions of majors, in the full exercise of their legal rights, such action is a violation of freedom of conscience. In the ultimate analysis, the Sophia College has been penalised because two perfectly legitimate conversions to Christianity have been connected with it. Is this not ominous of persecution when more power will be in the hands of those who have thus misused the power they have so far? Is it not also ominous that a civic institution like the Bombay Municipality is being used for interference with civic rights?"

(4) Indian Christians are more free than I—and fully entitled—to draw an inference from a vote on a show of hands in favour of further inquiry followed by a vote of secret ballot against it. I have already expressed my hope that every honest inquirer will study that matter and the whole procedure for himself.

(5) Warm tributes are paid to distinguished members of all communities who on the floor of the Senate stood for justice and fairplay in this sad business. The voting is frankly analysed, and anybody who knows the University can judge for himself how far it reflects sincere conviction, and what is the role of party politics.

(6) The fact that there were Muslims and Parsis on the Inquiry Committee does not prove that Christians have no ground to fear oppression by the majority. It only proves that they have still greater grounds for fear when the prejudices of the larger minorities happen to coincide with those of the majority. Who does not know that in this matter the prejudices of a section of Muslims and Parsis have been aroused ; The reasons for Parsi opposition are obvious. Muslim prejudices were provoked by Mr. K. T. Shah's famous "Waiting List", and Muslims held communal meetings of protest.

I do not question Mr. K. T. Shah's claim to have spoken from the highest sense of responsibility when he solemnly told the Senate, at the extraordinary meeting, about conversions in another convent of the Sacred Heart Nuns in India—which does not exist. Yet it was mainly on the strength of allegations no better founded that all these proceedings have taken place. If Sir Chimanlal cannot give his sympathy to the victims of such treatment, at least he must allow them to make the most of the weapon of truth, even at the risk of hurting the aggressor. Self-defence we hold is a duty as well as a right, not least when we fight for what is greater even than life.

+ T. D. ROBERTS,  
Archbishop of Bombay.

Bombay, March 24.

## SOPHIA COLLEGE AND MINORITIES

To the Editor, *The Times of India*.

Sir,—With reference to the Archbishop's letter on the above subject, appearing in your issue of to-day, will you permit me to reply to some of the charges he has made, or insinuated, against me, as also to the misrepresentation he conveys of the Catholic agitation stirred up in all parts of the country.

In the last para of his letter, Dr. Roberts refers to my remark in the Senate regarding conversions actually made in another College

of the Sacred Heart, and adds : " which does not exist ". I have verified my information, and now find the facts to be : *That there is at Kodaikanal, a College of the Sacred Heart, despite Dr. Roberts' dementi ; and that in, or by the agency of, that College, there have been conversion of a Mrs. Peerzada, and her two minor children, —to which fact the Archbishop makes no reference. True, this College of the Sacred Heart is not run by the Nuns of the Society of the Sacred Heart of Jesus ; but I never said that it was so run. Even granting that there is a confusion in names, that does not affect the main point at issue, viz. that using educational institutions for purposes of religious conversion is objectionable. And this, I consider, is amply supported by facts as they are, without insisting upon the further fact that the Nuns of the Sacred Heart of Jesus are only the feminine counter part of the Jesuits. If the fact of the conversions by authorities of that College is undenied,— then I repeat, it is immaterial as well as irrelevant to insist upon this distinction without difference. If my allegations against the Sophia College are as well founded as these, the case against that institution would be unanswerable. I am not surprised, however, that a casuist of Dr. Roberts's distinction should resort to verbal subtleties, especially after his amazing attempt at distinguishing between ' persecution " and " prejudice ", and particularly as he seems to have no better answer.*

I would not take any notice of such insinuations in the Rev. Doctor's letter, as credit me with intending to " kill " ; and describing the University as doing the actual killing. *\*These are refinements of expression, sanctified by their use by a high ecclesiastical dignitary, which may cause repurcussions that Dr. Roberts, a foreigner, with perhaps diplomatic immunity, may not have to face. But when the Archbishop describes the Sophia College as " Chiefly intended for Christians ",—He has even called it, in his first letter, a " Christian College ",—he must suffer me to retort that there is nothing in any of the applications for affiliation of this College, its continuation or extension, which would justify such a description. I have been associated with every one of the Local Enquiries in connection with those applications ; and, apart from*

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*\*This particular remark was omitted by Times in their issue of the 29th March 1944.*

the religious profession of the Principal and some of her academic colleagues, there is not a sign to justify such a description of the College. Not even a majority of the students are Christians, nor the whole staff entirely Christian, nor even the teaching. Even the Governing Body of the College, as recognised by the University, is a non-Christian secular Society registered in India. If the College really had been a "Christian College", the present situation could not have arisen. Either, the College could not have been affiliated under the University Act, or there would have been no room for conversions in it. If the Archbishop's reasoning were to prevail, the College could be much more truly described as a "foreign" institution, and that would be a far more objectionable description, even if better justified.

Yours truly,

K. T. SHAH.

Bombay, March 25.

## SOPHIA COLLEGE AND MINORITIES

To the Editor, *The Times of India*.

Sir,—As I have said in a former letter, it was only because Sir Chimanlal Setalvad mentioned my name in his charge against Catholics of "exploiting" the University action against Sophia College, that I wrote on this subject in your columns. Sir Chimanlal's reply charged me with not making a proper distinction between the University and one individual; my letter published by you on March 25 examined afresh the procedure adopted by a majority in the University to give effect to Mr. K. T. Shah's wishes.

I have no desire to carry on this controversy, but have always urged consideration by the fair-minded of the facts. Here, in reply to Mr. K. T. Shah's letter of March 25, are the facts about the allegations made against the Nuns of the Sophia College.

(1) At the Senate debate, Mr. K. T. Shah said: "It has been brought to my notice in this connection that somewhere in Kodai-kanal in an institution conducted by the organisation, I understand on good authority, a Mrs. Peerzada and her two children were baptised a couple of months ago. These are the activities connected



with another institution of the Society of the Sacred Heart, and therefore you will accept this statement that given their position, their constitution and their aims and objects and their origin, it is impossible for them to avoid any activities of this kind." This is a quotation from a verbatim report taken down at the Senate meeting, and in it Mr. Shah definitely states that the institution concerned is "another institution of the Society of the Sacred Heart."

(2) The actual facts of the conversion are as follows : "Had the person who brought that piece of news to Bombay opened his eyes while passing through the grounds of the 'Sacred Heart College' he would have seen that the College is not an institution for girls. It is in fact a Training College for candidates to the priesthood. It is a private institution, unconnected with any Indian University." "The adversaries of Sophia College may rest assured that the question of age and maturity had no play at all in the case alluded to by Mr. Shah. The lady in question is a highly educated and accomplished woman, with enough experience to know her own mind. She came of her own accord to ask to be instructed. After long period of probation she made up her mind and was received into the Catholic Church. Has she not the right to do so?" These facts are given by Father E. Gathier, S.J., of the Sacred Heart College, Shembaganur.

(3) The sense in which the Sophia College is a Christian College is, I think, sufficiently clear to your readers. Christians object to its disaffiliation as Muslims, Sikhs and other would object to the disaffiliation of their colleges. It is a fact that "not even a majority of the students (at the Sophia College) are Christians, nor the whole staff entirely Christian, nor even the teaching." So your readers may fairly judge for themselves whether the College is adequately described as a "foreign" institution. If, in spite of the campaign against it, the Sophia College enjoys the confidence of "a majority of non-Christians," its maintenance is not only a Christian but an Indian interest.

+ T. D. ROBERTS,

Bombay, March 25.

Archbishop of Bombay.

*(This correspondence must now close—Editor, "Times of India")*

## SOPHIA COLLEGE AND MINORITIES

To the Editor, "The Times of India"

Sir,—His Grace the Archbishop complains that in my letter of March 23, I said that he had attributed to the University the "motive of harming Christians because of some utterance of a particular member." He did state in his letter appearing on the 21st instant, that to suggest "that there was some motive of harming is not an uncharitable imputation." But he now pleads that he said so not merely because of the utterance of a particular member. The plea of His Grace is that Mr. K. T. Shah, having declared his purpose of killing the College and University Senate having at his instance passed the disaffiliation resolution those affected by such resolution would not be acting unfairly if they did not distinguish between the utterance of Mr. Shah and the act of the Senate. His Grace quotes from certain utterances at the meeting of the Christians. One speaker after referring to the events in the Senate is quoted as saying: "Is this not ominous of persecution when more power will be in the hands of those who have thus misused the power they have so far." This is clearly an imputation that the action of the Senate amounted to persecution.

My whole point is that, however wrong or mistaken the action of the Senate may be, it is unfair and unjust to attribute to the Senate any ulterior motive of oppressing or harming any minority in passing the resolution. I myself spoke and voted against the resolution but I am interested in seeing that the incident is not misinterpreted in a manner calculated to create disharmony between different communities. It is not at all a pleasant thing for me to carry on this controversy with His Grace the Archbishop and as far as I am concerned, I do not propose to write about it any further.

(Sir) CHIMANLAL H. SETALVAD.

Bombay, March 27.

To the Editor, *The Bombay Chronicle*.

## SOPHIA COLLEGE AND MINORITIES

Sir,—With reference to the controversy on the above subject going on in the "*Times of India*", the Editor having closed the

correspondence in his columns without allowing me an opportunity to reply to the Archbishop, may I crave your indulgence to permit me briefly to reply to the points he has made in his letter appearing today ?

- (i) There is no official shorthand record of speeches in the Senate. The statement in the Archbishop's letter, giving quotation "from a verbatim report" of my speech can only be by reporters engaged by somebody without the permission of the University authorities. I cannot, therefore, accept that quotation as correctly reproducing my remarks.
- (ii) The Archbishop now admits the conversion I had mentioned in the Senate,—which was the main point of my argument. The fact that the convert in this case,—Mrs. Peerzada,—was a major only helps my argument, because her children were minors. The conversion moreover has taken place in an educational institution, called the College of the Sacred Heart.
- (iii) It is also admitted by the Archbishop that the Sophia College cannot be described as a "*Christian*" College, or as meant "mainly for Christians". His attempt, therefore, to make of the University action against it a special hardship on the Christian Community, is utterly unwarranted, and of a piece with the usual Imperialist policy of divide and rule. By quoting a remark from my letter to the "Times" out of context, the Archbishop has indulged in the usual Jesuit trick ; but has only proved that this institution could be even more fitly described as a "Foreign" institution than a *Christian College*.
- (iv) I do not know if he is aware that this trick is being played in the field of the economic exploitation of India even more commonly by such concerns as the Imperial Chemical Industries, for example. By adding, into brackets, the term India after their name, they claim all the advantages due to India's national enterprises. By such means, however, they obtain facilities to exploit our material backwardness, just as these foreign missionaries exploit our ignorance and superstition. But that cannot affect the essence of my argument, particularly, as regards the Christian (!) complexion of

this Institution, or the hardship (!) upon the Christian Community due to the University action. The College, I repeat, is in no sense of the term a Christian institution ; and if the creed of its conductors is to make it so, then their nationality must make it far more truly a *foreign* institution.

Bombay, April 4.

Yours truly,  
K. T. SHAH.

# X

## SUMMARY OF THE ISSUES AND COMPLICATIONS INVOLVED

By K. T. Shah

### I

#### *Introductory*

Ever since the University took its decision regarding certain activities in the Sophia College, there has been a tornado of public criticism and misrepresentation, which is all the more pernicious because it is almost utterly one-sided. By its very nature, the University is a body that cannot reply to such criticism. On the other hand, the principal critic and opponent is a mighty mechanism of propaganda, that is being handled with all the zeal of religious fanaticism, all the authority of the highest ecclesiastical dignitary, all the experience of the most finished engine of dialectical skill and efficiency in publicity. Individual members of the University, however concerned they might feel in defending or vindicating the organisation they have the honour to belong to, cannot speak in the name or the authority of the body. They can, at best, but express their personal view. But in that process the interests and position of the body concerned may be overlooked, or even come to be misrepresented. Notwithstanding this risk inherent and unavoidable in the situation, an attempt is made in this series of articles to lay out the various aspects of the main question, and to distinguish between the grain and the chaff, the essence of the matter and the overlying layers of prejudice, misconception, misrepresentation.

The issue has become exceedingly complicated, since first the move was made to deal with the situation. No longer is it now a question of proselytising activities in a public educational institution ; nor of the technique and procedure adopted by the party concerned ; nor even of the relation between an affiliated college and its affiliating University. All these are, of course, there ; but there is much else, and much more, besides, involved in the problem.

On the one hand, the nation-wide agitation raised deliberately, and conducted scientifically, by the impulse, sanction and authority of the Catholic Church,—with all the vast machinery of propaganda at its command,—is rapidly transforming the original issue of some disciplinary action against certain exceptionable activities in an affiliated college, into a matter concerning the rights of Minorities, which has a particularly sinister twang in this land torn by the storms of communal discords. The issue of the fundamental right of citizenship in a modern community,—Freedom of Conscience,—is also present, though it seems to be thrown into the cauldron almost as an afterthought, and merely as an incident of debate, as it were. It is, of course, useful,—and has been used—to threaten international complication, mainly in the shape of American displeasure or Chinese estrangement, should nationalist (Why Nationalist ?) Indians persist in such steps. But the heavier emphasis is on the menace of internal conflict resulting from such action. On the other hand, with the decision of the Senate, already said to be forwarded to Government, the final authority in the matter, constitutional as well as political complications become equally unavoidable.

The purely legal aspect of the question was, of course, present ever since the question was raised about the authority of the University, the nature and personnel of the Syndicate Inquiry Committee, their procedure and findings. The technical, narrow, legal issue does not, however, embrace and exhaust the question of constitutional practice, also sought to be involved, especially under the present conditions in Bombay as regards the relations between the Government and the University. The Government in Bombay to-day is without any responsible Ministers who would be the proper constitutional advisers to the executive head. The Governor is charged, both under the constitution, and under his special Instructions from the Crown, with responsibilities in regard to communal minorities, which must weigh particularly heavily on him in the absence of his popular constitutional advisers.

The conflict, moreover, being, in its present phase, with an international organisation like the Church of Rome, the issue cannot be treated as exclusively a domestic matter. It must have international repercussions, even apart from the threat of American

displeasure, and consequent disfavour towards India's national aspirations.

The issue, therefore, must be considered in four simple aspects : the educational, legal, constitutional, and political.

## 2. *Academic Aspect*

So far as the purely academic aspect is concerned, it has been almost universally accepted as a sound policy to exclude any proselytising taint from public educational institutions. In India, the land of many religions, some of them proselytising and others not,—no educational institution would be trusted by the community generally, if there was the slightest suspicion of its conductors inclining to one particular creed only. The Archbishop's own insistence, therefore, in one of his letters to the "Times of India", on the desirability of mutual trust will not be met if such activities were suffered to go on. The alternative of organising national education in India in exclusively communal institutions need but to be mentioned to be rejected by all right-thinking people. Whatever chance of national unity we may have through common education in common institutions would be destroyed for ever. In mixed institutions, where young men and women of all communities foregather for the purposes of instruction and training, the only safe policy and wise dispensation is to eschew altogether even a suspicion of religious leaning of the authorities concerned.

It is for this reason that the Government of India have accepted the policy in public education, ever since the British Crown took over direct control, to keep public educational institutions free from any taint of religious bias, even where the founders and conductors of any such institution happen to belong to any particular denomination. There has, of course, never been any lack of educational institutions in India founded and conducted by Missionaries, —particularly Christian. But these have rarely been confined to students from any particular denomination. Nor has the teaching staff in such institutions ever been recruited exclusively from Christians. And the instruction has, of course, always been necessarily secular as prescribed by some public authority.

It is, consequently, an utter misnomer, if not a deliberate misrepresentation, to describe the Sophia College as a "Christian

College ” or one “ chiefly intended for Christians ”, as Dr. Roberts has done. Neither all its students are Christians, nor all its staff, nor its teaching. Except for the Society conducting the institution, it is in no sense of the term a “ Christian ” college. Had it been really so, it would either not have been affiliated ; or the question of conversion would never have been risen in it. As well might the institution be described as a “ foreign institution ”, simply because some of the teachers there are foreigners.

To characterise, moreover, the disciplinary step taken by the University against one of its affiliated colleges as an attempt to invade the rights of Minorities, or violate the freedom of conscience of the Catholics, is a deliberate distortion of facts. Whatever rights the minorities may be guaranteed, they cannot include the liberty to pervert public educational institutions, or attack through them the equally sacred rights of other communities, some of them even smaller minorities, less able to stir up local as well as international agitation, than the Catholics in India have been doing under the inspiration and with the authority of their ecclesiastical chiefs. Some of these, like Dr. Roberts, being foreigners, do not perhaps realise fully the mischief they are unleashing by the agitation they have started, in the conviction, perhaps, that with their nationality and diplomatic immunity they would not have to reap the consequences of these activities.

The University of Bombay recently reaffirmed the fundamental policy of public education in this country of discountenancing and forbidding as it were, any activity, direct or indirect, which could result in the conversion of a student of one community to the faith of another. The Sophia College authorities were charged with carrying on such activities. They were called upon, as required by the law, to give their own explanation on the charges preferred against them. A Syndicate Committee, composed of eminent lawyers of three communities, considering the matter, took the view, that it would be needless to go into all the complications of what had happened, if the college authorities were prepared to provide adequate assurances against future recurrence of such events. The College authorities saw the wisdom of “ burying the hatchet ” ; and gave the assurances as required, though they have subsequently averred these assurances were given “ at the point of the bayonet.”



The matter would have ended there, had not events forced once again, the hand of the University. A new inquiry was ordered, evidence was gathered, materials collected, and the question deliberated upon for weeks by the same committee whose members had passed a whole lifetime in the administration of Justice. They came unanimously to the conclusion that the college authorities had not kept their assurances, in the letter or the spirit ; and so they had no alternative but to recommend a course—disaffiliation,—which only a few short months ago, they had themselves explicitly rejected.

The recommendations of the Committee were carefully scrutinised in the Academic Council, where there are Catholic as well as Protestant Christian members. They could not, however, persuade a majority to take any other view but the one recommended by the Enquiry Committee. In the Syndicate, which also had opportunity, more than once, to scrutinise the final recommendation to the Senate, there is a Jesuit member. But Fr. Dühr did not see any ground to record a formal dissent from the view of his colleagues. Had he done so, his note would have gone to Government along with all the other proceedings of the various University bodies in this affair. The contention of the Governing Body of the College that there was no Christian on the Committee is thus very much weakened in force, since the Committee could only advise, while it is only the Syndicate which can decide upon the final recommendation to the Senate. And the Catholic syndic did not think it worth while to record a formal protest ; so that the matter went to the Senate with, in effect, the unanimous backing of the Syndicate.

This brief review of the process, which culminated in the final vote of the Senate, on the 12th February, 1944, after over 6 hours of debate, would suffice to show that the general policy of the strictest possible religious neutrality in educational institutions recognised by, or affiliated to, the University, has the support of a considerable majority in the only constitutional and representative organisation charged with this matter, and competent to deal with it. The speeches in the Senate unmistakably revealed that such difference of opinion as existed related, not to the basic principle, but to the specific details of the particular case. Even there, the difference was not confined only to Catholics, or even to Christians. Only one Catholic speaker participated in the debate on the main

issue ; and another Christian, a Protestant, supported him. The majority of speakers were Hindus ; and they were sharply divided, —a larger number of those speakers seeming in fact to be against the Syndicate recommendation.

On the purely academic aspect of the matter, therefore, the several University bodies dealing with the matter are agreed that there should be no proselytising activities in any affiliated College. As the majority in all these bodies was satisfied, after all proper enquiry, that, in the Sophia College, there had been such activities culminating in actual conversions, disciplinary action had to be taken against that College. Opinion may, and does, differ as to the adequacy or proportionateness of the actual step ; but there is no difference on the basic principle involved.

### 3. *Legal Aspect*

The legal aspect is complicated by questions of procedure as well as of specific legal competence of the bodies concerned with the matter. Points of order have also been raised in the Senate questioning the compliance in full with the terms of the sections relating to affiliation and disaffiliation. On this last, the Chair at the special Senate meeting has already ruled that all the requirements of the Bombay University Act in this behalf have been complied with ; and that, consequently, the motion recommending disaffiliation was perfectly in order. It is understood this ruling has been challenged. Until the decision is given by the final authority, it would not be proper to express any opinion on the same.

The competence of the Committee, as well as the fullness of its investigation, have also been challenged, directly or by implication. Under the Bombay University Act, however, which alone is the source of power and authority of any University Body, the powers of any enquiring committee are necessarily limited. The Enquiry could, therefore, not be a judicial enquiry in the proper sense of the term. This, of course, was pointed out by the Committee themselves to every one who appeared before them in evidence, and also in their report. Unless the Act is amended, or unless special legislation is passed, no enquiry conducted by any University authority can have power to summon witnesses, administer oaths, cross-examine, permit legal advisers to appear for parties desiring

such assistance, and compel production of relevant documents by any person, body, or authority. It is open to question if any legislative authority in India can enact legislation sufficient to deal with dignitaries of the Catholic Church, like the Archbishop of Bombay, who may have been deeply involved in the matter. Without such powers, no enquiry, I repeat, can be full in the sense conveyed by the Governing Body of the College in their statement, or by some speakers at the special Senate meeting.

The demand, therefore, for another enquiry seemed to be only a strategic move, intended either to delay further and prolong the agitation ; or to accentuate the confusion and increase the possibility of a further division of opinion. This does not harmonise with the plea advanced at the special Senate meeting by some speakers, that they demanded a further enquiry in order to go with a more united opinion to the Government. For, on such matters, unanimity is impossible to attain in a body composed as the Senate ; and any majority would be discounted by the defeated minority as not genuine but only the adventitious outcome of party politics. The Archbishop seems to have actually hinted at this view.

The competence, again, of the Committee which conducted the enquiry has been questioned,—if not expressly, at least by the unavoidable implication of the Amendment in the Senate demanding a fresh enquiry. The personnel of this Committee included two actual Judges of the High Court,—one Hindu and one Muslim ; two ex-judges, one Hindu and one Parsi (who, as Vice-Chancellor, was Chairman) ; and a Muslim lawyer of long standing, also a member of the Syndicate. This was intended to secure the utmost impartiality ; and to that end the present writer, though a Barrister, a syndic, and the mover of the whole case, was excluded from the Committee. How can a more competent and impartial body be formed by the University ?

The charge has been made that there was no Christian on the Committee. But there was and is no Christian lawyer member of the Syndicate, of whom alone the Committee was formed. In the Syndicate itself, there is, of course, a Jesuit ; but, strange to say, he did not see fit to record any formal protest or dissent regarding the composition or findings of the Committee.

In contrast to this, the Amendment in the Senate proposed a committee, one of whose members was a professed Christian Missionary ; and another a Hindu who had made himself conspicuous by his insistent advocacy of the Sophia College, in as well as outside the University bodies of which he is a member. Two other members would be common to the earlier Committee and that proposed in the Amendment, the Vice-Chancellor and the Muslim Judge of the High Court. May not these be considered as committed to the view they had already advised ? The fifth member proposed was a distinguished, eminent lawyer, a former Vice-Chancellor, a Hindu, who alone could reasonably claim to be utterly impartial.

It is difficult to appreciate the reasons prompting the exclusion of another member,—a Judge of the High Court,—of the Syndicate Committee from the personnel proposed in the Amendment,—unless it was intended to question his ability or impartiality, even though Hinduism is a non-proselytising religion ; and the jurist excluded by the amendment is a Hindu. The exclusion of the Muslim advocate from the Committee proposed in the Amendment is an undeserved slight, all the more pointed to those who knew his views when the agitation first began.

The decision of a Committee of this personnel might well be taken to be a foregone conclusion, even if it could be armed with larger and more effective powers, which, at the time the Amendment was moved, were not available, nor suggested. In contrast to this, the Syndicate Committee, which had investigated the matter on two occasions, had signalled their impartiality and considerations to the College authorities, by recommending, in the first instance, that the affair be settled by the University obtaining assurances for further correct behaviour. It is only when they were all convinced that mere assurances from such finished casuists would not suffice, that they unanimously recommended disaffiliation.

Apart from this, exception has also been taken regarding the nature, source and sufficiency of the evidence taken. But all objection on that score is either misconceived or irrelevant. The Governing Body, for example, complains that it was not called. But the Principal always spoke on behalf of the Governing Body ; and no suggestion was ever made that that body would say anything other than what the Principal had averred. The Governing Body

had, moreover, formally endorsed her action by declaring their confidence in her. Moreover, while the Principal, who appeared more than once before the Enquiry Committee, had remained the same throughout, the Governing Body had been reconstituted at the end of 1943.

There was thus no point in calling the new Governing Body which was not in office when the conversions had actually happened ; and it was impossible to call the old one, because it had ceased to exist. The greatest common factor was the Principal, and she was called more than once. It was in fact her intransigence which finally decided the Committee.

Practically the same reasoning may apply to the calling of students or the lay staff. No suggestion was ever made in the charges against the College that every student had been approached with a view to conversion. Only those evincing a suitable inclination were selected by these experts in the art and technique of conversion. And these were *ex hypothesis* prejudiced too much to be fair witnesses. As for the lay staff, most, if not all of them were content with their allotted task ; and had little extra-curricular interest in the students. What light could they throw on the matter before the Committee ? And this apart from the self-interest, or sense of loyalty, of such parties.

Finally, the extent of the judicial powers of a University Committee being extremely limited, it was open to doubt if the Governing Body of the College, even if called, would be amenable to the same extent that the Principal of an affiliated college of the University may be presumed to be. In the absence of adequate powers to examine, cross-examine and compel production of material, the Syndicate Committee would have been betrayed into a very unwise step, had they decided to call evidence from this source.

#### 4. *Constitutional Aspect*

The final power rests, under the Act, with Government. Section 42(5) says :—“ The Registrar shall submit the proposal and all proceedings if any, of the Academic Council, the Syndicate and Senate, relating thereto, to the Provincial Government, who, after such further inquiry (if any) as may appear to them to be necessary

shall make such order as the circumstances may, in their opinion, require."

Government is, undoubtedly, the final order-making authority. But, before passing any order, they have also the right to make further enquiry, if they consider it to be necessary. In the present case, the Senate having passed the recommendation for disaffiliation, if Government agree with that body, there would be no need for any further enquiry. If they disagree, the nature and reason for their disagreement with the Senate would have a strong bearing on any further enquiry. If they disagree merely because the Senate opinion was divided, Government will have to remember that the Senate opinion was even more sharply divided on the first occasion this College was affiliated; and the division has persisted ever since, and every time, the question of extending this affiliation has come up. Senate decisions have necessarily to be majority decisions. If Government begin to question or overrule the Senate, merely because of there being difference of opinion, the logical end of that policy would be a complete dumification of the Senate. At the last meeting of the Senate for example that body refused to recommend affiliation to a Commerce College in Belgaum,—of course by a majority. Would Government be justified in overruling the Senate if the wire-pullers of Karnatak can manage to terrorise them as the Catholics are doing?

If, on the other hand, Government desire further enquiry, because the one already conducted was, as alleged, incomplete, they must consider the power and authority of the body—whatever that be,—which is set up to conduct it. This cannot or should not be done merely by executive fiat. It must have the sanction of legislation, perhaps of the sovereign Legislature in the British Commonwealth. Without the necessary power and authority, any further enquiry would prove futile, and even mischievous.

The authority to conduct the fresh enquiry also raises further complications. If the fresh enquiry is to be conducted by and through the University, Government must consider, not only the advisability of granting special powers by legislation; but also the aspect of the University's *amour propre*. No University authority can cast a gratuitous slur on any of its members. Hence, if Government desire the enquiry to be conducted by other than

those concerned in it so far, they must produce adequate and satisfactory reasons to convince the University of the justice and necessity of such a *demarche*. It would, of course, be impossible for the University to recruit the personnel for such enquiry from any but the Fellows of the University.

On the other hand, if the enquiry is to be conducted apart from the University, Government will have to consider carefully, not only the constitutional correctness, but also the political propriety, of ignoring, superceding, or even slighting a statutory body like the University. In its whole history of nearly a century, no charge could ever be made against the University of any direliction of duty, misfeasance or malfeasance. If Government are persuaded to create a new precedent, and treat this as a special case, they must ponder seriously over the form of this step, as well as the reasons for the same.

The personnel of the body appointed to conduct further enquiry, if any, is also another extremely thorny question. Considering the personnel that has already investigated this matter, any suggestion of leaving out any member already associated with this enquiry, would amount to a censure, which, at least in the case of those members who are actual Judges of the High Court, would be as unjustified as it would be impolitic. Judges of the High Court, are, of course, not infallible. They are accustomed to the phenomenon of appeal against their judgment almost every day. But that appeal is from one judicial body to another ; and under definite judicial regulations or legal provisions. Here the case is different. Unless Government produce reasons which would constitute fair grounds for appealing in the ordinary way, without a gratuitous slur on the competence and impartiality of the Judge-members of the Syndicate, the later would be entitled, in mere self-respect, to consider themselves unjustly slighted. On the other hand, appointment of any person who has already taken sides, or who, from the nature of the case, cannot but be a partisan, would be obviously open to the gravest objection on grounds of legal propriety alone.

The possibility of Government summarily rejecting the Senate recommendations is extremely remote. Government have the technical power, of course ; but they need not be presumed to be

lacking in the merest element of decency, or propriety,—or constitutional sagacity—until the event proves the contrary.

There was, indeed, one effective way of obtaining authoritative adjudication on the matter, which would be beyond the possibility of criticism. The party believing itself aggrieved could have asked for an injunction against the Senate discussing this matter. The High Court would then have properly investigated into the matter, and no room could have been left for doubt regarding the fullness or fairness of the enquiry, or the competence of the enquirer. It is a mystery why the advisers of the Sophia College did not have recourse to this—the only effective means of securing justice for themselves. Perhaps they thought influence, canvassing in high quarters, and agitation in the press or platform would serve them better.

The constitutional aspect of the case concerns the relations between the University and the Government. The head of the Government is also the head of the University ; and it is a serious matter for two parts of the same organism to be at variance with one another, as it were. The head of the Government is, under the present circumstances, particularly concerned. For he has today no representative, constitutional advisers, or Ministers, who could relieve him of his responsibility or at least share in it. His statutory advisers would not command the same weight in the public eye ; and they cannot, of course, relieve him of any part of his responsibility.

The Senate is the supreme Governing Body, under the Act, in all matters relating to University affairs ; and here is a case primarily within the jurisdiction of the University. The Senate has recommended a course, which, whatever the Governor's view of it, is backed by strong public opinion in that body. It is, moreover, a statutory body, which can claim contact with the public mind, far more truly than the exclusively official government now constituting the executive in the Province. In considering the constitutional aspect of the case this point cannot but be allowed very considerable weight.

Under these circumstances, should Government,—or can Government, disregard the Senate opinion ? The head of the Government has, of course, certain statutory responsibilities, and some more



under his special instructions. But would they justify his overriding the University altogether, off his own bat? Moreover, how, and on what grounds, could the special responsibilities of the Governor be invoked in protection of the Minority Rights? The present conflict is not as between a Minority and the Majority,—even granting that the question of Minority rights is at all involved,—but as between one small Minority and another much smaller. One community,—taking it at the word of some of its spokesmen,—claims the right of conversion, even in a public educational institution where students of all communities attend; and another community, a much smaller minority, has felt aggrieved that its girls should be exposed to such a fate, when they themselves do not resort to proselytisation of any sort. Should the Governor, under the guise of his special instructions or constitutional responsibilities protect and encourage the Catholic Minority to use public educational institutions for proselytising, and effect conversions of girls of the Parsi community,—a much smaller Minority,—who cannot claim the same kinship with the governing race as the Christians, nor can threaten international complications? The problem needs but to be stated so bluntly to show, not merely its complications and ramifications, but also the distortion it is being subjected to by interested parties.

### 5. *The Political Aspect*

The political aspect of the case concerns the relations as between the several sections of the Indian people, and those between them and the Government of Bombay.

The issue has, indeed, been raised of the Rights of Minorities. But until the constitution of the country specifically enumerates and defines those "Rights," all talk about them must needs be vague. Each Minority community would claim those Rights which fit in best with its own conception of its dues. But no "Rights" can be absolute, or without their corresponding obligations. In this instance, even if the Christians insist upon their "Right" to convert, they must realise that another sister community, much smaller in number and organised ability for propaganda, does not hold with proselytisation. Even if the general constitution of the country cannot forbid the right of proselytising religions to propagandise

themselves through conversions, they cannot be allowed to do so in common, public institutions, like schools and colleges, hospitals or jails. In these institutions, used by all communities, the only safe policy and sound rule of administrative organisation is to exclude rigorously any tendency to such proselytising activity in the conductors of such institutions. Otherwise, not only will there be constant inter-communal conflict, and disturbance of the public peace; there will be an eternal, standing charge from some sections of the community of a betrayal of trust, a breach of faith, which it is utterly undesirable any public institution should be guilty or suspected of.

The other aspect, viz. the relations between the Government and the governed, as involved in this case, is no less complicated.

Government in Bombay today is not normally constitutional, in the sense that there are no responsible ministers and representative legislature. Though the constitution does invest the head of the Government, under such circumstances, with powers to deal with such situations, the exercise of such extraordinary powers cannot be lightly resorted to by any statesmanlike head of the executive. Especially in such a complex matter.

The claim of the University simply is that educational institutions affiliated to it shall not be allowed to carry on any proselytising activity, direct or indirect, through any person connected with such an institution, upon immature minds, if not legally minor individuals. There is here no question of any denial of the right of the Christians, if they so choose, to carry on, as they have done for centuries, conversion activities as regards persons of mature judgment outside public educational institutions conducted by them. But if the Christians are at all allowed to use common public educational institutions for conversion purposes, there is serious danger of other communities feeling aggrieved because of the violation of their fundamental right of citizenship, viz. freedom of conscience, worship and belief. All such rights have to be necessarily conditioned and restricted by the corresponding rights of citizens of other communities; and Government intervention, which might smack of giving an unwarrantable advantage or preference to one community over another, would constitute a grave breach of faith and understanding that have governed the relations between the

Government and the governed ever since the Proclamation of Queen Victoria.

*International Aspect*

There is another side to the political aspect of this case, which deserves particular attention. Thanks to the inspiration, activity and authority of the present Archbishop of Bombay, the Catholic Church as such has become a party to this controversy. Now the Catholic Church is the most powerful international organisation, with the most wonderful technique of propaganda, the most widespread machinery conducting it. Suggestions have already been made in press correspondence that if Indians of a nationalist, freedom-loving brand indulge in such pranks, they will loose the sympathy of America for their nationalist aspirations. Without being a cynic, one may well ask what contributions Americans—and particularly American Catholics—have made to the achievement of India's independence. The answer cannot be very emphatically affirmative. But even if it were otherwise, how far should Indians show deference to foreign sensitiveness—more often imagined than real—on specific issues of our internal politics? Foreigners, like the Archbishop, have, of course, an exaggerated opinion of the value of outside sympathy (?) for our national struggle. For to them this is another weapon of British Imperialist domination of India, which is a tacit guarantee of disproportionate attention being shown to their own pretensions. Notwithstanding the glaring example of an earlier predecessor of Dr. Roberts, who stirred up, by his own lack of sympathy for Indians, the damaging description of them in the official census of the time, the Indian Catholics have yet to learn to see through the machinations of these outsiders imposed upon them by an outside power. And so they may be misled into misconceiving their own long-range interests, by echoing the interested cry of persecution of Minorities,—which has no foundation whatever—that is intended to serve the ageold Imperialist policy of divide and rule. Those, however, who can see through such hackneyed strategy must be excused if they refuse to be stampeded into surrender even by apostolic exuberance of intolerance and misunderstanding.

*Copy of letter No. 7482/E, dated the 24th April, 1944, from the Secretary to the Government of Bombay, Educational Department, to the Registrar, University of Bombay.*

**Subject :—Sophia College for Women, Bombay—Affiliation of—  
to the University of Bombay. Withdrawal of.**

Sir,

With reference to your letter No. 3585, dated 19th February 1944, forwarding a resolution passed by the Senate of the University of Bombay recommending that the rights conferred on the Sophia College for Women, Bombay, by affiliation may be withdrawn in whole under the provisions of Section 42 of the Bombay University Act, 1928, I am directed to state that a careful perusal of the proceedings submitted by you discloses that disaffiliation of the college is recommended solely on the ground of a breach in *spirit* by the Principal of the college of certain assurances given by her, and that the evidence of any such breach is of a kind which cannot be considered satisfactory or convincing. Government is therefore unable to approve the proposal of the Senate for the disaffiliation of the College, which appears far too drastic for the needs of the situation, involving as it would the ruin of the college and grave detriment to the careers of its students. Government at the same time wishes to add that it shares the Senate's reprobation of any activity in affiliated colleges aiming at the conversion of the students from one religion to another, and trusts that its decision in this case will not be understood in any other sense. In particular it trusts that the assurances given by the Principal of the Sophia College in this connection will be scrupulously observed. I am to request you to be so good as to convey the foregoing orders of Government to the Sophia College for Women, Bombay, as soon as possible. An order under Section 42 (5) of the Bombay University Act, 1928, will, if found necessary be published in the Bombay Government Gazette in due course.

Your obedient servant,

(Sd.) G. W. McELHINNY

Secretary to the Government of Bombay,  
Educational Department.

## COMMENT BY MR. K. T. SHAH ON THE ABOVE

This is a compromise which Government, constituted as the Bombay Government is today, may well be expected to adopt as the only way out of a disagreeable impasse. It regards the Senate suggestion for disaffiliation as "too drastic," and founded on evidence not quite satisfactory or convincing. At the same time it lends unambiguous official approval and sanction, as it were, to the Senate resolution on the fundamental policy in these matters, viz. that in affiliated colleges no activities calculated to result in the conversion of students from one religion to another would be permitted. Even if Government do not agree to disaffiliate the college, *their orders* leave no doubt that this fundamental principle is entirely accepted by them ; and that they be conveyed to the Sophia College authorities immediately so that no room be left for doubt in this matter. For the future, therefore, one thing is quite clear : There must be no proselytising activities in any affiliated college. Those, therefore, who stood for this principle and desired to keep our public educational institutions completely free from any taint of this kind may well congratulate themselves that their main stand has been officially accepted and publicly vindicated.